

Special Board of Directors' Meeting
November 2, 2022

MINUTES

A Special Meeting of the Myrtle Beach Resort Homeowners Association, Inc. was held on Wednesday, November 2, 2022 in the B Building Conference Room and also available via Zoom at 4:00 PM.

The following Board Members were present in person – Brent Whitesell, Renaissance Tower; Lori Niedzwiecki, Five Seasons; Nancy Moore, B Building; David Webster, A Building; and Kenneth Moss, Court Appointed Representative. A quorum was established to hold the meeting and it was called to order, at 4:10 PM, and was presided over by Brent Whitesell, Association President with Lori Niedzwiecki serving as Secretary. Also present in person was Association Manager, Barbara Johnson from Empress Management. Association Attorney Robert E Lee attended via zoom.

Old & New Business

A. Security

1. Two Way Radios vs. Cell Phones

The Board included funding for the radios in the budget, however they have questions regarding replacement of radios and channel options for radios. Brent Whitesell stated he will contact the sales representative with regard to the Board's questions. Kenneth Moss stated that he feels it will be necessary for the Board members to sign an agreement in advance of the purchase with regard to ownership of the radio equipment due to the litigation.

2. Bike Week Coverage

Ms. Johnson stated that \$17,000 was added to the 2023 Budget Draft in income, but no expense had been included in the Budget expense. She stated that a new line item has been included for this expenditure at the request of the Board and \$7,300 was included, which would cover the additional expense of two guards 24 hours a day for a week.

B. Engineer's Report – Building Foundation Leaks

Kenneth Moss stated that he walked the area around the MBRV Building and he wants clarification on the proposals submitted to rectify the foundation flooding. He stated that simply removing the mulch and dirt near the foundation will not correct the building flooding problem. Mr. Moss stated the landscaping plants will all have to be moved and the ground has to be graded away from the building. No action was taken at this time.

C. Cable Contract

Kenneth Moss stated that he and Ms. Johnson met with Jolene Boyer of Spectrum in his office on Tuesday, November 1, 2022. Attorney Robert E Lee participated in the meeting by phone. Also in attendance from Spectrum was Regional Director, Adam Simpkins, who attended by phone.

Mr. Moss explained that the current lawsuit could result in dissolving the MBR Master Association, and due to this the Board is reluctant to enter into a

new contract for a duration extending beyond two years. Discussion ensued regarding rolling the existing contract for a year without phones. In addition, a request was made to credit the MBR contract invoice for the 322 units in the Renaissance Tower for the period of time the building is vacant. Spectrum agreed to consider the various options discussed, and they will get back to the Board after discussion with their legal department and decision making executives.

D. PBX Room

Kenneth Moss stated that he provided the Board with a copy of the PBX Room Lease agreement that was signed in 1987. He stated that with the PBX equipment gone the room could be turned over to the Five Seasons, since they expressed interest in having it. Nancy Moore stated that the terms of the lease had not been upheld by Five Seasons. Kenneth Moss stated that he will contact HTC with regard to moving the active phone lines either out of the room or in a small access panel area. Lori expressed that they would take over the room as long as there was no danger with the current wall of phone wires.

E. 2023 Budget Draft

Ms. Johnson reported she had included the HTC Credit in the income section of the budget draft in the amount of \$1,500 and \$1,500 was also included \$1,500 under phone expense as the Board had requested. She also stated that she had added a couple of line items to the budget that were not previously included for Board consideration:

Professional Services (Engineer) \$2,000

Storm Clean-up \$6,000

Kenneth Moss suggested a reduction in the cable line pending the decision of Spectrum. Mr. Moss further suggested adding \$680,000 to Security, as Owners have repeatedly voiced concerns over the current limited number of security staff. Brent Whitesell reiterated that the total expenses of the 2023 adopted budget would fall on Owners as the Board was unable to obtain a unanimous decision to implement a gate agreement to offset HOA expenses since the A Building Board refused to sign the agreement on the advice of their Attorney. Discussion ensued, and upon a motion by Kenneth Moss, seconded by Lori Niedzwiecki and passed (Kenneth Moss – Yes, Lori Niedzwiecki – Yes, Nancy Moore – Yes, David Webster – Abstained, Brent Whitesell – Yes), it was:

MOVED: To adopt the 2023 Budget with total expenses of \$2,549,968, which is an increase of \$606,698 compared to the 2022 Budget.

F. Tree Removal

The Board discussed the removal of the two dead trees, and upon a motion by Kenneth Moss, seconded by David Webster and unanimously approved (Kenneth Moss – Yes, Nancy Moore – Yes, David Webster – Yes, Lori Niedzwiecki – Yes, Brent Whitesell – Yes), it was:

MOVED: To hire Yardman to remove two trees at a cost of \$3,460.

G. Spann Roof Inspection

Barbara Johnson reported that Spann Roofing will honor the proposed \$450 discount for the repair of the Quarterdeck Roof when it is accessible to accomplish the repair. Upon a motion by Lori Niedzwiecki, seconded by Kenneth Moss and unanimously approved (Lori Niedzwiecki – Yes, Kenneth Moss – Yes, David Webster – Yes, Nancy Moore – Yes, Brent Whitesell – Yes), it was:

MOVED: To hire Spann Roofing to inspect the Association roofs at a cost of \$1,450 and request they provide a written report to document the inspection for the files.

H. Other

Kenneth Moss will schedule a meeting with Management to discuss Association funds to be maintained in South Carolina banks.

Kenneth Moss stated that the Allegiant plans to repair the beach access stairs at the Quarterdeck are on hold due to the closure of the Renaissance Tower Building, and he feels that now would be a good time to go forward with plans to relocate the stairs out of the bar area. He requested that the engineer be contacted to draw plans for relocation from the beach to the Quarterdeck access bridge over the pond. He also feels this will provide more business space for the current leaseholder.

Lori Niedzwiecki suggested restoration of the dunes with additional sand, plantings and new sand fencing.

Schedule Next Board Meeting

The next Regular Board meeting is scheduled on Saturday, January 21, 2023 at 9:00 AM in the B Building conference room.

Adjournment

Upon a motion by Nancy Moore, seconded by Lori Niedzwiecki and unanimously approved, the meeting was adjourned at 7:57 PM.

Meeting Commenced: 4:10 PM
Meeting Adjourned: 7:57 PM

Prepared by Empress Management
and Submitted For:

Lori Niedzwiecki, Secretary

Approved By:

Brent Whitesell, President