

**ROTONDA WEST ASSOCIATION, INC.
646 Rotonda Circle, Rotonda West, FL 33947**

**Board of Directors Meeting
Thursday, September 10, 2020 – 2:00PM**

MINUTES

PRESENT: Patricia Aho, Sam Besase, Patti Cowin, David Kelly, and
(via Zoom) Jerry Eldred, Peter Traverso, Stephen Froggatt

Management: Derrick Hedges, RWA Manager

Members: Joe Harris, Randy Keller, Hank Killion, Dale Jensen, John & Barb Peszko, Cari Hale, Diane Shaw, Joe Danish, Wayne Legris, Maureen McDonald, Earl Haas, Cheryl Lattier, Jim Shaw, Karen Harvey and (via Zoom) Linda Bondeson, Bob Bondeson, Nan and jim, sally, Astrid Diametta, Joe Amabile, Andrew Leonard, Karen Adelman, Susan Superak, jerry eldred, Jan Patmalnieks, Rose Marie Morris, Albert Bussiere, Johna Donahue, David Burton, Greg, Susan S, Karen Adelman, Virginia Ambard Mahon, Steve Superak, suekillion, Allyson Eakin, Tina Traversa, Bernie Schmelz, Vickie Lowe, Faith Rotonda West, Rev Dr Brian Armen, Tom Rocque, Anne-Marie Hunter, Walt Vonah, Bryan Cordell, michael Donahue, Julie's iPad, Frank Warren, Lynn Adams, Pam's iPad, Ruthann Brown, cindy, Ted Manahan, Jack Horner, Betsy Cummings, gwen grace, and Doug Newport.

The Meeting was called to order by President Aho at 2:00 PM. The meeting was properly noticed and a quorum was present.

The Pledge of Allegiance to the United States of America was said by all.

Director Eldred moved the Board to approve the Meeting Minutes for the Jul 23, 2020 BOD Meeting. 2nd by Director Besase. Motion passed unanimously. See attached.

MEMBERS INPUT (Agenda Items)

Randy Keller spoke regarding the issues he had with the short-term rentals near his home. He has several on his street. One in particular has an unregistered vehicle parked there. He was told that they have been fined and inquired as to who pays the fine, Owner?, Renter? President Aho suggested he contact Holly Carr following the meeting to get answers to his questions.

Diane Shaw brought forward the issue of incorrect addresses on Mr. Kelly's Candidate Information Statement. Ms. Shaw indicated that the Elections Guidelines require the candidate to provide their home address and Mr. Kelly listed his work address and a vacant lot.

Joe Danish spoke about the short-term rental at 51 Medalist. Numerous complaints have been filed with the office and the CCSO regarding the behavior of the renters/owners. He would like renters to put up a bond to force compliance with the Deed Restrictions. The worst offenders are those who rent during the Tarpon tournament.

Jim Shaw wants the Board to follow its own policies and procedures. He stated that last year there was a problem with candidates that didn't sign their CIS's and this year a candidate that did list his home address as required in the Election Guidelines.

Joe Amabile spoke about the short-term rentals. He is also dealing with a short-term rental next door. The manager of the property lives in North Port and he believes the manager doesn't care. The renters had a wedding party there and they partied until 1 and 2 AM. He feels the owners should be held responsible.

Andrew Leonard suggested that the Election Guidelines be corrected to ask for their "Rotonda" address, as ownership is all that is required to run for the Board.

Les Goodman provided a letter addressing short-term rentals which President Aho read into record at his request. See attached.

Karen Harvey clarified an agenda item under the Activities Committee. She stated that the Gazebo lighting has not been canceled. It is the Boat Parade that has been canceled.

OFFICERS, EMPLOYEES & CONTRACTORS REPORTS

President's Report: Manager's contract has a clause for a 90 day evaluation. That evaluation has been conducted.

President Aho motioned to provide Manager Hedges with a one-time bonus of \$7,500. 2nd Director Traverso. Director Kelly questioned whether this bonus was in addition to the pay raise that Manager Hedges is to receive in November. President Aho indicated that was correct. Motion passed unanimously.

Treasurer's Report: Director Besase – see attached

Manager's Report: Derrick Hedges, Manager - see attached

Director Kelly inquired as to whether Manager Hedges intended to appeal any of the “TRIM” taxes, in particular for Broadmoor Park. He indicated that there are saving to be had if the property can, for example, reduce the acreage by subtracting the ponds as “unusable space”. & Finance Committee on this issue.

Director Besase spoke with regards to the Florida Aquatics Contractor. He planned to meet with them to discuss putting a meter on the Truxor to identify the actual usage of the machines as he and other residents have seen the machines sitting but not operating. Director Kelly reminded him that only the Manager has the authority to speak with the Contractors. Director Besase indicated that he was going to be attending the meeting with Manager Hedges and was not going to sign the monthly payment check until he could get assurances from the contractor that the work was being done.

Deed Restrictions Violations: Holly Carr, Administrator – see attached

Director Kelly questioned whether the vehicles parked in yards and swales were truly violations of the Deed Restrictions as there is an exemption for parking for the construction/maintenance of the home. Manager Hedges clarified that fines aren’t immediately proposed but rather owners are sent warning letters and given opportunities to resolve the issue. The fining letter is not send out until there has been 2 or 3 violations identified.

