

Silver Lakes Community Association

A Corporation Not-for-Profit

Meeting of the Board of Directors

October 19, 2020 7:00PM

Virtual Meeting via Zoom

In Attendance:

Robert Garcia President
Daron Fitch Vice President
Vicki Minnaugh Treasurer
Colleen Cheney Secretary

Directors:

Ray Whittier
Rick Collum *excused*
Laura Santiago

Also In Attendance:

Robert Moses Pines Property Management
John Stevens Counsel for the Association
Cathy Balenovic Community Affairs Director

Board of Directors Meeting - Call to Order

Meeting call to order by President, Robert Garcia at 7:02pm

Robert Garcia welcomed everyone to the last Zoom Master Board Meeting of 2020. The next scheduled Master Board meeting will be held in January.

Colleen Cheney took roll call. Everyone was present except Rick Collum
Vicki motioned to excuse Rick. Second by Colleen Cheney. Motion passes.

Robert Garcia advised that participants will be muted during the meeting and asked residents to withhold questions/comments, until a particular topic is open for discussion or until the Open Forum at the end of the meeting, in order to move the meeting along. He thanked everyone for their cooperation.

Consent Agenda

- a. Approval of Previous Meeting Minutes- September 21, 2020

Motion to Approve

Motion to approve by Vicki Minnaugh. Second by Daron Fitch.
Colleen conducted roll call and motion passed unanimously.

- b. Ratify PPM Approved Repairs in the amount of \$6, 292.00

Motion to Approve

Motion to approve by Vicki Minnaugh. Second by Colleen Cheney.
Colleen conducted roll call and motion passed unanimously.

President's Report

a.) Common Area Restrictions

Robert Garcia expressed that he understands this is a topic on everyone's minds especially as amenities in both the Cities of Miramar and Pembroke Pines are opening. Robert explained that Cities have indemnity that SilverLakes does not have. The CDC guidelines must be adhered to when opening amenities to the public. Robert deferred to John Stevens to speak on the subject.

John explained that the Governor of Florida has given the right to open, but has not required re-opening. No one is telling HOA's they are required to open. If SL does so, we must enforce social distancing and SL would need to hire guards to enforce that criteria. SL would also need full time cleaning staff to meet the re-opening state and local criteria.

If SL fails to abide by the re-opening requirements, SL is setting themselves up for significant liability. In addition, SL's insurance carrier has advised SL is not covered for any Covid-19 related litigation. If SL does not follow the guidelines at 100% compliance, it would be considered negligent.

This is a different situation from municipalities. They do not have the same liability issues as a private HOA. This has been brought up to the Legislature for Tort Reform concerning Covid-19, however, there has been no ordinance on the matter.

Therefore, until the State of Emergency is lifted in FL, or guidelines are lifted, or Tort Reform is passed, John Steven's legal opinion is SL keep common areas closed.

Motion to Keep SilverLakes Common Areas Closed

Motion to approve by Ray Whittier. Second by Vicki Minnaugh.

Colleen conducted roll call and motion passed unanimously.

Robert Garcia reiterated that this is the fiscally responsible decision. Everyone is wanting to reopen the community. It is essential we keep abreast of developments and as soon as it is safe to open, SL will re-open.

Colleen Cheney inquired about the safety of Halloween and asked if a statement needed to be put out.

John Stevens recommends against Trick or Treating. However, as homes are private property, he discourages the BOD from putting out a statement banning it. He advised there are no SL outdoor events being held for Halloween. He strongly discourages Trick or Treating and advises residents against participation and to shut their lights off on Halloween. Robert Garcia reiterated a letter was sent to residents with the CDC guidelines, as well as links.

b.) FPI 2020 Extra Hours

Robert Garcia provided a recap of the 3rd guard and option of adding the 3rd guard back for 40 hours/8 weeks for the remainder of the year for a total cost of \$6,944.00.

Discussion.

Motion to Add Additional Unarmed Guard/Vehicle for 8 weeks at a cost of \$6,944.00.

Motion to approve by Daron Fitch. Second by Ray Whittier.

Colleen conducted roll call and motion passed unanimously.

To the motion, Daron expressed that SL has made great progress with the parking. It used to be a major issue and it isn't any longer, this is why he supports the 3rd guard/vehicle to maintain what has been put in place.

