

**BAY POINT COMMUNITY ASSOCIATION
REGULAR MEETING OF THE BOARD
Monday, January 10, 2022 AT 5:30 PM
BPCA CONFERENCE ROOM
MINUTES**

IN ATTENDANCE:

Jo Ann Day, Samantha Dring

In Attendance by Phone:

Doug Arent, Linda Corcoran, Ron Dubin, Kevin Lynn, MVC, Walt Rankin, Anita Scott, Catherine Seltzer Mitchell, Jen Shook, Jose Velez

Also in Attendance:

By Phone: John Townsend, Esq.,

In Attendance: Debra Haydn, Recording Secretary

CALL TO ORDER:

Samantha Dring called the meeting to order at 5:31 PM.

MEETING RECORDED BY:

BPCA, audio recording

QUORUM:

A quorum was confirmed by Debra Haydn.

APPROVE AGENDA:

MOTION: By Catherine Seltzer Mitchell to approve agenda as amended (New Business: BPCA Communication Policy), second by Jo Ann Day and unanimously approved.

APPROVE CONSENT AGENDA:

MOTION: By Jo Ann Day to approve the Consent Agenda excluding the December 13th minutes to be edited and approved at the March meeting, second by Samantha Dring and unanimously approved.

FINANCE COMMITTEE REPORT: Catherine Seltzer Mitchell

The Finance Committee met on January 31st.

- Consolidated cash balances totaled just over \$3.0 million. A consolidated financial summary (*Attachment #1*) is included in the board packets and will also be posted to the BPCA website on a monthly basis.

- Accounts Receivable is \$285k. Catherine also reminded those who have not paid their annual assessments to please do so.
- The annual audit is currently ongoing due to delays at the audit firm. Once we receive the final audit report it will be made available to owners by request.

REPORTS:

BAY POINT WEST: Walt Rankin - No Report

- ARC Liaison: Walt Rankin
 - Owners continue to start project without ARC approval. Stop work orders and fines will be issued for those who do not comply with ARC requirements.
- Canal Liaison: David Renneker - No Report
- Community Events: Linda Corcoran - No Report
- Governing Docs: Walt Rankin
 - The committee will have a draft of the proposed new rules in time to send out to the new board members in February and a review by the board at the March meeting.
- Information & Technology: Debra Haydn
 - Our IT group is making good progress in upgrading and replacing all security cameras as planned and budgeted for. Other computer issues with in the administrative office are being addressed.
- Infrastructure Liaison: Kerry McLane
 - Held his first Infrastructure meeting in December
 - Current projects include Resident's gate renovations. We are waiting to receive proposals for the job.
 - Redfish pond repair and clean up. Waiting for proposals and a release of liability for property owners to sign
 - There is a Project Worksheet that is being used to track all infrastructure, drainage, sinkholes and any other issues needing repair. The worksheet is maintained by the BPCA staff allowing them to give owners updates and gather information for areas that need attention.
- Security Liaison: Jim Moore
 - Jim reported the Security Department is looking to hire one or two more people.
 - Training continues to be an area of emphasis and staff members are doing well.
 - There has not been any recent crime reported in the community. Speeding is down as well.
 - The Toyota patrol truck has approximately 200,000 miles on it and they will begin to look for a replacement truck soon.
- Stakeholders Liaison: Doug Arent
 - Stakeholder's agreement extension currently being drafted by John Townsend. The current agreement will expire the end of December

- After the marina reopens in the spring a new agreement will be drafted.

GENERAL MANAGERS REPORT: - Debra Haydn

- We are dealing with a personal absentee issue, and David Renneker has taken on the enormous task of putting up all first-class mail for the past few days.
- BPCA staff are compiling the annual meeting information packet to be sent to over 1500 Bay Point owners
- This is the time of year when we see a many associations having their annual meetings of which several of them receive CAM and accounting services from the BPCA which keeps the staff & management busy. She reminded everyone to return their proxies and ballots as indicated in the directions in the annual packets.

NEW BUSINESS:

A. Consider Suspending Voting Rights for Delinquent Accounts

- There are 16 property owners who are 90 days or more behind in payment of their annual assessments (*Attachment #2*)

MOTION: By Jose Velez to suspend voting rights and RFIDs for the 16 owners who area more than 90 days behind in payment of their annual assessments, second by Ron Dubin and unanimously approved.

