

CURLEW LANDINGS

Dock Owners' Association

Quarterly Meeting Minutes Q3-20

Meeting: July 23, 2020

Directors Present: Jim Beaty, Dana Windhorst, Robert Megiel, Ed Land

Document Date: August 12, 2020

Author: Jim Beaty – Secretary / Treasurer

The meeting was called to order at 7:07 pm. Due to the COVID-19 pandemic, the meeting was conducted virtually via ZOOM. An annual membership has been purchased to enable unlimited meeting times.

Establishment of Quorum

MOTION PASSED: Quorum was established.

Approval of Last Meeting Minutes

MOTION PASSED: The Q2-2020 quarterly meeting minutes were approved.

Treasurer's Report

Jim presented a review of financials, showing the annual budget, year-to-date, and estimated end of year outlook. This is presented in Appendix A.

The current \$500/year annual assessment is probably sufficient for normal operating expenses. However, it does not provide for sufficient reserve funding.

ACTION: Board to consider a Reserve Planning Committee.

OLD BUSINESS

Finger Pier Repair. Special thanks to Mike Brooker, who personally replaced loose and missing finger pier boards since the last meeting. Loggerhead Marine has been contracted to repair the structural damage on the 19/20 finger pier.

Gate Repair. Delayed due to the COVID-19 crisis. Steve Schuller has provided a plan along with a list of needed materials to fix the gates and has volunteered to help do the repairs when the crisis subsides. New locks will be needed, and electronic keypads (like the ones at the pool) will be considered.

Sidewalk Trip Hazard. A sidewalk section near the east gate continues to be a trip hazard and needs to be re-set to level. Dana has been in contact with the HOA and its management company, Ameritech, for their help but

no work has been done.

Common Pile Installation. There are still several “Tie-Piles” that need to be installed. Loggerhead Marine has quoted \$33/foot

MOTION PASSED: Contract Loggerhead Marine to install missing tie pilings.

Insurance.

ACTION: Get some quotes for a “whole-dock replacement”.

ACTION: Add 2 more “No Trespassing” signs, one at each end of the dock

Marketable Record Title Act (MRTA). The BoD voted at the last quarterly meeting to proceed with having a MRTA Notice of Preservation packet prepared. This was done by Tiffany Grant, Esq., of Cianfrone, Nikoloff, Grant & Greenberg, P.A. The BoD reviewed the packet and a motion was made and unanimously passed by the Board to approve it. Following this meeting, the President, Secretary and required witnesses will sign this packet before a notary public and submit it to be officially recorded. Our legal counsel has recommended that the BoD raise this issue as a yearly standard agenda item at the first quarterly BoD meeting following the annual members meeting, noting in the meeting minutes that, “The matter was considered and action was taken to preserve the documents for 30 years from [the date this packet is officially recorded].” This will help ensure this is not either forgotten the next time a Notice of Preservation is due (before Feb 2051), or overlooked should statutory requirements change prior to that date. A copy of the officially recorded Notice of Preservation packet will be appended to these minutes.

MOTION APPROVED: The CLDA MRTA Notice of Preservation Packet to be signed and recorded.

Dredging. As stipulated in our Bylaws, the Board of Directors has an **obligation to maintain slips “comparable to original condition at time of construction, excepting normal wear & tear”**.

APPENDIX B shows the deterioration in available water levels since the 2016 dredging. It is clear that silt is continually filling-up slips from EAST-to-WEST, and that all slips have been negatively impacted. It can be surmised that it is only a matter of time until all slips are in critical condition.

APPENDIX C shows an updated dredging quotation from Gator Dredging. Gator recommends an Engineering Study be conducted first to test the soil, determine the natural grade, and propose an appropriate plan. Of this \$8,000 cost, \$2,500 would be credited back if dredging is approved.

MOTION APPROVED: Sign contract with Gator Dredging to conduct the Engineering Study/Plan.

The final cost of dredging will not be known until after the study is completed. However, using the data from APPENDIX A and assuming all slips are dredged back to 3’ of water at MLT, the estimated cost would be approximately \$143,000.

APPENDIX D presents research conducted by David Newman. It summarizes the response, when asked for help with dredging Curlew Creek, from Dunedin, Florida, Pinellas County, Sterling Links, Pirate’s Cove, our local Congressman, and avenues for other government funding. In short, there will be no outside assistance for dredging our creek and/or slips.

NEW BUSINESS

Proposed Declaration of Covenants & Bylaws Amendments. The following changes will be voted on by all Members at the next Members Meeting:

- Change Annual Members Meeting to the 3rd Thursday of October to allow compliance with financial requirements of governing documents
- Change Members Meeting notification from 10 to 14 days to comply with Florida Statute 730.306(1)(g)(5)
- Change Members Meeting quorum requirement to 1/3 membership IAW Florida State Statute 720.306(1)(a).
- Eliminate Fire Insurance requirement.
- Require members to ensure boats berthed in slips are covered by adequate liability insurance.

Q&A / MEMBER COMMENTS.

