

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

**Board of Directors Meeting**  
**Thursday, March 11, 2021 – 2:00PM**

**MINUTES**

**PRESENT:** Patricia Aho, Sam Besase, Patti Cowin, Bernie Schmelz, Jerry Eldred, Diane Shaw

**ABSENT:** Stephan Froggatt

**Management:** Derrick Hedges, RWA Manager

**Members:** Joe Harris, Annette Casteel, Donna Stogsdill, Jim Shaw, Mike Donahue, Gwen Grace, Barb Peszko, Ellen Cassanos, Cari Hale, Wm Bennett, Cynthia Chatham, (via zoom) kentand bonnieanselment, tmdev, joe, Bob Bondeson, Jim Shaw, jerry eldred, Nancy Ward-Snyder, Allyson Eakin, Les Goodman, Melanie Wasson, Susan S, Diane's iPad (2), David's iPad, Linda Zielke, Linda Bondeson, JanPatmalnies, Virginia Ambard Mahon, Tina Traverso, Greg, Johna Donahue, Steve's iPad, David Kelly, Kim, Don Mahon, iPhone2157403119. Cindy Rubino, Miss Loni, Pat's iPad, Tshuey, rosher, Donna Ahearn, cssmith, Ruthann Brown, hankkillion, Lanai, michael donahue

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 Shaw moved the Board to approve the Meeting Minutes for the 25 February 2021 BOD Meeting. 2<sup>nd</sup> by Director Besase. Motion Unanimously approved.

**MEMBERS INPUT** (Agenda Items)

- Mike Donahue presented questions to the Board regarding the Broadmoor Park Mowing Agreement/Application which attached to these minutes.
- Ellen Cassanos presented additional questions and statements to the Board with regards to receiving a written mowing schedule from the board to the members with adjacent properties to Broadmoor Park. There were concerns of liability and claims that their insurance companies will drop them and they will then be uninsured. Also, they should not have to provide an easement if the mowing is to be done by the RWA. How are personal property lines vs. RWA property lines determined? Many of the members want to continue to mow these areas, but things listed in the agreement are preventing them from doing so.

- William Bennett presented a picture of his home and property. He asked how many of the Board members own homes around Broadmoor Park? Mr. Bennett states that the ponds and easements are not owned by RWA but are owned by the State of Florida, therefore, he would like to know the legality of telling members what they can and cannot do on property not owned by the RWA. He believes that this is opening a can of worms for trouble to change a system that has worked for years. Why are only the members of Broadmoor Park being faced with this issue and not the members that are living on the canals?
- Cynthia Chatham feels that this mowing agreement is destroying the wellbeing of some of the Rotonda members. Ms. Chatham would like to know if there are rules and regulations for Broadmoor park, particularly, are bikes allowed on the walking path? Ms. Chatham believes there is an issue with eliminating the participation of the Election Committee in overseeing ballot counts and believes that if you are part of the Election Committee you should be part of the Election in its entirety.
- Jan Patmalnieks has concerns with the mowing applications and would like to know if all the members know exactly what they are signing with this agreement? She has asked the Board verbally and through email for an explanation of point #5 and has not received an answer. Is it the intent of this Board that if anyone is injured on this strip of property that they will be held liable if they continue to mow these areas? She said that the language that you are asking us to agree to is to hold you, and she quoted "harmless from any claims, actions, costs, or expenses whatsoever made by any party regarding mowing and associated maintenance, as well as injuries that occur in connection with mowing these areas." She asked the board to please provide an example of an injury that could occur just by mowing the grass?  
She also asked, if they chose not to sign this agreement and find that the property is not being held to a 1<sup>st</sup> Class manner, can they change their decision later and resume mowing of the property?

## **OFFICERS, EMPLOYEES & CONTRACTORS REPORTS**

### **Treasurer's Report:** Director Besase

- Director Besase presented the Treasurer's report as stated in the report attached to these minutes.
- Director Schmelz questioned the percentage delinquencies are overseas property owners and if it is due to mailing delays. President Aho stated that many of the 243 delinquent property owner accounts are in excess of \$500.00 or more and not solely based on any mailing issues or locale of property owners.
- Director Shaw requested clarification of the over budget of the employee wages and benefits year-to-date expenses. Both Director Besase and Manager Hedges provided clarification.

