

Minutes are not approved until the next Board meeting.

# Sonesta Walk Homeowner Association Inc.

## MINUTES of THE REGULAR MEETING of THE BOARD of DIRECTORS

February 28, 2019

7pm at the Pool Pavilion

i. **Call meeting to order:** 7:00 pm by the President, Scott Remson

❖ No non-owners can be present at the meeting. One non-owner was kindly asked to leave the pavilion.

ii. **Roll call:**

- Scott Remson (President) - present
- Dave Farioli (Vice President) - present
- Mary Underwood (Treasurer) - present
- Paul Taub (Secretary) - present
- Buck Hord (Director)- present

iii. **Approve Minutes: A motion was made by Buck and seconded by Dave to approve the minutes of 10/25/18 and 11/29/18 as presented with no changes.**

Patti W. brought up discussion about how owners were described in the meeting minutes, as she brought up budget issues at the 10/25/18 meeting, and in the minutes was described as “the owner”. She felt it was improper. Management apologized and no offense was meant by it.

**The motion carried as stated unanimously.**

iv. **Reports of Officers, Committees or Agents**

**Officers: None**

**Manager:**

- **AR**—7 accounts are with the attorney. I have sent over a request for an update, but none has been received so far. When I do get it, I will forward to the Board. At this time there is no action to take on any of these accounts. The Board decided a call to Attorney Colombo’s office from a Director will be placed. Paul offered to call.

9 accounts have received final notices and will be getting sent to the attorney by mid-March.

7 accounts have received 1<sup>st</sup> late notices for February and final demand letters are being processed.

- **Compliance**—An owner reported via email criminal activity going on at his neighbor’s house. The Board feels there is little they can do at this time, and the police should be called. Patti brought up an owner whose car was recently stolen. She stated there is a gang of teenagers, called “Folk Nation” who have been in our community, loitering on the streets in the early morning hours. Owners should lock all house, garage and car doors and report any suspicious activity to the police. Scott will contact Melbourne Police Dept to request more patrolling in our area.

Management reported that we will be sending out a mass letter to owners who have addresses other than the ones in the community to gather leasing information.

- **Homes to be fine**—Many homes have multiple violations and are not responding to letters. Buck stated the infractions committee has not met. Management explained they do not hold regular meeting, they meet as needed when called upon by the Board, when an account is voted to be fined. Alexis Ravetti asked if pictures are being taken, which they are not. She stated pictures of the violations need to be documented so there is proof if legal has to come in. Bob Tolomeo agreed. Pictures need to be date stamped. Alexis and Debra Hutcheson also stated that the Board is covered under HOA insurance, but not the committees. Management agreed, that the Board has D&O coverage to protect from lawsuits, but this may not cover committees.

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Alexi Ravetti brought up management performing their contracted duties for compliance. Management has to be more vigilant in citing violations.

The procedure was discussed for fining. Patti stated that no Board members can be on the infractions committee by law and compliance is on the management company. Letters get sent and fines get applied and then the owners can meet with the committee. Bob Tolomeo responded if they don't pay the fines they meet with the committee.

An owner, Mary, discussed getting violation letters for garbage cans that were not hers. Management walks the property, and there may be an issue with her neighbors placing them in front of her unit.

Management reported the procedure as follows:

Owner receives X number of violation letters and does not comply. Board votes to fine them. The Committee sets a hearing date, and a letter stating this date, time and place for the hearing is mailed certified return receipt to them no less than 14 days prior to the hearing. The owner gets chance to state his case to the committee at the hearing. After listening, the committee dismisses the owner, and makes their decision to either uphold or reject the fine placed by the Board. That information is sent to management who drafts a results letter to the owner, depending on the committee's decision. Either a fine is placed on the account or not. All Committee members and Board members agreed with this procedure.

**A motion was made by Dave and seconded by Buck to fine any home with 3 letters, which will include 2 violation notices and 1 fine hearing notice (sent certified return receipt), \$25 per violation. All were in favor and the motion carried.**

More volunteers are needed for the infractions committee. Patti and Janine Martin volunteered.

