

Special Board of Directors' Meeting  
Sunday, March 14, 2021

**MINUTES**

Pursuant to call, a Special Meeting of the Myrtle Beach Resort Homeowners Association, Inc. was scheduled in accordance with *Article IV, Section 5* of the Myrtle Beach Resort HOA Master Deed dated April 25, 1991. The Board of Directors Meeting was conducted on Sunday, March 14, 2021, commencing at 9:00 AM, in the B Building Conference Room located at 5905 S. Kings Highway in Myrtle Beach, South Carolina.

**1. Opening Comments**

The following Board Members were present in person: Kenneth Moss, Nancy Moore, and Jeff Richardson. Also present in person was Barbara Johnson, Association Manager from Empress Management. Board Members Robert Rosencrans and Lori Niedzwiecki attended by conference call. Also in attendance by conference call was Association Attorney Robert E Lee.

Barbara Johnson stated that a quorum was established, and Kenneth Moss called the meeting to order at 9:20 AM.

**2. Business**

**A. Mulch**

Discussion ensued regarding the purchase of mulch for the property. Upon a motion by Nancy Moore, seconded by Jeff Richardson and unanimously carried, it was:

**MOVED; to purchase 120 yards of dark brown mulch from Yardman if they will meet the quoted price of \$7,320 received from Four of a Kind, and if they won't meet the price, engage Four of a Kind to install the mulch.**

**B. Booster Pump Controller Computer**

Kenneth Moss stated that the new booster pump needs to have a specialty controller computer and Industrial Rewind provided a quote for the equipment in the amount to \$2,463.00 and \$85.00 to install the pump and computer. Upon a motion by Nancy Moore, seconded by Lori Niedzwiecki and unanimously carried, it was:

**MOVED; to purchase the booster pump computer and have it installed for a price of \$2,550.**

**C. Derivative Demand Letter**

Mr. Moss stated that he is concerned with possible contingent liability if Myrtle Beach Resort does not prevail in the lawsuits filed in order to collect assessments from the Renaissance Tower. He stated that the Association has a \$1,000,000 (cannibalized policy), and as of 30 days ago \$218,000 has been expended. Mr. Moss also advised the Board that in the event Myrtle Beach Resort HOA is required to pay any litigation

expenses for the RT upon a theory of violating a prior settlement agreement that the insurance would not cover those costs. Mr. Moss invited the Board to consider how they may amend the budget, contingently, in order to pay any litigation costs that are resultant of the lawsuits and not covered by insurance. He recommended that the Board look at the prepared draft of amending the budget to include an additional \$600,000 to get an idea of the effect it would have on the dues of the individual regimes.

Robert Rosencrans expressed an objection to any discussion about the lawsuits or the derivative demand letter filled by Attorney Hal Bellamy, as Mr. Rosencrans understood that the topics would not be discussed in the special meeting.

At 10:21 AM Robert Rosencrans was expelled from the meeting, by means of terminating the conference call, for the use of profanity and name calling directed at Mr. Moss. Mr. Moss redialed Lori Niedzwiecki and Robert E Lee and the meeting continued.

**D. Renaissance Tower South Boardwalk**

Kenneth Moss stated that the original decking, which was left under the recently removed boardwalk on the South side of Renaissance Tower, is causing a hazard which must be abated. Ms. Johnson stated that she obtained an estimate of \$1,200 to have it the buried decking removed. Discussion ensued, and Mr. Moss stated that Ms. Johnson provided him with a copy of the October 2007 Meeting minutes where the MBR Board voted to construct new walkways and assume the maintenance responsibilities of the boardwalks. Mr. Moss asked if any of the Board members knew whether the buried walkway predated the 2007 Meeting wherein the Master Board elected to construct the walkways. He asked Jeff Richardson if Renaissance Tower would be willing to pay half of the cost (\$600) to remove the original boardwalk since the Board is unable to determine if the Master HOA was responsible for the original walkway. Mr. Richardson said he will check with his Board.

**E. Tim Donohue Invoice**

Mr. Moss stated he has been trying to reach Engineer Tim Donohue regarding the modification to the scope of work for the RT Boardwalk. He stated that the HOA has received an invoice in the amount of \$1,171.14 for his services to date. Upon a motion by Nancy Moore, seconded by Jeff Richardson and unanimously carried it was;

**MOVED; to pay Tim Donohue for his services to prepare bid specifications for the new Renaissance Tower boardwalk up to \$1,500.**

**3. Schedule Next Board Meeting**

The next Regular Board meeting is scheduled on Sunday, April 25, 2021 at 9:00 AM. The Board Members discussed possibly holding a Special Meeting on Friday, April 2, 2021, no time has been set at this time.

**4. Adjournment**

With there being no further business to discuss, upon a motion duly made by Jeff Richardson, seconded by Lori Niedzwiecki and unanimously carried, it was;

**MOVED:                      *To adjourn the meeting at 11:15 AM.***

Meeting Commenced: 9:00 AM

Meeting Adjourned: 11:15 AM

Prepared by Empress Management and  
Submitted For:

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Jeff Richardson, Secretary

Approved By:

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Kenneth Moss, President