B. BPCA Communication Policy - Catherine Seltzer Mitchell

- Catherine introduced a proposed Communications Policy that would to insure that official BPCA communications are not confused with unofficial communications or individual opinions printed in non BPCA community publications. An extensive conversation regarding censorship was had and Catherine stated the intent is not to censor, but to clarify official versus unofficial communications. The board decided to table this issue until the next regular BPCA meeting in March.

OLD BUSINESS:

A. Consider Amendment to Rule (95-1) - Jen Shook

- Jen requested reconsideration of the wording of a revision to rule 95-1 (*Attachment #3*) allowing property owners in good standing to sponsor a total of two non-property owners to receive an annual RFID. Discussion regarding inclusion in the rules to be considered by the board at the March meeting, how much it would cost to approve and file this one rule independently after considerable discussion **MOTION:** by Jo Ann Day to waive the 30 day rule, second by Samantha Dring and unanimously approved.

MOTION: by Jen Shook to update/amend/revise Bay Point Rules and Regulations, Rule regarding Vehicular and Pedestrian Access into Bay Point 95-1. Paragraphs #s 2, 3 and 4 approved by the Governing Documents Committee. (*Attached to minutes*), second by Jo Ann Day, the **motion failed**.

Results from the vote were four Yes votes from Samantha Dring, Kevin Lynn, Catherine Seltzer Mitchell and Jen Shook. And Six No votes from Doug Arent, Linda Corcoran, Jo Ann Day, Ron, Dubin, Walt Rankin and Jose Velez. Anita Scott left the meeting before this vote.

ADJOURNMENT:

At 6:30 PM **MOTION:** by Jo Ann Day to adjourn, second by Samantha Dring, and unanimously approved.

Respectfully Submitted
Doug Arent, Secretary

Bay Point Improvement Association, Inc.
d/b/a Bay Point Community Association
Fiscal Year 2022 Financial Actual Vs Budget
YTD Through November

Attachment #1

<u>Revenues:</u>	<u>Operating</u>	<u>Infrastructure</u>	<u>Combined</u>	<u>Budget</u>	<u>Variance</u>
Assessment Income	\$ 416,201.02	\$ 89,329.50	\$ 505,530.52	\$ 505,487.50	\$ 43.02
Other Fees & Resident Charges	17,675.50	4,539.10	22,214.60	26,250.00	(4,035.40)
Other Income	31,013.34	546.93	31,560.27	29,580.99	1,979.28
Total Income	\$ 464,889.86	\$ 94,415.53	\$ 559,305.39	\$ 561,318.49	\$ (2,013.10)
<u>Operating Expenses:</u>					
<u>Security Cost:</u>					
Security Salaries & Benefits	\$ 182,383.04		\$ 182,383.04	\$ 216,155.04	\$ (33,772.00)
Gates & Cameras	3,127.45		3,127.45	3,900.00	(772.55)
Security Equipment	1,560.88		1,560.88	4,755.00	(3,194.12)
Vehicle Expenses	6,339.83		6,339.83	5,100.00	1,239.83
Security Admin Expenses	3,055.47		3,055.47	4,788.06	(1,732.59)
Reimbursement - Stakeholders	(35,881.76)		(35,881.76)	(31,792.26)	(4,089.50)
Security Total	\$ 160,584.91	\$ -	\$ 160,584.91	\$ 202,905.84	\$ (42,320.93)
<u>Administrative Cost:</u>					
Administrative Salaries & Benefits	\$ 50,982.07		\$ 50,982.07	\$ 62,972.79	\$ (11,990.72)
Utilities	19,646.91		19,646.91	22,200.00	(2,553.09)
Insurance	15,935.01		15,935.01	16,250.00	(314.99)
Computer Software & Maintenance	330.03		330.03	1,050.00	(719.97)
Professional Fees	4,046.95		4,046.95	5,850.00	(1,803.05)
Office Supplies & Operations	13,659.59		13,659.59	18,165.00	(4,505.41)
	\$ 104,600.56	\$ -	\$ 104,600.56	\$ 126,487.79	\$ (21,887.23)
<u>Post Office Cost:</u>					
Post Office Salaries & Benefits	\$ 37,234.34		\$ 37,234.34	\$ 53,548.33	\$ (16,313.99)
Post Office Rent	5,929.95		5,929.95	5,931.00	(1.05)
Post Office Other Expenses	6,651.80		6,651.80	3,625.00	3,026.80
Post Office Telephone	809.78		809.78	540.00	269.78
	\$ 50,625.87	\$ -	\$ 50,625.87	\$ 63,644.33	\$ (13,018.46)
<u>General Operational Cost:</u>					
Infrastructure	\$ 44,249.49	\$ 166,249.08	\$ 210,498.57	\$ 834,749.00	\$ (624,250.43)
Stakeholders Council	24,083.94	-	24,083.94	24,000.00	83.94
Community Services	1,500.00	-	1,500.00	11,500.00	(10,000.00)
Legal Fees	21,075.27	-	21,075.27	7,500.00	13,575.27
Bad Debts	-	-	-	-	-
	\$ 90,908.70	\$ 166,249.08	\$ 257,157.78	\$ 877,749.00	\$ (620,591.22)
Total Expenses	\$ 406,720.04	\$ 166,249.08	\$ 572,969.12	\$ 1,270,786.95	\$ (697,817.83)
Net Income	\$ 58,169.82	\$ (71,833.55)	\$ (13,663.73)	\$ (709,468.46)	\$ 695,804.73

