

**Summerfield at Bayside Lakes Homeowners Association, Inc.**

Board of Directors Meeting Minutes

February 13, 2024

5:30 PM

Recreation Center Clubhouse

2051 Bramblewood Circle

Palm Bay, FL 32909

1. **Call to Order** –President Robert Stise called the meeting to order at 5:30 PM. A quorum was established with all Directors present.
2. **Proof of Meeting Notice** – Notice was posted on the electronic message board at the exit to Summerfield according to requirements. The meeting agenda was posted on the Fairway Management Summerfield site on Monday, February 12<sup>th</sup>, with Lisa indicating that it was posted close to 48 hours.
3. **Reading / Waive Reading of Previous Minutes** – A motion was made to waive the reading and to approve the minutes from the January 11 meeting. Motion was made by Robert and seconded by Lisa. Approved unanimously.
4. **Management and Committee Reports**
  - a. **Financial** – Joy pulled the report from January 31<sup>st</sup> indicating \$84,351.66 in the operating account, reserve account containing \$234,182.19 for a total of \$318,533.79. Currently at a total of \$33,081 in past dues. Almost \$20K of that is from the bankruptcy and fines. All of the 30 days past dues have been sent a first notice and attached to their accounts. Robert indicated that after 60 days the residents receive a second letter and after 90 days the attorneys are notified for collection as indicated by Joy. Robert added that Vernon, who is suing due to a fall in a resident’s sidewalk, and requested an update from Joy. She indicated that she has not had an update since the requested documentation was provided to the court. Robert asked an update about the foreclosure property on GB. Joy indicated on the 8<sup>th</sup> of February the information was sent back to the judge for foreclosure, and it will pick back up where it left off. No date has yet been assigned to the docket.
  - b. **December Violations** –
    - i. Joy indicated that there are two residents on their 3<sup>rd</sup> notice. The first one being 1924 WB, for pressure washing driveway/sidewalk and for weeds in the flowerbeds. The 2<sup>nd</sup> is 1736 WB for weeds in the flowerbeds. She is also having an issue with the vacant lot in 2161 WB, she has sent them a couple notices to maintain the lot with no response and has not yet been done. Joy requested a path forward. Robert added that there’s a house on GB with a hole in their roof, and 3 years have passed. One letter was received from the attorney about waiting due to hardship, and the board agreed to do that 3 times. The owner received cash to fix the issue and they did something else. We try to work with residents, but also doing the right thing. Going back to the empty lot situation, he requested input from the rest of the board. Robert asked what the period of time is to build from when its purchased. Alvaro added that it is two years, and Joy agreed. The stipulation being that the documents state if it is bought by an owner, not specifically a developer. Joy indicated that she has sent two notices in

3 months and no work has been done to maintain the landscaping. Marie asked if we do the work and bill them. Joy added that it would have to be settled eventually. Lisa asked if it is a local developer. Joy indicated that it is a person's name with a Melbourne address. Alvaro added that we would have to fine them when we get to the 3<sup>rd</sup> letter. But also reminding them in that letter that per the docs they have 2 years to build. Robert stated that in the meantime they have to maintain the 15ft or so in the front of their property. Joy stated the resident adjacent is complaining of overgrowth on the side of their property as well. Lisa indicated that we should be fining the owner due to lack of maintenance. Stephan agreed. Marie agreed with Alvaro's proposal. Lisa made a motion to send 3<sup>rd</sup> letter to the 3 residences discussed (1924 WB, 1736 WB and 2161 WB). Motion passed with 4 votes, Marie objected from voting for reasons which she will cover following.

- ii. Joy indicated that a hearing date/time must be sent with letters for the date of the meeting. It would be the 2<sup>nd</sup> Tuesday of the month at 5:30PM. Marie asked if Joy had the names of the fining committee, and she said she had them in an email.

5. **ARC Committee** - Tom Trist indicated there are only 2 open requests – one for tree removal and one for solar panel installation. Robert asked how many days we have to approve, Tom stated we approve them within 15 days even though the ARC request form states 30 days.

6. **New Business**

- a. **Board voting procedures –**

- i. Marie indicated that this board follows “Roberts Rules” we go through the agenda items and the board shouldn't be making commentary after every agenda item per those “rules.” Also, residents are allowed to speak for 3 minutes at the end of the meeting. She added that she believes board is failing in terms of administration. This is not a duly noticed meeting because the agenda was sent to the board at 9PM on Sunday at posted at 9:45am on Monday. State law states the agenda must be produced for the members to see withing 48hrs of the meeting and this was not done. Being that this is a meeting in violation of the law, any fines/actions done in this meeting are not legitimate. These residents would be able to object to any actions as such. She indicated that in the previous month she sent an agenda because none was received until late, and she took it upon herself to help. She will step up if asked. This agenda, her items were left off until the final minute. She doesn't know why she's the only one that has to continually request items to be in her agenda. This is the 4<sup>th</sup> or 5<sup>th</sup> time in which her items are missed. January 30<sup>th</sup> a request for agenda items was sent from the VP, she responded with 2 items on Feb 1<sup>st</sup>. The items were left off on Feb 2<sup>nd</sup>. She stated she was elected to help the residents and the board must follow the correct rules. Also, when the cash reserves were mishandled last year without being deposited for months. We voted for signatory for 2 people, but 3 people ended up there. Newsletters, she added that she was the secretary but was removed. We averaged 6 newsletters per year. To date, her replacement may have produced a flyer with bullet points. She never had complaints,

