

SILVERLAKES-GATEWAY HOA

**c/o Compass Rose Management
1010 NE 9th Street
Cape Coral, FL 33909
239-309-0622**

**Board of Directors Minutes
April 21, 2021 – 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, Rick Anderson; Treasurer, Markus Albrecht; Secretary, James Wisniewski and Director, Claude Marku in attendance. Scarlet Milano, CAM, was also present representing Compass Rose 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. February 17, 2021 Board of Director's Meeting Minutes

Motion: A motion was made by Lauren Siegel to approve the February 17, 2021 Board of Director's Meeting minutes. Seconded by Jim Wisniewski. **All in favor - Motion Passed.**

b. March 17, 2021 Special Board of Director's Meeting Minutes

Motion: A motion was made by Lauren Siegel to approve the March 17, 2021 Special Board of Director's Meeting minutes. Seconded by Jim Wisniewski. **All in favor - Motion Passed.**

c. March 17, 2021 Board of Director's Organizational Meeting Minutes

Motion: A motion was made by Lauren Siegel to approve the March 17, 2021 Board of Director's Organizational Meeting minutes. Seconded by Jim Wisniewski. **All in favor - Motion Passed.**

d. April 13, 2021 Special Board of Director's Meeting Minutes

Motion: A motion was made by Lauren Siegel to approve the April 13, 2021 Special Board of Director's Meeting minutes. Seconded by Jim Wisniewski. **All in favor - Motion Passed.**

5. Old Business

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

Aged Owner Balances Total: **\$23,860**

Cash – Operating: **\$215,182**

Cash – Reserves: **\$648,386**

Total Cash: **\$863,568**

Expenses under budget: **\$7,815**

At the end of March there were thirty (30) delinquent owners. In February there were fifty-two (52) delinquent owners. In January there were sixty-six (66) delinquent owners. The outstanding balance is \$23,860. Thirteen (13) owners have not yet paid their Q1 assessments. Of the thirty (30) delinquent accounts, three (3) are responsible for the majority of the outstanding balance. One (1) of the three (3)

accounts is current in their payment plan. The other two (2) are working their way through the court system. The highest outstanding debt is the long-standing delinquent account currently in bankruptcy court. That account is \$14,138 in arrears.

b. Committee Reports

i. Architectural Control – Nick York reported that there were ten (10) applications submitted in April. All applications were approved. There were three (3) exterior painting requests, five (5) roof replacement requests, one (1) window replacement request and one (1) front door hurricane shutter installation request. One (1) of the roof replacement requests was for an alternate tile choice should their first choice be unavailable. Since Nick became the ACC chair in August of 2020, he has considered 115 requests with his fellow ACC members. 105 of the requests have been approved. Six (6) of the denied requests were for the black mailbox style. Four (4) of the denied requests were resubmitted and later approved. Of the 115 requests, forty-four (44) were for new roofs, twenty (20) were exterior painting requests, and twelve (12) were window replacement requests.

ii. Communications – The Welcome Packet has been completed. The committee is contacting owners who purchased in 2020 to offer them the new packet. They are contacting tenants also.

iii. Clubhouse Social – Bingo will be held on April 24, 2021. A Cinco de Mayo party will be held on May 5, 2021.

iv. Finance – The committee asked Markus Albrecht what steps have been taken to control delinquencies. Compass Rose has sent out late notices and Attorney Richard DeBoest's office continues to work with the Board of Directors to collect past due assessments.

v. Fine Appeal – The committee received one (1) waiver request. The waiver was not granted.

vi. Exercise – No report.

vii. Vendor Oversight – Greg Walker will be the point of contact for the pool, waterfall, and lake maintenance vendors during the summer months. Bernie Paquin will oversee the AC maintenance vendor and Faye Norris will oversee the landscape vendor. The clubhouse steps and ramp were painted with a non-slip paint. The VOC will continue negotiations on a pest control contract. The proposals that they have received so far differ drastically in their scope of work. Lauren Siegel will speak with the owner of Bugs Or Us this week regarding the current contract. The Board and the VOC are happy with the new pool maintenance vendor. The post office box at the gate has been installed.