Questions and Comments were submitted by members and answered by the BOD, as noted below:

1. One Member has a quote for \$10,000 just to dredge his individual slip. He commented that \$2,500 per slip was very reasonable.
2. Many members commented their approval to proceed with dredging, noting that this is a boating community and sufficient water is critical to their choice of living here.
3. Can boats be manually filled with gasoline while in our slips?

ACTION: Jim to check with Florida EPA.

4. Some personal Dock Boxes are very wide and reduce dock egress space.

ACTION: Investigate if there is a minimum width required.

5. Can annual assessments be higher for slips with boats, lower for slips without boats? Dana answered that our governing documents require that all slips must pay the same fees.
6. Does the emergency fire hose system work? Jim answered that they are inspected every year, are water pressure tested every five years, and are in compliance.
7. Is the electrical on all slips now up to code? Dana answered that the “common” electric is up to code, and that Slip Owners were given notice if their personal slip electric was not up to code and given 6 months to repair it.
8. Slip 25 has had recurring issues with the new GFI Breakers tripping while not in use.

ACTION: Inquire if other members have had this issue and address with Sunrise Electric

ADJOURNMENT

The meeting was adjourned at 8:38 pm.

APPENDIX A.

	BUDGET	YTD 7/22/20	OUTLOOK
INCOME:			
2019 Dues	\$ 500.00	\$ 500.00	\$ 500.00
2020 Dues	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
Late Fees	\$ 50.00	\$ 25.00	\$ 25.00
Submerged Land Lease Fee	\$ 802.50		
Interest Income	\$ 20.00	\$ 7.54	\$ 15.00
TOTAL INCOME	\$ 26,372.50	\$ 25,532.54	\$ 25,540.00

EXPENSES:			
Insurance			
Statewide Condo	\$ 3,401.00	\$ 3,311.75	\$ 3,311.75
Bond	\$ 138.00	\$ 138.00	\$ 138.00
Repairs & Maintenance			
Dock Repairs	\$ 1,000.00	\$ 1,320.66	\$ 2,500.00
Electrical	\$ 12,000.00	\$ 17,614.00	\$ 17,614.00
Fire Safety	\$ 500.00	\$ 359.17	\$ 359.17
Professional Fees			
Legal Fees	\$ 5,000.00	\$ 1,875.00	\$ 6,000.00
Accounting & Tax Prep	\$ 415.00	\$ 315.00	\$ 315.00
Taxes			
Fla. Dept. Env. Prot. (submerged land lease fee)	\$ 802.50	\$ 963.00	\$ 963.00
Florida Dept. of State (corporation dues)	\$ 70.00	\$ 61.25	\$ 61.25
Office Expenses	\$ 150.00	\$ 427.21	\$ 400.00
Utilities (Electric)	\$ 1,100.00	\$ 480.32	\$ 1,100.00
TOTAL OPERATING EXPENSES	\$ 24,576.50	\$ 26,865.36	\$ 32,762.17

(+ / -) \$ 1,796.00 \$ (1,332.82) \$ (7,222.17)

BALANCES

BANK ACCOUNT BALANCE \$ 44,446.13 \$ 38,556.78

APPENDIX B.

AVAILABLE WATER AT MEAN-LOW-TIDE

	DREDGE	+ 4 mon.	+ 10 mon.	+ 1 yr, 9 mon.	+ 2 yr, 1 mon.	+ 3 yr, 6 mon.	+ 4 yr, 2 mon.
	<u>MAY 2016</u>	<u>SEPT 2016</u>	<u>MAR 2017</u>	<u>FEB 2018</u>	<u>JUN 2018</u>	<u>NOV 2019</u>	<u>JUL 2020</u>
<u>SLIPS</u>							
1 - 10	3.0	0.5	0.5	0.5	0.5	0.4	0.2
11 - 20	3.0	1.5	1.5	1.3	1.0	0.4	0.2
21 - 30	3.0	2.0	2.0	1.7	1.7	1.2	1.0
31 - 40	3.0	2.5	2.5	2.3	2.3	2.1	1.9
41 - 50	3.0	2.5	2.5	2.3	2.3	1.9	1.6

APPENDIX C.

GATOR DREDGING QUOTATION

Engineering Plan / Soil Analysis	\$ 8,000
Initial Cost	(2,500)
Credit Against Dredging	_____
	\$ 5,500
Mobilization / De-Mobilization	\$ 15,000
DREDGING /HAULING	\$ 117,600
1,400 yd3 (@ \$84/yd3)	
Everyone gets to 3' @ MLT	
DEP Fees & Permits	\$ 4,815
TOTAL	\$ 142,915

APPENDIX D.

RESEARCH INTO SEDIMENT REMOVAL ASSISTANCE

Dunedin:

Sediment Problems have come from growth East of Dunedin.

State:

Does not get involved in small bodies of water like Curlew Creek.

County:

Realizes that 29 creeks in Pinellas County all have problems.

The current planning will not start before 2027.

The county needs to address serious creek hot spots problems first.

Other Government Funding:

That type of funding is for projects that have an environmental impact which Curlew Creek does not have.

Sterling Links:

Has no planned projects that will impact the creek at this time.

Pirates Cove Lawsuit:

Bobby said he never even got his day in court. This went nowhere.

Congressman:

This is a natural occurring problem. No assistance is required.