**A motion was made by Scott and seconded by Paul to appoint Patti Wielgus and Janine Martin to the Infractions Committee. All were in favor and the motion carried.**

**Committee Members are as follows: Frances Bellissimo, Betty Dice, Karen Figy, Janine Martin, Bob Tolomeo and Patti Wielgus. 3 members must be present for the hearing to take place.**

**All committee members will be emailed regarding the upcoming hearing.**

Alexis brought up issues with irrigation on owner's driveways causing them to get dirty quicker and the need to do a major community sidewalk clean. This will help show owners how dirty their driveways are.

Management was asked how they determine if pressure cleaning is needed. We are looking for black mold/mildew.

- **2018 Taxes/Financial Review:** Management presented 3 CPA options. Flavin & Nooney was in the \$3000s, Bill Jackson was \$2750 and Kmetz was \$2200. **A motion was made by Paul and seconded by Dave to have Kmetz, Elwell, Graham and Associates prepare the 2018 taxes and year end financial review for \$2200. All were in favor and the motion carried.**

ARC- no report.

v. **Old Business**

- **Playground Maintenance** – Scott reported. BYO has a date of March 11 for our new playground installation. There will be an onsite manager during the project. Parking in the lot will be affected during this project. Patti discussed the rusty gate that needs to be removed and replaced as it is a hazard. We will have Ralph Simon review.
- **Community Lighting/FPL**—Scott reported. We still have the option of having FPL install additional lighting in our community. It will be a cost to the Association. A survey needs to be done, but if we provide them pictures, they can get us a free estimate. Buck mentioned getting owner input, as he did not find anyone who wanted lighting in the Southwest corner. Debra Hutcheson stated that she lives in the Southwest corner and she and many other residents do want lighting as there has been criminal activity in the preserve area. Janine Martin discussed her car being stolen, reported earlier by Patti. Janine asked about security cameras,

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which we have. The incident took place Feb 4 at 3:30AM. Scott stated that if owners would like to join up and review the community to see where lighting is needed, please volunteer. Owners in the audience feel there needs to be more neighborly contact, which may help with the security issues. Residents should talk to their neighbors in addition to calling the police. Scott reiterated that more patrolling would be requested.

- **Tennis Court Key Card/Lock System**—At the last few meetings it was reported that adding an additional key card system to the tennis/basketball court to match the pool card system could not be done. The system is antiquated. Either a new system which would require owners to have a different card, or a new system for both pool and the courts using the same cards would need to be installed. This would be quite costly between running electric, installing the systems and acquiring the new cards. The Board investigated Do Not Duplicate key system. A quote for \$749 from Lockhaven Locksmith and \$978 for Florida Fence co for a new door and lockbox were presented. Total was \$1727. Many owners in the audience stated that there have been no issues. Danny, an owner, reported that kids are using the courts, but no damage or vandalism. They are being used as intended. Buck mentioned the combination lock on the door still works. At this time, not new lock system will be purchased, but we will have Ralph Simon fix the door.

## vi. **New Business**

- **Document Amendment- Rentals**—Scott reported. The Board has been discussing an amendment to restrict rentals. It will be a difficult process. We have found that many of the homes with the most violations are not renters/landlords, they are onsite owners. Patti stated that we have to get a majority of owners to vote this in and it won't be obtained as we have tried in the past. Nancy Remson stated that compliance and upkeep of the homes is the major concern, and SCPM needs to manage this better. Alexis Ravetti reported that these homes were sold as invest homes, and we would be taking away that right of the owner. Debra Hutcheson agreed with Alexis and stated that owner's lives, status' and financial situations can change quickly, and we all may look to our homes in the community for rental income. People depend on being able to rent their homes if needed. Debra feels that foreclosures in the community would drop the values quicker than a rising number of rentals, and a drop in the economy may spark that if rentals are not an option. She also stated this enforcement of this amendment, if it did pass would be impossible and would not hold up in court, as violation of this hold no monetary damage to the Association. Also, although FL ST 720 is silent, FL ST 718 that governs condos stated that any amendment of this nature, if passed, does not apply to owners who vote against it. Management stated that Attorney Colombo confirmed this for HOA's also. Debra stated the Board should define the current docs, such as maintaining the homes in a neat and clean manner, in a more detailed way to included maintenance of landscape and pressure cleaning.

