

Watermark Condominium
Meeting Minutes of the Board of Directors
January 24th, 2025, at 10:00 AM
401 North Atlantic Avenue
Unit #103
New Smyrna Beach, Florida 32169

Board Members in Attendance:

- Paul Bryan – President
- Harold Anness - Vice President
- Ted Stacy – Treasurer
- Ron Laramy – Secretary
- Beth Corso – Director at Large

Owners in attendance: Steve and Amy Oyster (#304), Mark and Judith Maler (#502) on phone, Tom Wall (#603) on phone,

Proof of Notice

Proper notification of the meeting was posted on the bulletin board at the property at least two weeks in advance of the meeting per the Florida Statute.

Call to Order

A quorum of the board was established. The meeting was called to order by Paul Bryan at 10:00 A.M.

Approval of Minutes

*Motion to dispense with reading the minutes of the last meeting was made and carried.

Treasurers Report

- Overall we are currently in good shape financially
 - Net Income is just over \$30,000 including the adjustment for insurance.
 - Main money market account currently has a balance of around \$299,000
 - Includes monies from the assessment for the building refurbishment and other items.
 - About half of that has been allocated so far.
 - Structural reserves money market account currently has a balance of around \$64,000
 - One unit is behind on the assessment but we believe it's just an oversight.
- Paul thanked Ted Stacy for jumping into the treasurer role.
- Worked through liability insurance options and we are trying to keep the cost close to what is currently budgeted.
- Workers' compensation discussion
 - The workers comp covers both Nikki and Dustin

- Question raised whether this would cover owners who do volunteer work on the property.
- Casualty insurance renews in May
 - Paul raised that with construction costs increasing so dramatically we want to make sure we are adequately covered
 - We will get our regular scheduled building appraisal done before determining the insurance levels needed.

Managers Report

- Finalizing the repairs needed from the storms last fall
 - Water damage in five units has been completed
 - Four garage panels were replaced
 - Some palm trees needed trimming
- Maintenance issues
 - Pool pump needed replacement which was covered under warranty.
 - Pool filters replaced
 - Pool heater control pad replaced
 - Sprinkler control valve box doors on each floor had hinges replaced
 - Roof hatch lock assembly repaired
- Building painting and restoration is going well.
 - After they are completed Dustin will be cleaning all balconies one more time.
- Future maintenance needs
 - Need more rocks around the tennis court and by pool gate and other areas of the property.
 - Crack on East side of pool collar and deck needs repair
 - We will get a quote for this repair
 - Pool house carpet repair/replacement
 - Will look at options here
 - Question raised about whether or not we need a vote regardless of how much the change costs.
 - Anything under \$5000 the board can just make the decision
 - Question raised about the pool house doors regarding replacement
 - Not a priority right now as things are functioning ok.
 - New mat for the elevator
 - Will save the old one to be used for when things are being hauled in the elevator
 - A small hairline crack in the tennis court needs fixing
 - We will contact the company who installed the court.
- Question about how the recent fire inspection went
 - Went well overall
 - Fire pump room and control valves etc. all fine
 - Will be scheduling a time to go into all units to inspect all sprinkler heads

Old Business

- R & J proposal for resealing and painting the portico roof decision
 - During the last building restoration a less expensive option was used for the portico roof and it has not held up well.
 - Moisture is seeping through
 - The proposal is to grind everything off the portico roof and then paint and seal it properly
 - Cost is \$16,800 which will be dispersed from the current assessment for the R & J Coatings line item.

Motion made by Harold Anness, seconded by Beth Corso to approve this \$16,800 expense to repair and seal the portico by R & J. Motion carried unanimously.

- First floor proposals for resurfacing the first-floor walkways and under the portico
 - We have two bids to consider
 - R & J which would be similar to what we have on all other floors
 - Cost \$7,525
 - We do have questions about the durability especially being driven on.
 - Shark Coatings which would be a new surface type and step up in look and durability
 - Cost \$12,482.09
 - We have referenced some very high traffic commercial locations that use this product.
 - Concerns about slipperiness can be addressed with additional additives for grip etc.
 - Used for schools, hospitals, pool decks etc. so that should alleviate slipping concerns
 - Will grind down the existing surface and fix all cracks before application.
 - Commercial warranty is five years. (residential is 10 years)
 - There was lots of discussion around possible color options.

