

**MINUTES OF THE
MEETING OF THE BOARD OF DIRECTORS**

Date: Thursday, March 16, 2023

Time: 7:00pm

Place: Clubhouse

- I. ROLL CALL – Present was Bob Burke, President; Al Bishop, Vice President; Sandra Reed, Secretary; Suzy Mossucco, Treasurer; and Shirley Ross, Director. Also present was Annmarie Coniglio, Property Manager.
- II. CALL TO ORDER – Bob called the meeting to order at 7:00pm.
- III. APPROVAL OF AGENDA - **Shirley motioned approval; Al seconded and the motion carried unanimously.**
- IV. APPROVAL OF MINUTES (VERBATIM TRANSCRIPT) – **February 16, 2023 – Shirley motioned approval; Suzy seconded and the motion carried unanimously.**
- V. REPORT OF PRESIDENT – Bob reported that he’s been spending his time working on the following: discussions with Allied Universal to provide details on what it will take to record the driver’s name, address and license number in the database; working on cost reductions; reviewing covenants, by-laws, ACB guidelines and authoring RFP for landscape services and answering those vendor’s questions. Canvassing the neighborhood taking inventory of sidewalk to sidewalk infrastructure, what needs to be repaired (sidewalk grinding, sidewalks lifted by tree roots, tree roots under the asphalt in the road, pavers displaced and trees planted in areas where they are within 12 feet of sewer connections). Finding vendors for the reserve study and identifying qualified vendors for roof cleaning, pressure washing, pavers, sidewalks and curbs and stashing them away until such time as we are ready to send RFPs for this work. And, interviewed a handful of law firms specializing in HOA law.
- VI. MANAGER’S REPORT – Annmarie gave the Manager’s Report. A written copy of the committee reports was made available to the Membership.
- VII. REPORT OF COMMITTEES – A written copy of the committee reports was made available to the Membership.
- VIII. APPROVAL OF REPORTS – Shirley motioned approval; Al seconded and the motion carried unanimously.

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Member question:

When did the board approve issuing an RFP for legal services and/or the reserve study?

Bob responded: “The way I operate, I do preliminary investigation so as to not bog the board down with so many details. At the last meeting we moved to RFP the reserve.

And the legal is a new one that I want to talk to the board about tonight. I am interviewing firms anticipating that the ones that pass the review could be parties sent the RFP.”

IX. UNFINISHED BUSINESS – None

X. NEW BUSINESS

- a. Speeding – Motion to Revise the Rules – Bob explained that he will make the motion and hopefully someone will second it. Speeders reported by Traffic Hawk will be sent a Speeding Event Letter with the warning or fine as specified in the Rules revision and the recording of speeders name, driver license and home address, all of which a majority of the Board agrees to for this revision.

Speeding by Residents or their minor children or relatives occupying the home if leasing from Owner(s), Owners and their minor children or relatives occupying Owner(s) home will be sent a Speeding Event letter from the POA Board.

A copy of the letter will be sent to:

- Owner(s) of a leased home if a tenant is sent a letter,
- All co-owners if any co-owner is sent a letter
- Owners residing in the home if a minor or adult relative occupying the home is sent a letter

Speeding by friends or relatives of Owners or residents will be sent a speeding event letter with a copy to the Owner(s) of the home they visited and to the tenant(s) if visiting a tenant. The Board will seek the Owner or Tenant’s cooperation in pursuit of the visitor’s address if needed.

Speeding by drivers who work for contractors or others entering to deliver services or goods and their company management will be sent a speeding event letter to their home and business address respectively. The POA may permanently suspend frequent speeders and accept the company’s substitutes.

All speeding event letter recipients who wish to appeal the Speeding Event letter’s fine and loss of privilege and if here in the course of working and their employers are free to appeal the event.

Bob motioned approval of this and the Rules and Regulations to enable the Board to enter deliberation and offer amendments.

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Discussions ensued. The driver would be fined, not the employer. Loss of privilege would mean that driver would not be allowed to enter (or pass the gate). Delivery companies (FedEx, Amazon, USPS, etc.) should receive two warnings (per driver) and two weeks to respond to letter and/or replace the driver.

Member comments/questions were as follows:

Why don't we just say 3 warnings, then a ticket for any contractors.

