

SOUTHEASTER, INC.
SPECIAL BOARD OF DIRECTOR'S MEETING MINUTES
JANUARY 14, 2023

The Southeaster, Inc. held a Special Board of Director's meeting on Saturday, January 14, 2023, in the recreation room of the Southeaster Condominium, 4841 Saxon Drive, New Smyrna Beach, Florida. Notice of the meeting was duly posted on the Association property at least 3 days in advance. A quorum of the board was established and Skip Jewett, President called the meeting to order at 9:00 a.m. Directors present were Linda Breum, Vice-President; Mark Chase, Treasurer and Keith Ellis, Director. Skip Jewett, President; Tom Smith, Director; Frank Melton, Director; Blake Thomas, Director and Steve Howard, Director were present via conference call. Diane Vinson, Secretary was absent.

Skip Jewett, President: Provided a recap of the history of the pool fence issue at Southeaster (recap attached).

Steve Howard moved to approve installing the pool fence by the deadline of January 31, 2023 in order to avoid cancellation of our liability insurance which motion was seconded by Linda Breum. The motion was open to discussion by the board and then open to discussion by the owners. After discussion by both the board and the owners the motion was called for a vote. The motion carries and was unanimously approved.

Steve Howard moved to approve the contract with Terra-Scape dated December 28, 2022, to install the pool fence which motion was seconded by Blake Thomas. The motion was open to discussion by the board and then open to discussion by the owners. After discussion by both the board and the owners the motion was called for a vote. The motion carries and was unanimously approved.

Blake Thomas moved to approve black for the color of the fence since it is available and in stock to meet our January 31, 2023, deadline which motion was seconded by Frank Melton. The motion was open to discussion by the board and then open to discussion by the owners. After discussion by both the board and the owners the motion was called for a vote. The motion carries and was unanimously approved.

Linda Breum moved to approve the pool layout diagram provided by Terra-Scape to include six gates. Frank Melton moved to amend the motion to include two additional gates one in the middle of the B building and one in the middle of the E building which motion was seconded by Blake Thomas. The motion was open to discussion by the board and then open to discussion by the owners. After discussion by both the board and the owners the motion was called for a vote. The motion carries and was unanimously approved.

The board will address traffic issues after the spring and the summer season to see if modifications will need to be made.

The next regular Board of Director's meeting is scheduled for February 11, 2023, at 9:00 am in the recreation room.

Frank Melton moved to adjourn which motion was seconded and unanimously approved. The meeting was adjourned at 9:50 a.m.

Diane Vinson
Secretary, Southeaster, Inc.

RECAP OF HISTORY OF SOUTHEASTER POOL FENCE

This briefly recaps the history of the pool fence issue at Southeaster and what has brought us to the point of having to install fencing around our pools. It is based largely on hearsay since I was not and have not been involved in the discussions about fencing the pools until recently.

I understand that in the late 2000's, at about the time of the big concrete restoration and the remodel of the pool deck with pavers, the question of whether to install a fence around the pools arose. Several of the other condos in the area had installed fences surrounding their pools. I have been told that this was required by their respective liability insurance carriers. This was before Beth and I bought our unit (we bought in 2009).

Southeaster's Board at the time did not want to install fences around the pools. Our insurance broker was apparently able to find liability carriers that did not require the pools to be fenced. Instead, these carriers apparently were willing to accept gates between the buildings and fencing at either end of the property as a substitute for pool fencing.

The result was the installation of a "barrier" around the perimeter of the pool area and courtyard. Gates were installed between the buildings, and fencing was installed between A building and the fence with Ocean Club South and between F building and the seawall.

Our insurance broker was able to find at least one liability carrier each subsequent year that accepted the perimeter barrier in lieu of a pool fence. However, over the years, the number of liability carriers willing to insure Southeaster with only a perimeter barrier dwindled to one. This carrier provided liability insurance to Southeaster in 2022.

In late December 2022, our broker notified us that this last liability carrier would no longer accept the perimeter barrier as a substitute for pool fencing. The carrier notified Southeaster that it would not renew its liability policy unless Southeaster installed a fence around its pools. The carrier gave Southeaster until the first week of February 2023 to install a pool fence. If this deadline was not met, then Southeaster's liability coverage would not be renewed.

Since it would be financially irresponsible, and probably illegal, for Southeaster to not carry liability insurance, the Board has decided to install a fence around the pool deck by the deadline.