Motion made by Harold Anness, seconded by Beth Corso to recommend to the owners that we re-coat the first-floor walkways along with under the portico area with the product from Shark Coatings in the amount of \$12,482.09. In addition we have designated Beth Corso and Amy Oyster to narrow the color choices that will be sent out to owners for a vote. Motion carried unanimously.

- Rules and regulations update discussion (specifically the discussion around renting owners utilizing common property when their units are being rented by others).
 - The rules currently are pretty clear that a renting owner or their family/friends are unable to use any facilities or common areas on the property when their unit is being rented, however we have decided to allow owners to call ahead to the managers to get approval to use these areas (pool, parking lot etc.) when their units are being rented.
 - This would be on a case-by-case basis and we will try this for one year to see how things work.
 - Summertime and holidays will most likely not be available for this type of use.

Motion to approve the 2025 Rules and Regulations as updated and provided made by Ron Laramy, seconded by Ted Stacy. Motion carried unanimously.

New Business

- Discussion around the adoption of an official no-smoking policy

Motion made by Beth Corso, seconded by Ron Laramy that the Watermark building and grounds (including units, balconies and the pool area) be a non-smoking area other than the specific designated smoking spot located at the Southwest area of the property. Also to have Rules and Regulations updated accordingly. Motion carried unanimously.

- Discussion regarding whether or not we need to adopt a policy regarding the installation of “Ring” style doorbell cameras.
 - There was substantial discussion about potential privacy issues as well as aesthetics and requiring consistent placement.
 - The general consensus was that while we don’t have a huge problem with having the doorbells themselves, we should have guidelines and specifications including where and how they can be installed
 - Ring doorbell cameras should be installed on the correct side of the door replacing the existing doorbell and maintaining uniformity.
 - Ring doorbell cameras shall be “set” to record only when the doorbell is used and shall not record video or audio at any other time
 - Ring doorbell cameras shall be attached to the building with stainless steel screws.

Motion made by Harold Anness, seconded by Ted Stacy that the board will adopt a rule to allow “Ring” style camera doorbells, replacing existing doorbells, as long as the managers are contacted to approve the locations and specifications of the installation. Motion carried unanimously.

- Discussion on creating a “Strategic Planning Committee” to meet and to serve as a place to entertain and explore ideas for the betterment of the Watermark.
 - This committee would research the details and potential costs and then come to the board with recommendations. The board will remain the entity to approve or to decide to bring items to a vote by owners.
 - The thought would be to have at least one board member and then several owners who can provide a variety of ideas and suggestions.
 - Ted Stacy and Harold Anness volunteered to be the board members on this committee, and then three owners will be added.

Motion made by Ted Stacy, seconded by Beth Corso to form a standing Strategic Planning Committee consisting of two board members and three owners to meet at the discretion of the committee leader to discuss and evaluate issues relating to improvements of the Watermark. Motion carried unanimously.

- Ted Stacy brought up a thought to organize “owner volunteer workdays”. The thinking is that if Dustin needs assistance with anything that owner participation could be arranged ahead of time.
 - This would be handled on a case-by-case basis.
- Harold Anness brought up the idea to expand the paver area around the pool and install a “shade cabana”.
 - Grills are rarely used and the current grass covered space almost never is utilized so this would increase the usable space.
 - Dustin actually drew up some plans for one idea which would maximize the usable space, but this is just one idea.
 - Decision made that this be on the Strategic Planning Committee’s agenda to explore options and costs and then come to the board with a recommendation.
 - It is important to note that nothing would be done unless ownership votes to approve the expenditure.
- Dustin brought up that he would like to remove the existing concrete white table and benches near the entrance to the pool as it is cracked and discolored and has become an eyesore.
 - Decision made to remove and see how things work without it.
- Dustin brought up the need for some general landscaping upkeep.
 - Edging along rock areas and then rock replenishment around the property.
 - Suggestion raised to make sure that any edging and rock work be consistent throughout our property.

Open Discussion

- Harold brought up the new gate coming off of the beach to our property and that it turned out well.