Bay Point Community Association, Inc.
A/R Aging Summary
As of January 7, 2022

Unit/Lot	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL
BP11	0.00	1,325.00	0.00	0.00	1,325.00	2,650.00
BV4179	490.00	1,325.00	464.50	0.00	2,839.22	5,118.72
DR27	0.00	1,325.00	0.00	0.00	1,368.33	2,693.33
HV4107	567.50	1,325.00	464.50	0.00	2,901.48	5,258.48
HV4117	304.00	1,325.00	464.50	0.00	4,662.64	6,756.14
HV4203	567.50	1,325.00	744.50	0.00	4,662.64	7,299.64
HV4248	0.00	1,325.00	0.00	0.00	1,350.00	2,675.00
HV4249	0.00	1,325.00	0.00	0.00	1,441.47	2,766.47
HV4250	0.00	1,325.00	0.00	0.00	1,350.00	2,675.00
LOT194	0.00	1,325.00	0.00	0.00	1,800.00	3,125.00
LOT253	0.00	1,575.00	0.00	0.00	1,600.00	3,175.00
LOT307	536.50	1,575.00	464.50	0.00	4,977.37	7,553.37
LOT523	0.00	1,325.00	0.00	0.00	11,662.81	12,987.81
LP13	0.00	1,325.00	100.00	0.00	1,450.00	2,875.00
LV4258	0.00	1,325.00	0.00	0.00	1,350.00	2,675.00
RF411	0.00	1,325.00	0.00	0.00	1,350.00	2,675.00

Rule Regarding Vehicular and Pedestrian Access Into Bay Point (95-1)

WHEREAS, there are six (6) security access gates at Bay Point: the Resident's Gate located on Delwood Beach Road, the Bay Town Gate at the intersection on Jan Cooley Drive and Bay Point Road, the Legend Hills gate located directly across the street from the Bay Town Gate, the Reflections Gate located on Marriot Drive by the Reflections Condo, the Club 19 Gate located on Bay Point Road between the Golf Club House and the Marina Club, and the Thomas Drive Gate; and

WHEREAS, security and safety for persons and property in Bay Point will be enhanced by allowing pedestrian and vehicular access to Bay Point only through the six (6) gates.

1. Vehicular and pedestrian entry to and exit from Bay Point is hereby restricted to the aforesaid six Gates.
2. In accordance with policy approved by the BPCA Board of Directors each Bay Point property owner in good standing may sponsor two (2) non-owners, hereafter referred to as Owner Sponsored Guests, for the purchase of one RFID sticker each for a cost of \$250.00 for the first year and a renewal fee of \$200.00 for each additional year. At the time of purchase and at each renewal the owner-sponsor must present themselves at the Bay Point Office and sign a statement accepting full liability and responsibility for the actions of those sponsored. In addition, the driver of the sponsored vehicle must be present and deliver the vehicle registration showing them as the owner, proof of insurance in their name and their driver's license to the office staff for copying and filing. Each sponsored non-owner may receive one RFID applied to one vehicle.

An owner may not sponsor a building contractor or lawn care contractor to work in Bay Point.

Owners and tenants, who are not eligible to receive RFIDs for any reason, are not eligible to be sponsored by another owner in good standing. Some examples include, but are not limited to, the owner's loss of BPCA privileges; owner is not a current BPCA member in good standing, or due to an outstanding financial obligation etc.

