

SILVERLAKES HOMEOWNERS ASSOCIATION, INC.
c/o Alliant Association Management
13831 Vector Avenue
Fort Myers, FL 33907
Office: 239-454-1101 ** Fax: 239-454-1147

Board of Directors Minutes
January 15, 2020 – 6:00 pm
Silverlakes Community Clubhouse

- 1. Establish Quorum/Call to Order:** The meeting was called to order at 6:00 pm with President, Lauren Siegel; Vice President, PJ Stratton; Treasurer, Markus Albrecht; Secretary, James Wisniewski and Director, Claude Marku in attendance. Scarlet Milano, CAM, was also present representing Alliant Association Management.
- 2. Proof of Notice:** Notice was posted more than 48 hours in advance as required by Florida Statute at the Silverlakes Community Clubhouse and the Community exit gates.
- 3. Pledge of Allegiance:** The Pledge of Allegiance was recited.
- 4. Approval of the Minutes:**
 - a. November 20, 2019 Board of Director's Meeting Minutes**

Motion: A motion was made by Jim Wisniewski to approve the November 20, 2019 Board of Director's meeting minutes with one edit. Seconded by Markus Albrecht. **All in favor - Motion Passed.** The CAM will make the edit prior to posting on the web site.

6. Old Business

- a. Treasurer's Report:** The report was provided by Markus Albrecht.

Aged Owner Balances Total: **\$19,902**

Cash – Operating: **\$226,669**

Cash – Reserves: **\$613,602**

Total Cash: **\$840,271**

Available Free Cash: **\$159,900**

Expenses under budget: **\$12,801**

At the end of December there were twenty (20) delinquent owners. In November there were twenty-nine (29) and in October there were twenty-six (26). The outstanding balance is \$19,902 and there is one (1) new payment plan. The current financials supplied by Alliant are not accurate. There continue to be minor errors being made by the Accounting Department.

The Association has \$226,669 in their operating account; \$159,900 is available free cash which is above the targeted amount. The overall expenditures are \$12,801 below budget. Markus Albrecht would like to credit the villa equity \$528 due to below budget costs for the villa ground expenses. Markus Albrecht would also like to credit the Association's reserves \$12,000 related to the recapture the 2018 deficit that was included in the 2019 budget.

The Board discussed the following points regarding crediting the \$12,000 to the reserves: once the money is placed in the reserves, it cannot be removed from the reserves except for reserve expenditures. Additionally, the reserves are already fully funded. Jim Wisniewski believes the \$12,000, which is currently in free cash and was taken out of free cash in 2018, should remain in free cash and not be placed elsewhere (i.e., the amount should be repaid to the "account" from which it was taken).

Motion: A motion was made by Markus Albrecht to credit the villa equity with \$528 thus refunding the under-budget spending. Seconded by PJ Stratton. **All in favor - Motion Passed**

Motion: A motion was made by Markus Albrecht to transfer \$12,000 from HOA operating cash to HOA reserves as recapture of 2018 deficit. No one seconded. - **Motion Failed**

The \$12,000 will remain in free cash.

b. Committee Reports

- i. Architectural Control** – The committee received a total of twelve (12) requests: four (4) for roof replacement, one (1) for tree removal, one (1) for front door replacement, two (2) for paver installation, and four (4) for exterior paint. All of the requests were approved.
- ii. Communications** – No report.
- iii. Clubhouse Social** – The Social Committee will host bingo on January 25th and February 22nd. A community breakfast will be held on February 2nd. The spring garage sale is scheduled for February 8th and casino night will be on February 29th. The morning coffee gathering at the clubhouse has been well attended.
- iv. Finance** – No report.
- v. Fine Appeal** – Richard Macchia reported that the committee received one waiver request. The request was denied.
- vi. Exercise** – No report. Dan Dobson repaired the seat on the stationary bicycle.
- vii. Vendor Oversight** – Dan Dobson reported that the committee has received several bids to clean and polish the tile and to clean, color, and seal the grout in the clubhouse. The committee recommends engaging the company, ReColor Your Grout, at a cost of \$1,800. The work is expected to last for fifteen (15) years.

Motion: A motion was made by Markus Albrecht to approve the bid from ReColor Your Grout for \$1,800 to clean the tiles and grout in the clubhouse. Seconded by Lauren Siegel. **All in favor - Motion Passed**

The committee is still researching updating the clubhouse restrooms.

The committee also obtained bids to pressure clean all roadway gutters, the entrance walkways and curbs, and the waterfall rocks. They recommend the company, Brightside, at a cost of \$2,200. The committee recommends Aquablast to pressure clean the clubhouse and guardhouse roofs and walls at a cost of \$890. They recommend Color Your Grout to pressure clean and seal the clubhouse parking lot and entryway pavers for \$3,000 and to level and clean the pool pavers for \$1,800. The committee is still collecting bids to pressure clean the pool's perimeter fence, the pool's canvas tent, and the two monuments at Griffin Drive.

Motion: A motion was made by Markus Albrecht to approve the recommendations made by the VOC to pressure clean the roadway gutters and entrance walkways and curbs by Brightside for \$2,200; the parking lot and entryway pavers at the clubhouse for \$3,000 by ReColor Your Grout; the clubhouse and guardhouse roofs and walls for \$900, and \$565 for the pool deck and fence for a total cost not to exceed \$9,000. Seconded by Lauren Siegel. **All in favor - Motion Passed**

The committee further reported that Ramiro Rodgers Landscaping has been repairing multiple irrigation leaks at the entrance. Alliant will ask the CDD to send a report monitoring the water usage at the entrance for two (2) weeks to determine if a leak detection company should still be hired.

