

Special Meeting Draft Minutes  
Bella Beach HOA Board of Directors  
May 17, 2021 (Monday) 5:00 PM

Due to the ongoing covid-19 emergency this meeting will be conducted by Zoom.

The purpose of this meeting is to direct our attorney on the next steps concerning the Phase 5 common area.

Persons who want to attend should request access information for the by sending a message to [tellyourboard@bellabeach.org](mailto:tellyourboard@bellabeach.org). This information will be available a few days before the meeting. Electronic meeting rules will be in effect.

Present – Board members - Chuck Craig, Dick Chaplain, Brian O'Neill, Linda Fender, Teri Gerlt  
Homeowners – Ed Pinkos, Helen Martin  
Quorum Established

Called to order at 1710 by Chuck Craig

Discussed the history of Phase 5 Common Area (Owned by Bella Beach Homeowners Association) and how it was inadvertently transferred to F&S Commercial when commercial properties were sold by Casey to F&S.

After consulting with HOA attorney on options available to recover the property, the board concluded that arbitration could be our best option.

Moved by Linda to have our attorney send a letter to request an Alternative Dispute Resolution (ADR) to resolve the Phase 5 Common Area ownership. We would prefer a licensed private arbitrator, the cost of which would be covered 50% by each side.

2<sup>nd</sup> by Dick

Passed unanimously

Chuck will notify our attorney to send ADR to F&S.  
Chuck will also talk with Kyle Murphy to give him a heads up.

Moved to adjourn by Brian, 2<sup>nd</sup> by Linda.

Adjourned at 1733