If a Sponsor's RFID privileges are suspended for any reason all sponsored RFIDs will be suspended until the sponsoring owner corrects the problem that caused the suspension to their RFID.

The RFID sticker will activate all of the gates used by the sponsoring property owner and will be inactivated, without refund, under the following conditions.

- The annual sponsorship has expired
- The sponsored guest has received 3 traffic citations since initial activation
- Payment of a traffic citation fine is 30 days past due
- The sponsor's RFID is suspended or cancelled for any reason including the sale of their property
- The sponsored guest no longer owns the vehicle.

If a sponsored guest wishes to change the vehicle used for entering Bay Point they should remove the RFID sticker and return it to the Bay Point office. A new RFID sticker will be applied to their "new" vehicle after all required documentation is presented along with a fee to cover the cost of the new sticker. Their sponsorship will continue uninterrupted.

3. Vehicular and pedestrian entry to and exit from Bay Point via the Club 19 and the Thomas Drive Gates is a privilege afforded to Bay Point Property Owners, **their tenants and those sponsored by a property holder who have purchased RFID access to Bay Point** in compliance with the standards hereby established. Furthermore, said privilege can be suspended and/or revoked as a result of any violations to BPCA rules and regulations.

4. Anyone **without an approved electronic gate activation sticker** (including any property owners tenant, family member or guest) intending to enter or exit Bay Point is hereby required to use one of the first four (4) aforementioned six (6) Gates. Entry to and exit from Bay Point via the Club 19 and Thomas Drive Gates is limited to BPCA property owners **and those sponsored by a property holder who have purchased RFID access to Bay Point in compliance with the standards hereby established**, BPW property owner's tenants, BPCA approved medical care personnel, BCSO Beach Patrol officers, and emergency vehicles (Fire Dept. and Ambulances).

5. Anytime a BPCA security officer has reason to believe that a disallowed entry into Bay Point has been accomplished, said security officer is directed to report the matter to the ~~Captain~~ **Director** of Security or the Senior Officer on Duty; and if the Director of Security or the Senior Officer on duty decides further action should be taken, he may report the matter to the appropriate law enforcement agency.

6. The penalty for unauthorized entry into Bay Point shall be a \$250.00 fine payable to BPCA by the BPCA member whose family member, guest, or tenant violated this Rule. A second violation within six months of an initial violation shall result in a \$300.00 fine if a guest or a \$350.00 fine if an owner. If a third violation occurs within a six-month period, a \$350.00 fine if a guest, or a \$400.00 fine if an owner shall result and the BPCA Board is authorized to seek injunctive relief against the BPCA member in the Bay County Courts.

7. The penalty for making unauthorized entry or exit via a mechanical gate or electronic gate, damaging, manually manipulating, or willfully knocking off or removing the mechanical gate or electronic gate arms or electronic gate arms or apparatus at any of the six (6) Bay Point gates by any means shall be a \$1,000.00 fine payable to BPCA by the BPCA member who committed the violation or whose family member, guest, contractor or tenant committed the violation and all reasonable costs to repair and restore the mechanical gate or electronic gate arms and electronic gate apparatus. Furthermore, that fine will be accompanied by an immediate 30-day suspension of the BPCA member's household electronic access privileges. A second violation within six months of an initial violation shall result in a \$1500 fine and payment of all reasonable costs to repair and restore the mechanical gate or electronic gate arms and electronic apparatus and an immediate 60-day suspension of the BPCA member's household electronic access privileges. A third violation within a year of the initial violation by the BPCA member or family member, guest, contractor or tenant shall result in a \$2,500 fine and payment of all reasonable costs to repair and restore the mechanical gate or electronic gate arms and electronic apparatus and immediate revocation of the BPCA member's household bar code electronic access privileges. In each occurrence, the electronic access suspension will be carried on to term independently of the fine. BPCA is authorized to seek judgment against the BPCA member in the state courts of the Fourteenth Judicial Circuit of Florida in and for Bay County, for injunctive relief and/or for damages for all costs of repair and/or replacement of any damaged gate equipment for which the BPCA member and/or the BPCA Member's family member, guest, contractor or tenant is responsible, together with all attorneys' fees and costs incurred by BPCA regarding the matter, and such action and judgment for damages shall be in addition to any fine(s) which may be levied against the Member in connection with the same matter.