*Is there data on Amazon or FedEx speeding? **Traffic Hawk has not captured any delivery companies speeding yet.***

Not all delivery companies or contractors are stopped at the guard shack. They are waved in.

*The post office and UPS are union so the only thing the driver will be concerned with is getting a warning letter. It's one thing to get a company that is local that is violating the rules, who are you going to send a letter to at FedEx? **Bob: "I always get a result when I send a letter to the Chief Executive Officer."***

Shirley seconded. Two warnings and two weeks for them to get back to us. Motion carried unanimously.

b. Financials

- Six year Review
- 2023 A/O end of Jan. – Suzy noted that the board is focusing on reducing expenses and doing what is right for the community and reviewed the expenses on tree root project and the January financials. Suzy noted that raising the dues may be needed as the board believes the reserves are short.

- c. Infrastructure Maintenance Report – Bob explained that he, Gabriel Baco and Igor Friedman have been walking through the neighborhood assessing maintenance needs sidewalk to sidewalk. A chart was shown displaying how much money was spent on sidewalk, sewer, asphalt, irrigation, curb, etc. repairs from 2016-2023. The average over the last few years has been \$29,000 per year due to the trees. At the same time we have been discussing the issues with tree companies. Bob has three price quotes and can get the trees removed for \$350 a tree. The committee believes more than half of our trees are within 12 feet of a sewer connection.

Member comments were as follows:

*What would be the replacement for the trees removed? **Bob: "Remove the tree, grind stumps down, add sod. The new trees will be nowhere near driveways or sewer connections. We wouldn't want them near water, electric and internet connections. In terms of what kind of trees, research shows that if you do this, the palm trees have roots that grow down and spread out and the roots are all about the size of your little finger and as they grow, they don't tear anything else up."***

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You said you have three bids, but when you are ready to do this, are you going to open it up for more bids to be submitted? Bob: "Yes, we can do that."

Is the POA taking the place of the CDD as far as the trees go? Bob: "The CDD takes care of the sewers, but we take care of trees. We are landscape, they are roads."

Have you been in contact with the county about removing these trees? Bob: "Not yet, because it's not time. But let me just add that they are on board with this program because two of the tree companies informed me that they are presently working on this same project at The Cascades in St. Lucie West and they are pulling out 100% of their trees. They are four years older than we are and the maintenance cost has driven them to do this."

Sandy questioned the number of trees we are talking about? **Bob: "About 100 in the first round.** Sandy shared her opinion that she is concerned about the environmental impact, the loss of the shade the trees provide and feels the tree removal should be addressed on a per incident basis rather than removing all the trees.

Bob responded that the cost to handle it that way would be \$1,500 per tree (or more). And went on to explain that the plan is not to take all the trees out at once. The plan is to preserve most of the canopy, replace enough of them so they can grow 10-15 years until we have to take them out.

- d. Duties and Power of Officers – Materials provided tonight should be read and bring your questions to the next meeting.
- e. Review & Select a Reserve Study Provider – Bob explained that he contacted the firm that did the reserve study in 2009 and 2016, JR Frazer and received a bid for a reserve update for \$3,400 and received another bid from Association Reserves for \$4,480. **Bob motioned approval to hire JR Frazer again and get the new reserve report underway.**

Board members discussed and it was suggested to save this money and add this amount and maybe 10-20% to the reserves.

Bob explained that underfunding the reserves could result in the association being in a position with a major expense that can't be covered. The roads, in about 20 years, are going to need to be repaved.

*Member comments were as follows:
The CDD is responsible for the reserves.
The CDD will raise the taxes of the Members.*

Suzy seconded and the motion carried 3-2 with Al and Sandra opposed.

- f. Rented Rooms in Homes Occupied by an Owner – Bob explained that it has come to the association's attention that there are rented rooms where the owner is in

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residence and they don't have a lease. They haven't been approved and we may want to create a partial residence lease of some sort.

*Member comments included:
No.*

We went through this when we had the pilot students where there were 10 of them living in a house.

Members in attendance emphasized no to the suggestion of creating a type of lease for an owner to rent a room in his/her house.

