

Island Point Condos No. 1-Minutes of 4-22-24 Board of Directors Meeting Approved

The Board of Directors meeting was called to order on 4/22/24 at 6:07 PM by President Mary Guiffreda.

Recorded as present were Mary Guiffreda, President; Gordy Scherer, Vice President; John Schmidt, Treasurer; Wayne Pliss, Director; Karel Rolli, Secretary, TS Sales and Phil Coletti from Ameritech Management and Attorney Brian Oblow.

Mary confirmed the meeting was posted on 4/18/24, at 3:30 PM.

John made a motion to approve the 4/15/24 meeting minutes. Mary seconded. Approved.

The purpose of the meeting was to discuss the Seawall Project.

Sunil Anand from unit 705 said he had looked up Derek Offutt on the internet and got information and didn't understand why the Board didn't vet him before hiring him and paying a large upfront deposit.

Treasurer John Schmidt responded that the Board got other quotes and the seawall needed to be repaired before the hurricane season.

Ewa Licata from unit 101 asked if ISS and Derek were licensed to do the job. John answered Derek was using ISS license to get the permits necessary and do the job which is not unusual in the State of Florida. Phil from Ameritech gave examples of how it can happen that way and contractors can use other companies' credentials.

Tina Patrakis from unit 703 wanted to know how this could have happened and such a large amount of money was paid up front. John reiterated his previous comments regarding choosing ISS and Derek and the payment.

Sunil asked what the Board was planning on doing to get our money back.

Attorney Brian Oblow explained that we can't file a civil suit, but we can file for a Judgement for the funds. He explained that even if we file and win, there may not be any money or assets to get because there could be other judgements.

Cindy Klinefelter of unit 602 asked if we could call local ABC news and get them to do a story to help us get the money (or some portion thereof) back. The Board told her she can contact them and see what happens.

Attorney Brian Ablow spoke regarding what needs to be proved to file a civil case. We would need to prove intent to defraud-prove that he never intended to do the job, just take the money. Because Derek applied for and got a permit and went to Decks and Docs and got a quote for the materials (although he never ordered the materials), Attorney Oblow thinks that we would have a difficult time trying to prove intent to defraud.

Ewa asked why we didn't hire a lawyer or at least a Private Investigator. She knows a PI that she can contact to get a price quote on what we need. The Board told her to get the quote.

Nan Tambis, unit 208 asked how the Board got into this situation and how are we going to fix it? John summarized again that we are working on a solution and will give updates as the Board has them. Attorney Oblow stated again that getting a Judgement against ISS will be difficult and will require a further search into financial background to find liens, and judgments in Florida, Texas and Montana.

Paula Wilhelm, unit 302 stated that the \$172,000 is more than likely gone. She asked Brian if any government agencies could help us like the IRS. We would need to have all the information to give them to inquire or report an issue to them. The background check will list the assets, liabilities etc.

The compensation amount for Attorney Oblow to do the next phase is \$2,000 for an uncontested default judgement. No motion or vote at this time.

Discussion of Board hiring a PI from earlier in the meeting started again. The Board agreed to have Attorney Oblow get a quote from a PI he has used in his law practice. This is in addition to the Board asking Ewa to get a quote also.

Sunil suggested a change in the condo documents to say that any project over \$50,000 must have a Project Manager to prevent a seawall type project from happening in the future. The Board will have further discussion on this at the next Board Meeting on 5/20/24.

Craig Parsons, unit 403 spoke regarding Derek Offutt and ISS. Derek rented a unit in the same complex as Craig's business and offered to bid on the seawall project. Craig believes that Derek is back in Florida and may have assets.

Denise Liotis, unit 307 asked more questions regarding how this could have happened and her ideas regarding hiring a PI to get more details on Derek Offutt and ISS and its owner. The Topic of a bond for Gibson, the new sea wall contractor was discussed. Since the bond only covers the Gibson sub-contractors and Gibson has had a good reputation for many years, the Board opted not to require a bond.

The entire Board and unit owners attending all agreed that the sea wall project must be done right this time.

Mary Made a Motion to Adjourn the meeting at 7:27 PM.

Respectfully Submitted,

Karel Rolli
Secretary