- Dustin believes that it has definitely helped, and that even if people try to circumvent it, it makes it easier to identify people who don't belong on our property.
- Ron Laramy asked the question about whether the sprinklers are working properly as there are uneven sections on the lawn on the beach side of the property.
 - Dustin said it is not a water issue, but that some of the sprinklers have been turned off during the restoration work.

Adjournment

With no further business to discuss, Motion was made and seconded to adjourn at 11:53 am.



LIMITED PROXY FORM

The undersigned, owner(s) or designated voter of unit No. _____ in Watermark Condominium., appoints

Proxy Holder Line: _____
(Print name of desired proxy holder if different than listed below)

or Ron Laramy, Secretary, Watermark Condominium., as my proxy holder to attend the meeting of Watermark Condominium., to be held April 4, 2025, at 10:00am, in the Managers office (unit 103) located at 401 North Atlantic Ave New Smyrna Beach, FL 32169. The proxy holder named above has the authority to vote and act for me to the same extent that I would if personally present, with power of substitution, except that my proxy holder's authority is limited as indicated below:

GENERAL POWERS (you may choose to grant general powers, limited powers or both. Check "General Powers" if you want your proxy holder to vote on other issues which might come up at the meeting and for which a limited proxy is not required).

_____ I authorize and instruct my proxy to use his or her best judgment on all matters which properly come before the meeting and for which general power may be used.

LIMITED POWERS (FOR YOUR VOTE TO BE COUNTED ON THE FOLLOWING ISSUES, YOU MUST INDICATE YOUR PREFERENCE IN THE BLANK(S) PROVIDED BELOW).

I SPECIFICALLY AUTHORIZE AND INSTRUCT MY PROXY HOLDER TO CAST MY VOTE IN REFERENCE TO THE FOLLOWING MATTERS AS INDICATED BELOW:

This is a vote based on the first-floor walkway, first-floor hallway and the portico driveway flooring which will include repairs, resurfacing and repainting along with where to disperse the money from. As of now, the current first-floor area is very hard to clean and has become a maintenance issue. At the January 24, 2025 meeting, out of the two bids to be considered, the board selected the bid for Shark Coatings to repair, resurface and repaint the entire first floor which would include the walkway, hallway and portico driveway for a cost of \$12,482.09. Due to Shark Coatings not being one of the line items on the current assessment, it would have to be an owners vote to pay the balance of Shark Coatings from the current assessment. Two colors have been selected for the owners to choose from (photos enclosed) and a link for each color will be emailed to each individual owner. The two colors to choose from are Coquina Beach (option number 1) and Tidal Wave (option number 2). The color Coquina Beach has been selected as the recommended color to help with cleaning, has less visibility to sand and dirt, goes well with the landscaping etc.

Below, there are two votes....the first vote is for the color of the first floor walkway, hallway and portico driveway completed by Shark Coatings and the second vote is for where the disbursement of monies will come from for Shark Coatings to complete the job.

Please have this proxy returned to the office (unit 103) by March 31, 2025, in order for your vote to count.

1. Vote on first floor walkway, hallway and portico driveway color completed by Shark Coatings

Below, please make only **ONE** selection by placing a check mark next to the name of your choice for the color that you would like to see Watermarks' entire first floor (which includes the hallway and portico driveway), become.

- Option number 1

Yes, for Coquina Beach: _____ By voting yes, you agree that Watermark will have Shark Coatings paint the entire first-floor (which includes the hallway and portico driveway) the Coquina Beach color which is currently the recommended color.

- Option number 2

Yes, for Tidal Wave: _____ By voting yes, you agree that Watermark will have Shark Coatings paint the entire first-floor (which includes the hallway and portico driveway) the Tidal Wave color.

2. Vote for where the cost will be dispersed from to pay for Shark Coatings completion of the first-floor walkway, hallway and portico driveway

Below, please make only **ONE** selection by placing a check mark next to **yes, to have the funds come from the current assessment** or **no, to not have the funds come from the current assessment**.

- Yes _____ By voting yes, you agree to have Watermark pay Shark Coatings from the current assessment if the remaining funds are available to cover \$12,482.09
- No _____ By voting no, you agree that Watermark will NOT pay Shark Coatings from the current assessment even if the remaining funds are available to cover \$12,482.09

Signature of Owner or Designated Voter

Date

END OF FORM

Your proxy holder may use this section to appoint a substitute proxy holder if they cannot attend the meeting. No signature is needed below this line by the authorized voter.