Robert Garcia also advised that FPI has post orders that recognize that on holidays and week-ends, there needs to be more lee-way.

A resident had a question about fishing and cameras at the Boater's Parks. Robert Garcia advised a resident can fish from their own property if they are on the lakes. However, the Boater's Parks and ramps will remain closed because of social distancing restrictions and the possibility of transmission. Cameras will be installed at the Boater's Parks.

John Savaiko advised that adjustments need to be made to FPI's post orders regarding overflow parking; abandoned vehicles, commercial vehicles parked overnight, expired tags, etc.

A resident listed some HOA's in Broward County that have opened some amenities. Robert Garcia advised the situation will be re-evaluated in November if there are any changes with the State of Emergency in FL.

Motion to Amend FPI's Post Orders concerning Overflow Parking

Motion to approve by Daron Fitch. Second by Ray Whittier.

Colleen conducted roll call and motion passed unanimously.

Treasurer's Report

Vicki Minnaugh provided a recap. There is 5, 523, 380.16 in the SL Operating account.

The total in CD accounts is \$498, 219.29. The Synchrony Bank CD is maturing on 1/7/2021. There is a total of \$1,367,151.00 in the five Money Market accounts and a balance of \$1,393,847.78 in the SilverLakes Escrow Account for Comcast.

Vicki expressed that SilverLakes has good reserves and hopes everything gets safer for us.

Directors Report

-Ray Whittier advised Chapel Trail HOA has banned Trick or Treating. Robert Garcia reiterated a letter was sent out with CDC guidelines regarding Halloween to SL residents.

-Colleen Cheney- NIL

-Vicki Minnaugh asked for clarification about the next Master BOD meeting. Robert Garcia advised that tonight is the last scheduled Master BOD meeting for 2020, but Candidate's Night will be held on December 7th.

-Daron Fitch inquired if the BOD should meet if the State of Emergency is lifted in November. Robert Garcia advised that tonight was the last scheduled meeting, but Emergency meetings can be held at any time and that if the State of Emergency is lifted, he would want the BOD to meet.

-Laura-NIL

Committee Reports

- A. Fining-Harvey Harris provided a recap for September; There were 175 residents cited of which 149 were fined; 19 were in compliance and 10 were granted extensions. 2 residents appeared before the Committee to plead their cases; the fines were maintained.
- B. Security-Robert Scopa provided a recap
He advised the additional 40 flex hours are based on need. 24 of the 40 were used primarily Fri-Sun, and the other hours FPI has flexibility where they see the need.
- E. Modification Committee- Tanya Tarantino advised there were 631 modification requests over the last three months. 339 were approved. 232 were denied.
She advised with 631 requests over 3 months, they are averaging 210 requests a month. The Committee meets every two weeks, via zoom and it is very time consuming to review the requests. She advised a lot of requests have missing details and paperwork and that is part of the denials. She asked residents to be patient as the process is challenging with 6 committee members via zoom.

Laura Santiago asked if PPM still had the ability to approve certain modifications on behalf of the Committee. Tanya confirmed yes, for painting, within current color schemes, for example, or installing cameras.

Robert Garcia asked what can homeowners do better. Tanya advised that residents should obtain the Modification Checklist and not submit their request until they have everything requested on the list.

G. Overflow Parking Committee

Jaspar filled in for Sandra Gakneras and provided a recap.

He advised they have met with three companies about a tailored app to manage overflow parking, that any cost would be absorbed by the subs with overflow parking, minimum disruption to FPI, overflow parking will not permit vehicles with expired tags, abandoned vehicles, commercial vehicles parked overnight. Guidelines will be provided to the Master Board to be implemented in 2021. Nov 4th is the next Committee meeting.

Robert Garcia explained that SL has not been enforcing the already existing overflow parking regulations.

- F. Parking/Presidents Meeting-John Savaiko provided a recap. He advised the on street parking strategy has worked. He reiterated that residents placing a note on their vehicle for FPI is a courtesy, not a permission slip to park. He wants to ensure there is no misunderstanding- on street parking is prohibited in SilverLakes. He also reminded residents to be courteous with FPI as there have been some isolated escalations.