Director Kelly motioned the BOD levy the fines on the members for the violations listed numbers 1 through 20 with the exception of the 8 violations regarding vehicles parked in swales and yards. If confirmed by the Compliance Committee, these fines shall be automatically imposed. 2nd Director Froggatt. **Motion fails 5-2 with Directors Froggatt and Kelly voting in the affirmative.**

Director Besase motioned the BOD levy the fines on the members for the violations listed numbers 1 through 20. If confirmed by the Compliance Committee, these fines shall be automatically imposed. 2nd Director Traverso. **Motion passed 5-2 with Directors Froggatt and Kelly voting in the negative.**

Committee Reports

Activities Committee – Andy VanScyoc (Chair) See attached.

Administration/Personnel – President Aho (Chair)
No report.

Aquatic Committee – Stan Plizga (Chair)
No report.

Budget & Finance Committee – Hank Killion (Chair)

No report.

Buildings & Grounds – Director Besase (Chair) see attached

Communications – Patricia Aho (Chair) see attached

Action items – President Aho motioned to appoint Karen Harvey as Chair of the Committee and Connie Smith as the Secretary. 2nd Director Cowin. Motion passed unanimously.

Compliance – Richard Duggan (Chair) see attached

Deed Restriction Duties assumed by BOD

Director Besase motioned to re-establish the Deed Restrictions Committee with the following members: Allyson Eakin, Bernie Schmelz, Dale Jensen, Barry Kean, Brian Armen, and Mike Kipp, and have President Aho act as interim chair and liaison to the Deed Restrictions Committee. 2nd Director Cowin. Motion passed unanimously.

President Aho motioned to approve the Developer's changes to the 2019 Deed Restrictions update. **Motion passed 6-1 with Director Froggatt voting in the negative.**

Director Cowin motioned to insert Item 2, Common Areas, into the Deed Restrictions for submission to the Developer for review. 2nd Director Besase. **Motion passed 5-2 with Directors Froggatt and Kelly voting in the negative.**

Election Committee – Dale Jensen (Chair) See attached

President Aho motioned to accept the list of 39 residents on the attached list for approval as temporary Election Committee members for the purpose of counting votes. Motion passed unanimously.

Cari Hale asked what comes to mind when one is asked “what is your address?” Since according to the Election Guidelines a home address is required on the CIS it is her opinion that David Kelly misrepresented by putting two addresses on his CIS, as neither is his residence. Mr. Kelly replied indicating that the exhibit 1 of the Guidelines simply requested address and it was his interpretation that the request for an address was as a determination of eligibility to run for the Board and that is why he listed addresses inside the circle as opposed to where he lives. Chairman Jensen stated that to avoid confusion in the future, the word “home” will be removed from the Election Guidelines.

Residential Modifications Committee – Barb Peszko (Chair) See attached

Chairperson Peszko inquired of the Board whether pool heaters needed an RMC application as they are essentially the same as an air conditioner which do not require the same. President Aho indicated that this will be looked into.

Wildlife Committee – Cari Hale (Chair)

No report.

UNFINISHED BUSINESS

No changes are needed to the hours or usage of the Community Center and Office.

NEW BUSINESS & COMMUNICATIONS – President Aho

MEMBERS INPUT (Non-Agenda Items)

Frank Warren spoke regarding parking in the swale in the case of resealing his driveway himself. Is this allowed? Can he get a permit from the office to allow him to park in the swale or vacant lot while the driveway is curing? Secondly, he encouraged the Board to be more transparent with respect the vote to remove David Kelly as President of the Board.

Bernie Schmelz spoke on attachment 2, common areas, and his belief that the attachment should have been provided to the members for review prior to the Board taking any action on it. He asked when would the members be allowed to review the document. President Aho replied that all documents are available, for review by members, in the office. She added that the document of concern will be coming back to the Board after review by the Developer and members/Directors may comment on it then.

Andy Leonard expressed his concern that B&G has proposed placing a restroom trailer in the park. It is his belief that if a restroom is to be provided it should be a permanent structure. He also wanted to know how many members use our park. He also questioned the need for “sector signs”. He also stated that he has never seen anyone use the roadside memorial parks and the money used for those would be better spent on a concrete block restroom for Broadmoor Park.

Linda Bondeson clarified that there will be Christmas lighting of the Gazebo but no lighting “event” that would draw crowds.

DIRECTOR INPUT

Director Froggatt stated the BOD should be ashamed for allowing him only 2 hours to review a document before bringing it for a vote. He also stated that this was not the first time the BOD tried to go around him citing the hiring of the manager without his involvement. Additionally, he claimed that he was “cutoff” last meeting when he was trying to make his statement.

Director Traverso spoke regarding Item 2, Common Areas, explaining that members aren't allowed to vote on Deed Restriction changes as only the Developer has the right to make changes. President Aho clarified the statement from Mr. Schmelz who asked if the members would be allowed to comment on the proposed changes. She indicated that as with any other agenda or non-agenda item members will be allowed to comment.

Director Eldred responded to Director Froggatt's comment regarding the hiring of the manager. He pointed out that Director Froggatt was invited to both sessions regarding the hiring of a new manager and he failed to respond to either emails or phone calls. Therefore, Director Eldred disputes Director Froggatt's claim that he was not included.

Director Kelly responded to Mr. Warren's question regarding his removal as President. He stated that he was removed "without cause" and therefore no explanation was required, only a majority vote. He stated that he has no intention of "causing a fuss" and accepts the decision. He added that it might be better to change the By Laws to require a "super majority" for removal without cause.

ADJOURNMENT

Meeting adjourned at 3:48 pm.

Next Board Meeting: 2 PM September 24, 2020

Respectfully Submitted,
Patricia Cowin,
Director/Secretary

Attachments:

Agenda
Minutes
Reports