SUBSTITUTION OF PROXY HOLDER

(This section is only to be used by your proxy holder if for some reason they cannot attend the meeting and must reassign your proxy to someone who can attend.)

The undersigned, appointed as proxy holder above, designates
_____ to substitute for me in voting the proxy as set forth above.
(print name)

Signature of Proxy Holder

Date

THIS PROXY IS REVOCABLE BY THE UNIT OWNER AND IS VALID ONLY FOR THE MEETING FOR WHICH IT IS GIVEN AND ANY LAWFUL ADJOURNMENT. IN NO EVENT IS THE PROXY VALID FOR MORE THAN NINETY (90) DAYS FROM THE DATE OF THE ORIGINAL ME



401 North Atlantic Ave
New Smyrna Beach, FL 32169

Rules and Regulations

Last updated 1/24/25

Welcome to Watermark

The Watermark is a family friendly condominium that is made up of permanent residents as well as renters. We are committed to the safety of our owners and renters and to following all applicable FL statutes at all times.

We are committed to the enjoyment of our residents and renters and the Board of Directors believe our owners and guests are best served by compliance with a uniform set of Rules and Regulations for our building's amenities and grounds. These Rules and Regulations are intended to ensure that all owners, guests, and tenants have an enjoyable and safe stay while at the Watermark. We thank you for your compliance.

General overall usage rules:

1. Owners (including family and friends) or renters MUST be in residence to use ANY of the Watermark facilities, including parking.
2. Carts are provided for owners and tenants to bring belongings and groceries to their units. They are to be returned promptly when done to the area on the first floor next to the elevator.
3. Nothing is to be hung on any of the balcony railings including walkways.
4. Nothing is to be thrown from the balconies, including walkways.
5. Florida prohibits walking on the oceanside dunes or disturbing the dunes or vegetation in any other way.
6. Wash the sand off your feet/sandals/shoes before returning to your unit from the beach. There is a water hose at the end of the Northwest stairwell for rinsing.
7. Trash chutes are located next to the elevator on floors 2-6. Large items such as pizza boxes, beer cases, blankets, etc. should be brought to the first floor and put in the dumpster instead of down the chute so as to not clog the chute. First floor units must raise the garage door North of elevator area to dispose trash into dumpster. Trash should be sealed in plastic bags before disposal. (There is no recycling at the Watermark currently)
8. No antenna, aerial, receiver dish, tower or similar structure shall be erected on or attached to the exterior of any building or any part of any unit or on a common elements area.
9. Ring doorbell cameras shall be allowed to be installed in place of an owner's existing doorbell subject to the approval of the Managers ensuring that certain requirements are being met.
 - o Ring doorbell cameras should be installed on the correct side of the door replacing the existing doorbell and maintaining uniformity.

- Ring doorbell cameras shall be “set” to record only when the doorbell is used and shall not record video or audio at any other time
 - Ring doorbell cameras shall be attached to the building with stainless steel screws.
10. It is the responsibility of the owner to ensure that a liability insurance policy for their unit has been obtained and is in effect and that copies of proof of insurance are supplied to the managers to keep on file annually.
 11. There shall be NO smoking allowed inside any units, on balconies, in the pool area, or any of the common areas with the exception of the one designated smoking area which is located at the Southwest area of the property. This area has a bench and an ashtray for your convenience.
 12. Any loss, cost, damages, or expenses incurred by the Association by reason of a breach in any of the Rules and Regulations contained herein by any owner, owner's family members, guests, or visitors to the owner's unit (or by renters arranged by the owner and not by the managers) shall be borne by the owner.
 13. Occupancy (for our purposes, the number of people actually staying in the unit overnight) according to the National Fire Code based on square footage is as follows: our 2-bedroom units have a max occupancy of 7. The 2-bedroom deluxe max occupancy would be 8 and the 3-bedroom max occupancy would be 9.