John advised the Presidents listened to recaps of the Overflow Parking Committee, as well as the Color Committee. He concurred that FPI's post orders do not currently address overflow parking issues, ie vehicles with flat tires, campers, expired tags, commercial vehicles parked overnight. He advised post orders need to be changed by the Master Board so FPI can enforce the regulations.

Motion to Amend FPI Post Orders to enforce SL regulations regarding commercial vehicles parked overnight, abandoned vehicles, expired tags, etc in SilverLakes overflow parking spots.

Motion to approve by Ray Whittier. Second by Daron Fitch
Colleen conducted roll call and motion passed unanimously.

H. Community Events-Cathy Balenovic provided a recap of recent and upcoming virtual events/activities and contests and provided the Community Affairs Budget recap: balance of \$801.55. She advised that to date, \$2, 045.00 in Starbucks gift cards has been delivered, as well as thank you notes, to Memorial Hospital West & Miramar. Pembroke Pines City Connect featured an article about the SilverLakes Cares initiative and she is very pleased SL residents were acknowledged and recognized.

She also explained to the BOD that the SL website needs to be decluttered and reorganized to make finding information easier for residents.

Motion to Approve obtaining Proposals for a redesign of www.SilverLakes.net, not to exceed \$15,000.

Motion to approve by Vicki Minnaugh. Second by Daron Fitch
Colleen conducted roll call and motion passed unanimously.

Daron brought up sending an Overflow Parking letter to residents.

Motion to Approve the Cost of Mailing a Letter to SL residents advising of Overflow Parking Enforcement

Motion to approve by Daron Fitch. Second by Ray Whittier.
Colleen conducted roll call and motion passed unanimously.

I. Management

i. Paving Update

Robert Moses provided a recap.

1. Sapphire Pointe 10/27 Tentative Start Date for Root Barrier
2. Pelican Cove
3. Marine Pointe
4. Grand Cay
5. Sunset Pointe

Phase v Tree Removals are expected to begin November 2020.

Town Hall meeting on 11/10/2020

Expected completion of the 4th and 5th Phase 12/31/21

Root Barrier Negotiations

Prolonged negotiations resulted in a delay of close to 2 years

Initial vendor cost for root barrier was set to \$58.76/SF

Negotiated root barrier cost is \$29.90/SF

Discussion concerning Arborist.

ii. Guideline Changes-Color Changes

#1 When installing a bronze color impact front door, the owner must paint front to match the color for the garage door as per the home color scheme. If the owner wants to keep the bronze door color, then the garage door and fascia need to be painted to match. Sherwin Williams #7069 Iron Ore is the color to be used to match the bronze front door. Body & Bands will remain the colors stated on the original house color scheme. When installing a new bronze garage door, the above rules apply.

#2. When installing a white color impact front door, the homeowners must paint the front door to match the color of the garage door as per home color scheme. Or if the owner wants to keep the white front door color then the garage doors, bands and fascia must be white to match. SW #7005 Pure White is the color to be used to match the white impact front door. Body color would remain the color stated on the original house color scheme. When installing a new white garage door, homeowners must follow the same rules.

Motion to Approve the Color Update Changes

Motion to approve by Vicki Minnaugh. Second by Colleen Cheney.

Colleen conducted roll call and motion passed unanimously.

iii. Final 2021 Budget

Robert Moses advised the internet fee remains the same. Master Board dues remain the same for 2021.

Laura Santiago asked if quarterly dues have been mailed out as of yet. Robert Moses advised they were sent out, via USPS, last week. He also advised there will be a Late Notice sent out on November 1st. There will be no late fees if residents pay by Nov 30th.

Attorney's Report

Colleen Cheney asked about elections.

Robert Garcia asked Robert Moses if he had sent out an email to the Presidents. Robert responded that 14 had responded; 5 are able to hold a virtual election during the day, 8 would rather wait until the State of Emergency has been lifted, 1 was asking about alternative options.

John Stevens reviewed options.

1. To wait until the State of Emergency is lifted to hold elections
2. To hold elections via a virtual meeting, either during the day or evening. However, there are not many days left before the end of the year and he and Robert Moses might have staffing/IT restrictions. They may be able to hold 5 or 6 elections before the end of the year, but 39 is not possible. It would be helpful if some subs are willing to hold an election during the day to work out the kinks.
3. Elections can also be held via in-person meeting. John Stevens will not attend and he also does not recommend in-person meetings, but it is an option.
4. There are other options depending on each sub division's docs, as they are different.