The number of rentals was questioned, and it is estimated at 35%, about 90-100 homes. Danny stated that all owners should use a real estate agent and specifically Towers Mgmt. Management reported, this cannot be dictated or governed.

Management reported that the amendment the Board is researching would limit rentals only for new owners. Current owners, including those landlords would be grandfathered in. Dave confirmed. Management read a brief expert from the amendment passed at the community that Buck has connections with. He stated it took them about 3 months of going door-to-door to pass.

A poll of owners in attendance was taken of who would be in favor of this amendment. The results were underwhelming.

Debra and Alexi suggested a resident meeting/meet and greet to include renters. Information about them could be obtained and it would be a good chance to get them to understand the rules and regulations of the community and build more neighborly communications. This may also help with the crime/security issues, if neighbors talk to one another more.

- **Common Area Maintenance**—

Stan, an owner, brought up the issue with the pool and spa heating. He developed a staph infection due to the improper heating of the spa. He asked if a log is kept of the spa temperatures. Management only new of a log

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for chemicals but would check with the pool maintenance and Health Dept on this. Patti stated the pool company checks the temperatures every day he is here. This maintenance will be discussed further under new business.

- i. **River Rock Install**—This was completed by Ralph Simon
- ii. **Bike Rack**—This is purchased and in the SCPM office. Ralph Simon to install.
- iii. **Pool Signage**—Scott reported that more No Smoking signs are needed. A resident was seen smoking in the spa and was unaware of the violation. There is only a sign at the entrance gate, which they missed. There is no other signs in the pool/spa/cabana area. Two more No Smoking/Vaping/E-Cig signs will be purchased.
- iv. **Pool Repairs**—The Board reported. We had several components malfunction, one after the other at the pool. First there was a pump issue and that needed replacing, then a check valve went bad and needed replacing, then a control panel on the geo-thermal heaters was bad and needed replacing. All have been taken care of. Paul reported the pool temp was set to 87, and the physical temp was 86. He also stated all four control panels should be replaced. We have a complicated system, and these repairs and scheduling are out of our control at times. We apologize for the inconvenience and thank residents for their patience.
- v. **Cabana Closet Cleanout** –Scott reported. There are many old items in the closet. The Christmas decorations are falling apart. The closet will be cleaned at items will be thrown away. Patti commented that many items in there are 8-10 years old and need to be discarded.

**Other items discussed:**

**Sidewalk Pressure Cleaning:** Alexis discussed the need to clean all the sidewalks, which will help owners see how dirty their driveways are. This needs to be done prior to Summer. Dave also mentioned there are other common areas that look like they have never been cleaned that need maintenance.

**Irrigation/Landscaping**—The owners and Board are not pleased with Bluebell. Tom, an owner reported that Bluebell came out to evaluate his irrigation, and they stated that due to other companies being in the community, and bad repair jobs being done, there was no real fix for his irrigation. This is not acceptable. Alexis stated that our system was old, and it may be time to start replacing zones. They are not spray for weeds in the driveway cracks. There are areas of dead sod. All requests from owners that management gets are forwarded to Bluebell. Owners stated they report irrigation issues multiple times with no action. Debra reported her dollar weed issue, was promised by Bluebell staff that it would be treated, and no one ever showed up. If management does not hear from the owner, it is assumed that all is taken care of. Please continue to contact management if the issues are still present. The Board will be meeting with Bluebell again to try and get a remedy for these issues.

**Solar Lighting**—Buck discussed solar lighting options for some areas of the community he will do more research and get back to the Board.

**Lake Maintenance**—Alexis stated that the lake maintenance company has not been out since November and follow up is needed. There is vegetation growing in the lakes.

**Preserve Trimming**—Debra mentioned it is time to trim back the West preserve area. Bluebell was supposed to get a price to do this within their contract.

**Adjournment** – 8:57 pm, Buck motioned to adjourn, Paul seconded, all agreed, and the meeting ended.