Common Elements and Individual Units

1. Sidewalks and walkways must be free of any obstruction. Beach chairs, surfboards, wagons etc. These items are to be stored in the unit or in the unit's garage.
2. When unloading vehicles under the portico, please limit your time in this space to 15 minutes or less so as to not inconvenience others.
3. No hazardous material that may increase the risk of fire shall be kept in the unit.
4. Noise levels should be controlled, having respect for other residents or guests on the property. This includes any noise both inside and outside of the unit and at the pool side, that in the opinion of the Board or the Managers may disturb the comfort of others.
5. Quiet hours are from 11 p.m. – 8 a.m. Please refrain from talking loudly, having the television at loud volume levels or playing music at levels that could disturb other guests. If loud disruptive behavior continues the police may be informed. Managers should be informed during business hours of any violations.
6. Running on the walkways and sidewalks, including in the pool area, is prohibited as well as misuse of the elevator.
7. No person shall throw, kick, or hit a ball or similar object against any building.
8. Skateboarding, roller-skating, recreational scooters etc. are not permitted on the building walkways, balconies, sidewalks, driveways, and lawn or pool area.
9. The tennis court is to be used exclusively for tennis, pickleball or basketball. (No skateboards)
10. Only small lawn games such as beanbag toss games, or bocce can be played on the east lawn and only with parental supervision. Please respect first floor occupants.
Team-type sports such as football, soccer and lacrosse are to be played on the beach only.
11. No fireworks in any form (including "snap crackers") are permitted on any part of the Watermark property. (Additionally, fireworks are illegal in New Smyrna Beach)
12. No pets, other than family pets of owners or the managers may be kept in a unit unless that unit has been designated and approved by the owner as a pet friendly unit.

13. The condo owner must always be present whenever he/she has allowed a visitor to bring a dog inside the unit.
14. Pets may be exercised on leash in the Common Elements area. It is the responsibility of the pet owner to immediately remove any animal droppings from the Common Elements area.
15. Board approval is required before any changes can be made to the exterior of a unit, for example, doors or windows.
16. No auction, garage sale, yard sale or any sale of a similar nature shall be held on the Common Elements or from any Unit.
17. Carpeting/rugs/mats are not permitted on exterior steps, balconies, or walkways.

Parking

Parking is limited at the Watermark; therefore, we ask for everyone to follow the following guidelines:

1. Parking is restricted to private passenger automobiles, motorcycles, vans, or pick-up trucks. (No motor homes or vehicle trailers.)
2. Assigned garages are to be used whenever possible.
3. In addition to the garage assigned to your unit you will be given one parking pass obtained at the office.
4. Jet skis and/or boats on trailers may not be parked in a numbered parking spot. They may be parked in the assigned garage provided the garage door can close.
5. The Association or the managers, at the owner's risk and expense, may remove any motor vehicle/trailers parked in a parking area or on the common elements if a parking pass is not visible and/or damage has been caused or may be caused to the common elements.

Summer and Holiday parking

Summer weekends and holidays bring even more parking congestion than normal to the Watermark.

We need everyone's cooperation to minimize the problem.

1. Park your vehicle in your assigned garage if at all possible. This will open up the maximum number of spots for visitors.
2. Advise your visitors to expect the overflow, and if no spots are available at the Watermark, to plan to park on the beach or at the seaside park next door.
3. Encourage your visitors to carpool whenever possible.
4. All vehicles in the Watermark parking lot must have a parking pass or the vehicle will be towed.
5. Anyone parking on the precious few grassy areas available must also have a visible parking pass displayed or will be towed. Additionally, anyone parking on the grass will be expected to use care pulling in and pulling out to avoid damaging the turf.
6. Please help us monitor all our parking areas to ensure they are being used only by Watermark guests. Inform the managers and include a photo of the vehicle/license if you see a vehicle that might not belong.
7. Reminder that owners can park in the lot ONLY if they or their immediate family are staying in their units during this time.

Notification of Attendance

1. Due to safety, security and parking concerns, management should be notified at least 24 hours in advance [preferably longer] that someone will be arriving at your unit. Names, number in party, length of stay and vehicle description should be provided.
2. Notification can be made by telephone, during open office hours, or by email or voice message.
3. At least one adult over the age of 21 years must be in attendance, available and responsible for all occupants staying in or visiting the unit.