- c. Legal Issues** – Jim Wisniewski reported that Beacon Acquisition has filed another lawsuit, in Pinellas County, against BP Roofing and Gus Braat, the owner of BP Roofing, over unpaid materials supplied to BP for roofing projects throughout Southwest Florida. BP Roofing has now entered into a court supervised

stipulated payment plan with Beacon Acquisitions. The contractor's lien for Silverlakes, which is a small part of the total amount in dispute, should be released when BP has paid Beacon in full under the stipulated agreement. Discussions with legal counsel indicate that it appears that BP Roofing will have paid its obligations in the next sixty (60) days. The HOA has incurred approximately \$4,000 in legal fees due to this issue. Prior counsel at GADC, has advised that the HOA could file suit against BP Roofing to recoup the \$4,000, but this course of action may not yield worthwhile results for such a small amount. Markus Albrecht reported an issue brought to his attention by Alliant. A villa owner reached out to Alliant to express his opinion that the repair and replacement of villa gutters and downspouts should be an expense for which the HOA is responsible. Alliant provided Markus' contact information to the villa owner.

d. Rental tracking – Jim Wisniewski advised there are twenty-one (21) rentals. Lauren Siegel reported that the home that previously engaged in short term renting is supposedly once again renting their property on vacation websites. Jim Wisniewski confirmed via an internet search that the home is indeed listed again as available for short term rental on Vrbo. He will contact Attorney DeBoest's office to follow up on their earlier action against this homeowner.

e. Association Manager's Report – The CAM read her report.

f. Homeowner's Forum:

- 1) A homeowner reported that the morning coffee and refreshments at the clubhouse has been well received. Attendance and supplies are being tallied daily.
- 2) A homeowner remarked that she counted the number of times, so far, that someone made a comment they could not hear. She counted eight (8) times. She would like the HOA to consider addressing the acoustics in the clubhouse.
- 3) A villa owner asked the Board of Directors when his roof will be replaced as he has active leaks. The final three (3) roofs replacements are expected to be completed by the end of 2020. Villa owners are responsible for the repair of their roofs. The Board suggested the owner consider tarping the roof to circumvent repairs until the roof's replacement.
- 4) A homeowner asked which roofing contractor will complete the remaining villa roofs. The Board has not yet solicited bids.
- 5) There are two (2) electrical outlets outside near the pool that are not working and one of the recessed ceiling lights in the clubhouse is also not working. Alliant will contact an electrician.
- 6) A homeowner commented that the parking citation he received cited the incorrect provision of the governing documents.

7. New Business

a) Director's Manual Update & Schedule of Fines- The draft of the Director's Manual is complete. Jim Wisniewski consulted with Attorney, Richard DeBoest's office, and they confirmed the following: If the statute of limitations for a noticed violation has expired, the HOA cannot put the violation on an estoppel in an attempt to have the prospective buyer remedy the violation. If the violation has not been acted on by the association, it would be considered to have been waived by the HOA, so the violation cannot be listed on the estoppel in an attempt to have the prospective buyer bring the violation into compliance. The fining process was also discussed. The Board decided the association will continue their current practice in regard to applying fines. The deactivation of amenities cards for delinquent owners was discussed. Florida Statutes state that the Board needs to vote on each account that is in arrears more than 90 days and they must notify the homeowner via mail or hand delivery that the amenities card has been deactivated. The HOA has an existing Board resolution addressing this matter and the resolution is posted on the website. Counsel believes this may be sufficient (i.e., substantial compliance) unless a court rules otherwise but that the Board should consider changing its process in the future to align with the specific statutory requirements in case it is ruled later that substantial compliance is not sufficient.

- b) Additional Silverlakes' Parcels Update-** Jim Wisniewski is examining the insurance policy regarding the parcels that belong to Silverlakes. The landscaping is being maintained, but it is not clear who is taking care of it. The Board cannot vote to quit claim the parcel to GSCDD or the church as a membership vote of 75 percent would be required. Jim discussed possible adverse possession consequences with Counsel, but it does not appear that adverse possession has occurred under Florida statutes. Jim suggested making sure the HOA is adequately insured as a protective measure in the future.
- c) Status of Camera Hard Drive Repair-** The cameras have not been working for some time. VAAC now has the recovery drive to reboot the NVR. VAAC will come to the HOA to set up the equipment. The Board discussed the poor quality of the image captured by the cameras. Jim suggested obtaining bids for eleven (11) 4k cameras.
- d) Deactivation of Proxy Cards-** Unit 153 reached out to Alliant with the request that their amenities card be reactivated so they can use the gym given that they are now on a court supervised stipulated agreement payment plan.

Motion: A motion was made by Markus Albrecht to deny the request until the past due amount is paid in full. Seconded by Lauren Siegel. **All in favor - Motion Passed**

Markus Albrecht would like to ensure all owners that are past due two (2) assessments have their amenities cards deactivated.

- f) Units 158 & 188 Foreclosure File-**This was tabled until the next meeting.

8. Meetings:

- a. Next BOD Meeting** – Wednesday, February 19, 2020

Adjournment:

Motion: A motion was made by Lauren Siegel to adjourn meeting at 8:55 pm. Seconded by PJ Stratton. **All in favor – Motion Passed**

Meeting adjourned at 8:55 pm.