- g. Shirley noted that items g (Community Paper Shredding) and h (Adding Waste Receptacles with Pet Waste Bags) will be brought back at another meeting.
- h. 5613 Sun Valley Drive – Kandi Sieg informed the board about concerns with the home with multiple people coming in and out of the home staying for a short period of time. It's created a safety issue, she has had to call the police a few times. There appears to be people renting a room and not following the association's leasing rules.

After discussions, **Bob motioned approval to send a letter and to follow-up in five days by cancelling all barcodes and the next time any of the tenants come to the gate, we call the police and have them arrested for trespassing (Bob will check with the attorney if they can be arrested for trespassing). A fine should also be levied of \$1,000. Sandra seconded and the motion carried unanimously.**

- i. 5911 Walnut Park Lane – For numerous potted plants in the rear yard (not approved by the ACB), trash and recycle cans visible from the street, and other violations. **Bob motioned approval to send a letter; Sandra seconded and the motion carried unanimously.**
- j. Suspension of Use – For those properties noted who are 90 days or more behind in a monetary obligation to the association, **Shirley motioned approval of the suspension of use; Sandra seconded and the motion carried unanimously.**
- k. Find a law firm that specializes in HOA/POA/Condos for better representation and benefits – Not discussed further after the President's Report.

XI. MEMBERSHIP COMMENTS

The number of items on this agenda is way too long for a meeting. Focused bulleted points that can be discussed in an hour. That's why people are frustrated and angry.

Bob noted that there has been a resignation from the Screening Committee and we have had a Member volunteer. Kandi Sieg is now appointed to the Screening Committee.

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XII. ADJOURNMENT – There being no further business, the meeting was adjourned at 9:00pm.

Respectfully submitted,
Annmarie Coniglio, LCAM

Portofino Shores
Manager's Report – March 2023

Miscellaneous

- The website continues to be updated with current calendars and approved minutes.
- The audit of the 2022 financials is underway.
- Since the last board meeting, I have worked with Bob providing him information he requested and providing background information on certain topics.
- I continue to work on the roster updating email addresses and phone numbers as they are received from the Members.

Maintenance

- A bench from the bocce court was moved to the tennis court, under the shade canopy, as requested by some pickleball players.

Respectfully submitted,
Annamarie Coniglio, LCAM

**COMMITTEE REPORTS SUMMARY
FOR BOARD MEETING OF MARCH 16, 2023**

Architectural Control Board: The ACB had 2 meetings since its last report. The ACB reviewed 13 applications. These applications included the following modifications: privacy fence: 2; paver area: 2; landscaping: 1; rooftop solar for electricity: 1; painting: 3; impact windows: 1; roof tile replacement: 1; concrete patio area: 1; and screen enclosure: 1.

Owners are reminded that they must receive prior approval from the ACB for any project affecting the outside of a house or property through our application process. This includes, but not limited to, painting house or entry doors, door inserts, exterior lighting (including low-voltage), patio extensions, screen enclosures, wall hangings, pots, yard décor items, fences, surveillance & doorbell cameras, paver driveway or walkway modifications, changes to plant beds, removal or replacement of plants, hedges or trees, and satellite dish installations.

Regarding house painting:

All surfaces painted in Body color must remain Body color.

All surfaces painted in Trim color must remain Trim color.

Exception: Front entry door(s) - see the approved colors at office.

Note: Vegetation Removal Permits are required for all tree removals within St. Lucie County. The ACB cannot approve tree removals without a county permit. All necessary applications are available at: www.portofinoshores.net then click on Documents.

The ACB normally meets on the second & fourth Tuesdays of the month at 7:00 p.m. Summer and holiday months are less often due to fewer applications and travel. To be considered, an application must be received no later than the Friday before the next meeting. The next ACB meeting is scheduled for Tuesday, March 28, 2023 at 7pm.

Appeals Committee:

The Appeals Committee did not meet and therefore has nothing to report. The next meeting is scheduled for April 13, 2023.

Entertainment Committee:

There were 58 homes that participated in the Community Garage Sale.

Our next event is the Easter Egg Hunt planned for April 8th. Hunting for eggs, face painting, and prizes for the ones that finds the golden eggs.

Neighborhood Watch Committee (“NWC”):

No report at this time.

Screening Committee:

Since the last meeting of the Board of Directors, there were 3 lease applications; 3 lease renewal applications and 3 purchase applications processed. There was 1 lease application denied (failure to meet required FICO score).