so does not understand the need to update to “21<sup>st</sup> century.” She added that Alvaro came up with a in-person meeting schedule that is once a quarter. She would like this added to the agenda. She added that she is willing to help if she is asked to do so.

- ii. Lisa responded that for those who don't know, she has had health issues the past couple of years and must keep her stress level down. Last summer Robert and Lisa had to go deal with the CD, and they were both trashed in an e-mail. She takes her reputation personally, which was trashed. She stated that she is upset, and that because of her illness and finding God, she has come to peace with herself. Trying to be calm, doing the best she can, but when someone steps over her, she had no choice but to block them from her emails. This is because if she opens them, her blood pressure went up and her health is more important than anything right now. She's had to depend on her fellow board member to keep her apprised. Regarding the agenda, she added that when the email was received from Alvaro with Marie's notes, those were incorporated and sent out on Friday – more than 48hrs before. She only received 1 response from Stephan. Because she was waiting for comments, it wasn't until Sunday that she realized that the meeting was Tuesday. She sent the agenda on Sunday night to Joy. She also brought some copies for the in person meeting. Reiterated that she does not like blocking people, but has to do due to her health. She hears what is being said and is trying to step up. She has sent out a newsletter in December in digital form, and has put a slide on the electronic gate asking for emails. She added that the meeting rhythm for the in-person meetings is in there. She sent another newsletter in January to pass new information along. She tries to keep up with the e-board, with Alvaro being her backup. We are all volunteers and doing the best we can and all have things going on in the background. She added that she isn't sending a newsletter unless there's something to say and only needs to be as long as it needs to be. She asked if anyone has anything to say for the newsletter, to email the board address.
  - iii. Robert added that we are the furthest thing from perfection and that residents have told him that we do a lot. We moved away from the paper newsletter due to the high cost of postage. Between the e-board, Facebook and emails that we should be able to say.
  - iv. Marie responded once again, indicating that she did not trash anyone on e-mails. She stuck to facts and is a board member who is ignored. She offered help. She wishes the board was more cooperative because she tries to help. There's too many times when we have taken sides against one another and doesn't know what else to say.
  - v. Robert indicated that he's sorry for the residents to have to hear this, was interrupted by a resident who stated that's “commentary.” Alvaro added that this is an HOA meeting and we need to move on as we have a lot on the agenda. Another resident asked to speak, but the board responded that she will have time at the end of the meeting.
- b. **Community Updates** – Robert is working with the City of Palm Bay to see what we can do about the hedges on WB. The Tillman canal has 2 empty trailers there to prevent ATVs/Motorbikes from going through. He worked with public works to add gates with combination. He added that Gene from EW, someone with a dirt

bike went around the gate, and the next day they came back to add a 4x4 post. He added that going down EW there are 4 locations where dirt bikes come in. Three gates have gone up in that area. He added these gates are not perfect, gates are implied security. But he thinks these will inhibit people with ATVs etc. Alvaro added that there were a couple comments by email about the gates. This is city property; therefore we have no control over what is done in that land. Unfortunately, these are not the best looking gates and that the city is paying for them. We cannot put our own PVC gates in there as it is not our land. Alvaro indicated that you will not be able to please everyone, but we have received several complaints about dirt bikes and ATVs going through the back canals, he has video of ATVs going by the side of his house into the golf course. This is a deterrent, it may not stop it completely but it is already working as reported by a resident. Robert asked about the front gate repairs, Joy indicated that the repair already been done and that she will be forwarding the bill to the resident. Robert offered that if the resident wants to get on a payment plan, that it would be ok.