c. Legal Issues – One of the delinquent owners is currently working with the association's attorney to make arrangements to bring his account current. He has attempted to negotiate several offers, but they cannot be considered. The Board will not move forward with the lien foreclosure at this time as the owner is making an effort to pay his past assessments. The Board discussed the home that was scheduled for foreclosure sale on March 3, 2021. The owner filed for Chapter 7 bankruptcy the day before the foreclosure sale was scheduled. As a result of the bankruptcy filing, the association's foreclosure action was stayed. The owners have not paid the post-petition assessments due on April 1, 2021 so they have defaulted on the terms of the bankruptcy plan. The association will attempt to proceed with the foreclosure sale. The attorney has informed the Board that much of the HOA's Declaration is outdated and superseded by Florida Statute. He recommends the Board consider rewriting the Declaration. Jim Wisniewski and Markus Albrecht reminded the attorney that Section 11 of the Declaration states that the use restrictions are covered by the Rules and Regulations- Exhibit F and that they have been

amended recently and recorded with the County. The attorney agreed that Exhibit F is current and enforceable and therefore a Declaration rewrite is not necessary at this time. The Board may want to consider lowering the 75% approval threshold for amending the Declaration since it is virtually impossible to get 75% of owners to participate in anything, including the annual meeting proxy votes. It is unlikely the association would ever reach the 75% approval level to amend the documents. The home that was being advertised on Air BnB is being monitored to ensure no further short-term rentals.

d. Rental tracking – Jim Wisniewski advised there were twenty-five (25) rentals in Silverlakes. The CAM will work with Jane Grethey to make sure the rental report is accurate.

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

f. Homeowner’s Forum:

- 1) A homeowner reported that she does not agree with the Board’s decision to rent the white, plastic chairs in the clubhouse to homeowners for use at their homes. She does not think this practice is sanitary and she believes it will depreciate the chairs’ value. Additionally, she believes these requests will escalate to include the wooden tables, the new faux leather chairs, and the pool furniture. The Board initially agreed to the request of the white plastic chairs on a trial basis as they have not had this request in the past.

Motion: A motion was made by Lauren Siegel to deny all subsequent requests to rent any of the furnishings in the clubhouse for use outside of the clubhouse. Seconded by Rick Anderson. **Affirmative votes: Lauren Siegel, Rick Anderson, Markus Albrecht, and Claude Mark. Negative vote: Jim Wisniewski - Motion Passed.**

- 2) A homeowner asked how to have the littorals behind her home removed. Jim Wisniewski directed her to contact Gateway Services CDD.

6. New Business

a) Community Standards-Mailboxes Rick Anderson would like the VOC to remove the black mailbox displayed at the entrance to the clubhouse. The Board may consider the request in the future, but a vote of the membership will be required. Three prior membership votes on the issue have rejected new mailboxes by very large margins.

b) Declaration Amendment- This has already been discussed.

c) Brivo Database Management- The association currently uses Securitech to maintain their gate and proxy database. There is only one (1) employee at Securitech that has access to the association’s database and the Board does not believe it is wise to rely on only one (1) individual for the database management. The Board has received a proposal from Key Security to take over the management of the association’s gate and proxy card database. Jim Wisniewski will reach out to the owner of Key Security for additional details. Securitech was called out to the association to repair the exit gate. It is stuck in the open position. The CAM will email Securitech to inform them the repair was not successful.

c) Clubhouse Motion Detector Repair-

Motion: A motion was made by Claude Marku to approve the repair of the clubhouse’s motion detector by Key Security. Seconded by Lauren Siegel. **All in favor - Motion Passed.**

b) Postal Box Installation- Already discussed.

a. Next BOD Meeting –Wednesday, May 19, 2021.

Adjournment: With no further business to discuss, the meeting adjourned at 7:52 pm.

Meeting adjourned at 7:52 pm.