Pool Rules

1. Pool hours are from dawn till dusk. No lifeguard is on duty. (Pool hours are regulated by Florida Statute)
2. "Reserving" tables or lounge chairs in the pool area is not allowed.
 - o If you are not actively using the tables or lounge chairs, please remove your towels so others can use the space.
3. Use showers to wash off any sand etc. before entering the pool.
4. Children using the pool under 14 years must be supervised by an adult in the pool area.
5. The pool rope should not be detached or climbed on at any time.
 - o Repairs resulting from damage to the pool rope anchors will be charged to the parties responsible.
 - o State regulations state that the pool rope should be in place at all times.
 - If the pool rope is temporarily detached to swim laps, it should be immediately reconnected when finished.
6. Glass is not permitted in the pool area per Florida Statutes. Use non-breakable containers for drinks, snacks, and dishes only.
7. No food or drink is allowed in the pool and should be kept on the table and chairs only.
 - o State regulations state that there should be no food or drink within 4' of the edge of the pool.
8. **There shall be NO smoking allowed inside any units, on balconies, in the pool area, or any of the common areas with the exception of the one designated smoking area which is located at the Southwest area of the property. This area has a bench and an ashtray for your convenience.**
9. Large floats, boogie boards and surf boards are prohibited in the pool. ["Noodles" are ok and safety floatation devices are recommended for non-swimmers.]
10. Children in diapers must wear waterproof diapers.
11. All pool furniture is to remain within the fenced pool area.
12. Please close the umbrellas before leaving the pool area.
13. Pool house is not to be used for overnight storage of any owner/tenant equipment.

B.B.Q. Use

1. Electric, gas or charcoal BBQs are not permitted on the balconies or walkways.
2. BBQ's, as per Florida Statute, cannot be used within 21 feet of any building.
3. BBQs are provided in the pool area. If using these grills, please make sure they are continually monitored while in use.

Additional Renters' Rules

1. Check-in time is between 3 p.m. and 5 p.m. Check-out time is no later than 10 a.m.
2. Any problems or concerns within the unit must be reported to the managers immediately.
3. Blankets and sheets are to remain in the unit at all times.
4. Any towels, cookware, dishes etc. that are taken out of the unit must be returned and washed before leaving.
5. Pool, Common Elements and Parking rules are to be followed at all times.
6. Please keep all doors, windows and sliders closed while the air conditioning is on.
7. Upon checking out, all trash is to be placed in the trash chute or directly in dumpster, all dishes washed, the refrigerator emptied, and the beds stripped. Keys and garage door openers must be returned to the managers office.
8. When checking out, please leave no more than two loads of laundry to be done. (No beach towels please). Any additional loads will be charged against the renter at a rate of \$10 / load.

Sea Turtle Nesting Season (May 1 through Oct, 31)

Our beaches are an important part of the turtle nesting ecosystem, and the Watermark is dedicated to participating in all activities providing a safe environment for the turtles and their eggs.

1. This area of the Florida coastline is an important nesting area for loggerhead, green and leatherback turtles. By local statute, all oceanfront buildings must keep curtains, drapes and balcony blinds closed at night during this period because lights can disorient hatchlings, leading them away from the ocean and to almost certain death.
(The beach is patrolled regularly, and photographs are taken of specific units not following these rules. There are fines for violators.)
2. Do not approach any turtle coming ashore at night to lay eggs.
3. Do not handle eggs.
4. Turtle nests are staked off with tape. Do not disturb these nests.

Volusia County Sea Turtle Lighting Regulations

Effective May 1 through October 31
(Sunset to Sunrise)

NO LIGHT SOURCE FROM ANY PART OF YOUR PROPERTY SHALL BE VISIBLE TO A PERSON STANDING ON ANY PART OF THE BEACH.

This includes recreational, decorative, dune crosswalk, and interior lighting, regardless of light color.

NO LIGHT FROM ANY PART OF YOUR PROPERTY SHALL ILLUMINATE ANY PART OF THE BEACH, DIRECTLY OR INDIRECTLY (reflected).

This includes recreational, decorative, dune crosswalk, and interior lighting, regardless of light color.

NO REFLECTIVE SURFACE OF A FIXTURE SHALL BE VISIBLE TO
A PERSON STANDING ON THE BEACH.

This includes recreational, decorative, dune crosswalk,
and interior lighting, regardless of light color.