

Draft MINUTES

Board Meeting For Forest Lake Townhomes Homeowners Association, Inc.

A Board meeting was held at **The Forest Lakes Community Center** in Lee County, located at 3655 Pine Oak Circle, Ft. Myers, Florida 33916 on **April 10, 2013 at 7:00 PM**

I. Established a Board Quorum/Call Meeting to order: Dave Dilny (DD), Wilfredo Russian (WR), Kenneth Callahan (KC), and Eric Schuler (ES) were present; Arlene Luneberg (AL), was present via teleconference. The meeting was called to order at 7:00 pm. Mark Rudland of Tropical Isles management was present.

II. Prior minutes: Prior minutes from the Board meeting of March 13, 2013 were read and approved.

III. Notice of meeting: Notice was posted in accordance with bylaws of the association.

IV. New Business

1. Hot Tub Feasibility Study

A motion was made and passed that Tropical Isles be authorized to investigate the feasibility of adding a hot tub to the pool complex and report back to the Board. Moved by ES, seconded by AL. Vote – all in favor.

2. Disabling RFID tags for Delinquent Owners.

A few delinquent owners still live in Forest Lake. If their RFID tags are deactivated, they will have to stop at the visitors' kiosk at each entry. This and loss of access to the common facilities are the only actions the Board can take to motivate owners to pay their monthly fees.

A motion was made and passed to disable the RFID tags of owners delinquent by more than 90 days. Moved by DD, seconded by AL. Vote – all in favor.

3. 1-page Lease Renewal

A 1-page lease renewal form would be used along with a copy of the renewal lease and a violations check as the basis for approving renewals.

A motion was made and passed to change the renewal lease procedure to include a 1-page lease renewal form. Moved by AL, seconded by KC. Vote – all in favor

4. Rules Adjustments

Some of the motions passed by the Board require certain changes or adjustments in the Rules & Regulations so they are not in conflict with the motions. The Secretary will make the necessary changes, subject to Board approval.

A motion was made and passed that the Rules & Regulations be adjusted as required to prevent the Rules from being in conflict with the Board's motions. Moved by KC, seconded by ES. Vote – DD, KC, ES, and WR in favor, AL against.

V. Old Business

1. Clubhouse/Pool Access System

At the March 13, 2013 Board meeting a motion was made and passed that the current biometric access system installed by Whitestone Security for the clubhouse/pool facilities would be replaced by a key fob system chosen from the three proposals received. The Board had previously considered and rejected the Envera System's

biometric proposal, but agreed to reconsider it at the urging of Bob Spies. Mr. Spies subsequently arranged for a demonstration of the system for the members. About 25 members were able to attend the demonstration. Mr. Spies reported on the success of the demonstration. He also spoke at length in favor of this system at the April 10th meeting. The Envera proposal is for a state-of-the-art finger vein/fingerprint sensor. The sensor would be purchased by Envera from Morpho.

The Board decided to stay with the previous approved fob access system for the following reasons:

- a. the biometric system is not cost effective, being about 3 times the cost of a key fob system.
- b. it requires an extensive labor-intensive database system to be setup and maintained.
- c. it has not previously been installed anywhere by Envera even though they provide security to 45 other HOAs. Although the system is in use extensively in government buildings, we do not know of any HOA that thought this level of security was necessary and has consequently installed it. We would have to purchase this high-tech system with no prior record of how it performs in an outdoor pool environment.
- d. it is too restrictive; guests could not use it until they were successfully entered into the database.

Arlene thought the biometric system would provide greater security and was worth the higher cost. However, the majority of the Board felt that a fob system would provide adequate security for pool/clubhouse and pedestrian gate access. It is a proven system used by many HOAs. It is cost effective and much less expensive than a biometric system. It is relatively low tech and easy to maintain. Each fob will have a unique code associated with each unit owner. Owners are responsible for their own actions and those of their guests. Loss or misuse of the fob would result in that particular fob being deactivated.

