

Annual Member's Meeting
April 23, 2023

MINUTES

Pursuant to call, an Annual Member's Meeting of the Myrtle Beach Resort Homeowners Association, Inc. was held on Saturday, April 23, 2023, commencing at 9:00 AM, in the conference room at the Inlet Square Mall located in Murrells Inlet, South Carolina, and virtually via Zoom.

1) Opening Comments & Introduction of Board

The following Board Members were appointed to serve on the MBR HOA Master Board and were present in person: Brent Whitesell – Renaissance Tower Representative, Kenneth Moss – Court Appointed Representative, David Webster – A Building Representative, Jack Young, Five Seasons Centre Representative, and Nancy Moore – B Building Representative.

Association Attorney Robert E Lee, and Grounds Supervisor from Four of a Kind, Tom Franklin were also present.

In attendance from Empress Management was Association Manager, Barbara Johnson, and Financial Preparer, Tracy Nodolf.

Homeowners present signed in on the Attendance sheet, which will be attached to the minutes. Barbara Johnson stated that a quorum was established, and Mr. Whitesell officially called the meeting to order at 9:07 AM. Brent Whitesell served as Chairman of the Meeting and Barbara Johnson from Empress Management served as Recording Secretary.

2) Approval of Minutes

A. Annual Meeting Minutes - April 22, 2022

Upon a motion by Kenneth Moss, seconded by Nancy Moore and carried (Kenneth Moss – Yes, Nancy Moore – Yes, Jack Young – yes, David Webster - yes, Brent Whitesell – Yes) **it Was:**

MOVED; to approve the Annual Members Meeting Minutes of April 22, 2022, with the correction of the Secretary 's name.

3) Reports

A. Maintenance Report – Four of a Kind – Tom Franklin, Grounds Supervisor

Tom Franklin provided a power point presentation on the various HOA Maintenance projects for the past year. The presentation included the painting of the perimeter fencing from gray to white, stairs at the Quarterdeck rebuilt by Allegiant, stairs rebuilt at A/B walkway, etc.

He reported that the lazy river was opened on April 1st. The hours at the lazy river are 10AM-10PM.

B. Current Financial Position – March 2023 – Tracy Nodolf

Tracy Nodolf reported that as of March 31, 2023, there was \$248,274.71 in Operating and \$651,086.79 in the Reserve Account. She reported that \$240,000 was in a CD which matures in October 2023. Ms. Nodolf reported that as of the end of March, the Association was under budget \$4,730.93 and \$77,725.31 under budget year to date.

Ms. Nodolf reported that the Association was under budget \$18,090.77 for the month and \$32,276.52 over budget year to date.

C. Tax Motion

Barbara Johnson reported that the tax motion needed to be approved and read it into the minutes as follows:

Myrtle Beach Resort Homeowners Association, Inc. is a South Carolina corporation duly organized and existing under the laws of the State of South Carolina and since the members desire that the corporation shall act in full accordance with the rulings and regulations of the Internal Revenue Service, the members hereby adopt the following resolution by and on behalf of the *Myrtle Beach Resort Homeowners Association, Inc.*:

Resolved, that any excess of membership income over membership expenses as defined in Internal Revenue Code Section 277, for the year ending December 31, 2023, shall be applied against the future expenses as provided by IRS Section 528; and further, should the Association have two (2) consecutive years of excess operating revenue over operation expense, that such calculated surplus in the second year would be transferred to Reserves.

Upon a motion by Kenneth Moss, seconded by David Webster, and carried by vote of the Membership, the tax motion was adopted.

4) Topics of Discussion

A. Cable TV

The Board discussed the need to make a decision with regard to cable TV by September 2023. Brent Whitesell stated that the Association is currently paying \$380,000 and there may be less expensive options available. David Webster recommended the appointment of a committee for the Master Association, as A Building has a committee for this purpose. The Board also decided to request a new cable proposal from Spectrum.

One of the owners suggested polling the membership regarding cable.