Daron asked once the State of Emergency is lifted, can a live meeting be held or over zoom. John advised it is not a legal issue, but a scheduling issue.

Robert Garcia advised the topic will be revisited on November 1st. In the meantime, Robert Moses and John Stevens should try to accommodate the subs that responded and wanted to hold elections before the end of the year.

Old Business

John Stevens reviewed the changes to the Proposed Rental Agreement, agreed on at the Renters Agreement Workshop.

Highlights:

- No unit shall be occupied by more than two (2) people per bedroom (Vicki's suggestion)
- No unit may be rented by a registered sex offender (Ray's suggestion)
- The term "family" was defined (Laura's suggestion)
- Any unit occupied for over 30 days, when an owner is not present, and with the exception of family previously defined, will be considered as a rental unit, and be subject to the Rental Agreement.

Discussion about sex offenders that purchase a house in SL. John Stevens advised the Cities of Miramar and Pembroke Pines both have ordinances that do not permit sex offenders.

- Any person over the age of 18 shall be required to submit to and pay for a background check
- Each person, over the age of 18, who is financially responsible under the terms of the lease, shall be required to submit to and pay for a credit check.
- A Neighborhood Association may establish rules and regulations more stringent than those set forth by the Association, (Ray's recommendation)
- Pet Restriction outlines; three (3) domestic animals and no Pit Bulls (Vicki's recommendation)
- Security Deposit shall not exceed one months rent and/or value of one month's rent. Important to specify value (in the event of bartering) The homeowner pays the Security Deposit to SL.
- Rental Cap Restriction at 10% of the total number of units within the Association, and/or any individual sub.
- Minimum credit rating is 600.

Discussion concerning how to know if someone is renting without respecting the Rental Agreement and violation process to homeowner and tenant for eviction process. John Stevens advised that SL will have the right to terminate a lease and evict a tenant if there are issues. SL would bear the cost and then the cost is levied against the homeowner. If SL evicts a tenant, it will be handled by a summary proceeding which is quicker.

Violations and fines are handled via the same process as the Fining Committee. Robert Moses advised they have the software to set up the parameters and track tenants/leases. The \$50 fee is paid by the applicant. Robert Garcia advised PPM is already doing this for the subs that have already had rental agreements in place. Steve Goldman advised his sub's docs state all renter's leases are to be given to the Property Management Company.

Motion to send Rental Agreement to Sub Association Voting Members for their Approval

Motion to approve by Daron Fitch. Second by Vicki Minnaugh.

Colleen conducted roll call and motion passed unanimously.

John Stevens advised the Rental Agreement will pass if there is 75% or more yes votes.

New Business

a. South Broward Drainage District Request

South Broward Drainage District would like to install two lift stations on 184th Ave in Miramar. They will have remote access, be able to move water tables. Landscaping will be provided to conceal as much as possible. No cost to the Association.

Motion to Approve Lift Stations

Motion to approve by Vicki Minnaugh. Second by Ray Whittier.

Motion passes unanimously

b. 2021 BOD Proposed Calendar

Robert Garcia asked the BOD to check their agendas to see if the proposed dates work for them. In addition, he would like Comcast to attend meetings quarterly to provide a recap

Proposed dates:

1/25 with Comcast

3/22

5/17 with Comcast

7/19

9/20 with Comcast

10/18

12/13

Open Forum

Discussion concerning Notice of Meetings

30 days Notice.

Signing documents electronically via docu-sign/FL law allows electronic signatures.

A resident had a question about installing a fence around a new pool. The City of Pembroke Pines says he cannot share a fence with neighbors, but SL docs say he cannot double a fence. John Stevens said he needs to look into this restriction with both cities.

Robert Garcia asked Robert Moses and John Stevens to make that an Action Item.

Vicki reminded the homeowner to obtain a permit from South Broward Drainage as well.

Move to Adjourn at 9:35pm

Motion to approve by Vicki Minnaugh. Second by Colleen Cheney.

Motion passes unanimously

Robert Garcia thanked everyone for another year of hard work, hopes things can resume soon and hopes everyone stays safe.

Respectfully submitted,

Cathy Balenovic
Director Community Affairs

Colleen Cheney
Secretary