2. Lease Application Process

The lease application process motion in March failed to pass, mainly due to the Addendum question. A motion was subsequently passed to keep the Addendum but have only the tenant sign and notarize it.

The process/forms proposed are:

- 1) A check for \$50.00, made payable to TROPICAL ISLES MANAGEMENT SERVICES, INC. for administrative fees and a second check for \$50.00 payable to Forest Lake Townhomes, Inc.
- 2) A filled out FLT application.
- 3) A signed copy of the Rules & Regulations initialed as required.
- 4) If applicable, a completed Pet Registration Form (including clear photographs) for each pet.
- 5) A copy of the signed, fully executed lease.
- 6) A copy of a national criminal background check on applicant(s). This can be done using www.criminalwatchdog.com or equivalent service.
- 7) A copy of Applicant(s) driver's license(s).
- 8) A copy of Applicant(s) passport if a foreign national.
- 9) A copy of the Addendum to Lease notarized by the tenant only.

A motion was made and passed that the revised lease application and process summarized above be implemented. Moved by KC, seconded by DD. Vote – all in favor.

3. Parking Area Repairs.

There are 11 parking locations totaling 810 sqft needing repairs. Bonness proposed to do this for \$3509 while they were here putting in 5 new parking spots in the southwest part of FLT.

A motion was made and passed that the Bonness proposal for repairing damaged parking areas in FLT be implemented. Moved by DD, seconded by KC. Vote – all in favor.

4. Rescission of Rule R12 (3-lease limit).

This motion failed at the March 13th meeting. However, Rule S12 (Rules dated September 20, 2012) passed by a previous board conflicted with the inherent rights granted to owners in the FLT Declaration. This type of ownership restriction can only be instituted by amending the Declaration. It is unenforceable and should be rescinded.

A motion was made and passed that Rule S12 (the 3-lease limit rule) of the Forest Lake Rules & Regulations be hereby rescinded. Moved by KC, seconded by ES. Vote – KC, DD, ES, and WR in favor, opposed by AL.

Note: Bob Spies spoke in favor of amending the Declaration to legitimize both the 3-lease limit rule and approval authority of the Board over new purchases. He said that the Board at the March 13th meeting agreed to seek such amendments. The Board said this could be done by amendment but did not agree at the March 13th meeting to do it and no motion was passed to that effect. Every owner bought property in FLT subject to the Declaration in effect at the time of purchase. Every owner was also on notice that the Declaration can be changed by following the amendment process. Details on how amendments to the FLT Declaration can be made will be provided to Mr. Spies and any other members who wish to pursue this. Amendments were proposed at the 2010 and 2011 annual meetings. They failed to even come close to the required 2/3 affirmative votes. No amendments have been successful since control of the HOA passed to the members in 2005. The majority of the Board are not opposed to amending the Declaration in general. Mr. Spies and Gwen Watts said they wanted to pursue amendments on these two items. AL made a motion that the Board initiate the process of amending the Declaration, KC seconded. Vote – AL in favor; DD, ES, WR, and KC against. Motion failed.

VI. Member Comments

Boris Stanarius recommended planting areca (bamboo) palms along the FLT northern fence as a visual and noise barrier to the adjacent warehouse area. (We might also consider this along our southern boundary.)

A member complained about the resident in 3618 POC 105 having three cars and parking them in adjacent empty unit driveways in violation of the Rules. (There is a two car per unit limit and parking a car in another's driveway requires written permission and Board approval. Rule P)

A member commented that communication between the Board and the members is critical and needs to be improved. For example, we need volunteers for the Grounds Committee and a committee to study the feasibility of instituting a dog park. We need to advertise these volunteer opportunities. (The Board agrees. The website is one means to improve communications and frequent newsletters is another.)

VII. Adjournment: With no further business, the meeting was adjourned at 8:09 pm.

Submitted By
Kenneth Callahan
Secretary, FLT HOA