B. Ratify Insurance

Ms. Johnson stated that the Board agreed to bind insurance with the incumbent agency CWS Insurance in the amount of \$79,821.60. Upon a motion by Kenneth Moss, seconded by Nancy Moore and unanimously carried (Kenneth Moss - Yes, Nancy Moore – Yes, David Webster - yes, Jack Young – Yes, Brent Whitesell – Yes) **it Was;**

MOVED: To ratify the Board decision to bind the 2023-24 insurance renewal with the incumbent agency, CWS Insurance, with the annual premium of \$79,821.60.

C. Purchase of CD

Upon a motion by Kenneth Moss, seconded by Davids Webster and unanimously carried (Kenneth Moss - Yes, David Webster - yes, Nancy Moore – yes, Jack Young – Yes, Brent Whitesell – Yes) **it Was;**

MOVED: To ratify the Board decision to move \$240,000 of Reserve Funds into a South Carolina Bank into a 6-month CD.

D. Credit To RT Owners

Barbara Johnson stated that Contract Data gave the MBR HOA credit on the billing for the months the Renaissance Tower Building was closed down, so each owner should receive \$37.55. Upon a motion by Nancy Moore, seconded by David Webster, and carried (Nancy Moore- yes, David Webster – yes, Jack Young – yes, Kenneth Moss – yes, Brent -abstained) **it Was;**

MOVED: For the Myrtle Beach Resort HOA to pay the Renaissance Tower \$12,091.10 (\$37.55 x 322 owners) for the credit MBR HOA received from Contract Data.

E. Damaged B Building Walkway Repair

Kenneth Moss stated that he has previously worked with Hardee Prince on other projects, and they are a reputable contractor. He stated that the HOA received a quote for the replacement of the damaged B Building walkway from Hardee Prince for treated lumber instead of Trex. Upon a motion by David Webster, seconded by Jack Young and carried (David Webster – yes, Jack Young – yes, Brent Whitesell – yes, Nancy Moore – yes, Kenneth Moss – abstained) **it Was;**

MOVED: To hire Hardee Prince for the replacement of the Damaged B Building walkway and to pay the additional cost for stainless steel hardware at a cost of \$81,200.

F. Continued Problem with RV's on Property

Kenneth Moss stated there has been a problem with Owners bringing RV's on the property and through interference with the individual regime managers they have been allowed to stay on property. Upon a motion by Kenneth Moss, seconded by David Webster, and unanimously carried, **it Was;**

MOVED: To invest the MBR HOA Property Manager with the authority to enforce the MBR HOA Rules and regulations.

G. Other

Communicate to Owners that the Myrtle Beach Resort Website is mbresorthoa.com no login or password is required.

Jack Young stated that the Five Seasons is taking the advice of the company that cleaned the drains and they will be looking into their pond.

David Webster stated that Allegiant has given the MBR HOA a proposal for their contract renewal, and he feels it ought to be considered now as they do a great job. Brent Whitesell stated that he has spoken with Bobby Jones, and he wants to withdraw the proposal for now. It was also stated that the MBR HOA Board wants to separate all the Allegiant contracts.

Jack Young stated that the Five Seasons Board will be discussing the PBX room.

Barbara Johnson presented the flyer that will be distributed during Bike Week.

A discussion ensued regarding the lawsuit, and Robert E Lee, the Association attorney stated that the main lawsuit is on hold in the Appeals Court.

One of the Owners questioned why the \$20 gate fee is not being collected to offset association expenses. A heated discussion ensued, and Brent Whitesell stated that the MBR HOA can't collect the fee unless all the regimes agree and the A Building will not agree, based on the advice of their attorney.

No other business was discussed.

5) Schedule Next Meeting

The next meeting will be held on an as called basis.

6) Adjournment:

With there being no further business to discuss, upon a motion duly made, seconded and unanimously carried, **it Was:**

MOVED: To adjourn the meeting at 12:45PM.

Meeting Commenced: 9:00 AM
Meeting Adjourned: 12:45 PM

Prepared by Empress Management and
Submitted For:

Jack Young, Secretary

Approved By:

Brent Whitesell, President