- c. **Complaints about unwelcome wildlife** – Robert indicated that several residents have complained about this issue, asked if anyone else is having problems. Marie added that she has seen coyotes going through her yard, but the golf course trail has evidence of them. So anyone walking on the path should be careful and would not go out at night/early morning as this is when they're active. Cautioned people with small animals/children. Has not seen them lately, but there is evidence. Robert added someone in EW had found coral snakes in that area and for children to be careful.
- d. **Yellow pole installation** – Lisa indicated that Mike from Fairway Management maintenance met with her the morning of this meeting, the yellow poles will be placed where the light is near the peninsula in the front gate. This is due to cars backing into the light constantly, causing repairs. She met with Mike and he knows where to put the poles which should deter anyone from backing into the light. Mike said it will be done before the end of the week. Robert added that the light is always broken and is an expensive bulb to repair.
- e. **Welcome packet** – Marie stated that she created the packet years ago and is on the Summerfield site on the Fairway website. This is for new residents and showing general information. We can send a note to Joy for additions of favorite restaurants. Robert asked if we can get a copy of it, asked about preferred vendors. But the caveat being that it is not a recommendation from the board because we can't recommend vendors or such. Robert gave an example of a vendor who did stump removals for \$60-70. Alvaro added that it is already on the website.

## 7. Open Homeowner Discussion

- a. **Unidentified Resident** – Indicated that she would love to have board members unite and not see bickering. Added that one side gets along, and one side doesn't. Seeing that board members like this does not look good. Added that when she goes on Zoom, she feels like the board is making decisions for her. She is not too familiar with the rules. Asked how it was decided to put the money on the CD, Robert responded that the board voted on it. He thinks that it matures next month. The resident added that she was under the impression that the homeowners had a say in that. Alvaro responded by stating that the resident elects the board members, and the board members represent and vote on behalf of the residents. He added that the only reason for residents to vote on would be

for changing the documents and requires 2/3 majority. The resident asked about security of the CD money. Lisa responded that the money was put in an institution in Bayside Lakes, and Alvaro being our treasurer. Prior to that, Robert Goode (who is a financial advisor), went to the bank and advised them on the decision. She added that we did not do the move blindly, consulted accordingly with Mr. Goode, and got proper advice on the interest rates and manner of deposit. Another resident asked if the transaction of deposit was asked during a board meeting, to which Lisa responded that it had been discussed.

- b. **Kathleen Conroy-Rittwager** – Asked about the newsletter, stated that she does not regularly attend Zoom meetings and comes to in-person meetings instead. She added that she used to read the newsletters front-to-back and liked the information that was passed. Robert stated that he also prefers physical papers, but that the majority of people he speaks to prefer electronic delivery. The resident added that she does not mind technology, but that she thinks it is a problem with it being effective. The resident added that it had been about a year since the last delivery. Alvaro stated that the last delivery was in May of last year, and that it was stopped due to the \$400/year cost and that he realizes that there had been no newsletters sent out between January of this year and then. He added that the delivery electronically can be sent out on Facebook, email etc. Marie added that when she was doing the newsletter she was sending it out via email and that we should have those email addresses. Stephan added that if the resident would like to inquire on the HOA meeting discussions, she can go to the HOA website and look at the minutes. The resident added that she'd like the newsletter added to the website as well. Lisa stated that she has taken note and would add a summary of the HOA meetings on the website.
- c. **Unidentified Resident** – Asked what is being delivered to new residents as far as a welcome letter. Marie stated that we have not been doing that, what we used to do was print the welcome packet and hand deliver it. The resident asked if it is still being done as she has talked to 2 new residents lately. Marie added that she used to do that as secretary but does not know if the current one is still doing that. Joy stated that Fairway Management sends documentation to all new residents.
- d. **Steve Dunn** – Wanted to thank the board for what they do, and thanked Alvaro for answering the question regarding the gates behind their property on the Tillman canal.
- e. **Kathleen Conroy-Rittwager** – Asked about properties along the golf course putting fences up. Marie stated that they are allowed to do that. Alvaro stated that we talked about that last week. He added that the documents have 2 sets of rules; ones for golf front properties and ones for non-golf front properties. Since we no longer have a golf course, everyone is now considered non-golf front properties. However, the caveat to this which has been added to the ARC form, if for some reason the golf course become active again in the future and the resident spent \$10K putting up a fence, then the rules will revert back to what they were. The resident would have to pay to remove the fence. Resident asked what type of fence can be placed, and Alvaro responded that it has to follow the same rules as the docs – PVC fence.
- f. **Steve Chalmers** – Stated that he would like to cheerlead for dissent. Added that he has been in volunteer boards in the past and too little dissent does not get any action, but too much dissent does not either. There is a medium between the two and you always want to hear the voice that doesn't agree with

you. The dissenting voice is important. He congratulated the board for doing what they do.

8. **Next Meeting – Zoom – Tuesday, March 12<sup>th</sup> at 5:30PM**

<https://us06web.zoom.us/j/86249587190?pwd=cjJHV05tMWIpOXdEMzhuckFtR2cxZz09>

Meeting ID: 862 4958 7190

Password: 057508

Audio: (301) 715-8592

9. **Adjourn** – The meeting was adjourned at 6:30PM.

For reference and brevity, the following acronyms were utilized:

WB: Windbrook Dr

GB: Gardenbrook Dr

EW: Eeaterwood Dr

YW: Yellow Wood Dr