### **Manager's Report:** Derrick Hedges, Manager

- Manager Hedges provided a written report which is attached to these minutes. Administration operations, maintenance staff work projects, and contractor and vendor updates were provided.

**Deed Restrictions Violations:** Holly Carr, Administrator

33 violations were presented to the Board for review and consideration.

- President Aho questioned Ms. Carr as to how many letters are sent out during a month. Ms. Carr stated that approximately 200 or more letters are sent out monthly after phone calls are made in attempt to resolve the issue without further notice of violation. Motion made by Director Cowin to levy the fines on members for violations listed numbers 1 through 33. If confirmed by the Compliance Committee, these fines shall be automatically imposed, and 2<sup>nd</sup> by Director Eldred. Motion unanimously approved. President Aho thanks Ms. Carr and the Compliance Committee for their hard work.

**COMMITTEE REPORTS**

**Activities Committee** – Donna Stogsdill (Chair)

- Ms. Stogsdill presented the board with a budget to approve for the upcoming volunteer appreciation picnic. The picnic will be held on April 24, 2021, 12:00 -4:00pm at the Community Center. President Aho asks if the Committee can limit the gifts to 1 per volunteer to keep the Committee costs within their budget. Motion made by Director Cowin to approve the budget for the volunteer appreciation picnic minus the line item for gift cards. Director Shaw 2<sup>nd</sup> the motion. Motion unanimously approved.

**Administration/Personnel** – President Aho (Chair)

No report.

**Aquatic Committee** – Stan Plizga (Chair)

No Report.

**Budget & Finance Committee** – Wayne Legris (Chair)

No Report.

**Buildings & Grounds** – Director Besase (Chair)

- Buildings & Grounds provided a written report which is attached to these minutes. No action items were listed, and no discussion was required.

**Communications** – Karen Harvey (Chair)

No Report.

**Compliance** – Richard Duggan (Chair)

- Barb Peszko provided the Board with a written report of the Compliance Committee meeting and decisions.

**Deed Restriction** – Director Schmelz (Chair)

No Report.

**Election Committee** – President Aho (Chair)

- President Aho presented the Election Committee Rules, Procedures and Political Campaign Guidelines with highlighted amendments to the guidelines. Three additional amendments were presented by President Aho and Director Shaw. Motion made by Director Shaw and 2<sup>nd</sup> by Director Besase to amend the following presented amendments:
  1. Page 9 Section XVI Official Records to read as follows: Sign In sheets, ballots, and white outer envelopes.
  2. Page 2 of 15, first full sentence of paragraph 1 to read as follows: The Manager will review each candidate's documents to ensure that the candidate is a member in good standing, pursuant to Chapter 720, Florida Statutes, the RWA Governing Documents and these Guidelines, as may be amended from time to time.
  3. Page 7, second paragraph that the outer envelope reads as follows: Ballots, and annual meeting materials enclosed.

Questions regarding wording and identification on outer envelopes were asked and clarified. Motion to approve amendments was unanimously approved.

**Residential Modifications Committee** – Barb Peszko (Chair)

- Barb Peszko provided a written report which is attached to these minutes.
- A request for a Motion to Approve Les Goodman to join the Residential Modifications Committee. Motion made by Director Schmelz and 2<sup>nd</sup> by Director Cowin. Motion Unanimously Approved.

**Wildlife Committee** – Cari Hale (Chair)

- The Committee met on March 3, 2021. The following motions were approved unanimously by the committee and are being brought to the Board of Directors for approval. Request for a \$100.00 stipend be approved for the Peace River Wildlife Center for the March 31, 2021 presentation on Raptors. Motion made by Director Cowin and 2<sup>nd</sup> by Director Eldred. Director Besase requested that all such requests be presented with application for event. Director Schmelz verified that monies have been budgeted. Motion Unanimously approved.
- Upcoming events were also noted and discussed.

**UNFINISHED BUSINESS**

- Gwen Grace of The Women's Club requests to reopen the Library under submitted COVID19 guidelines. Motion made by Director Cowin to approve the reopening on March 15, 2021 and 2<sup>nd</sup> by Director Shaw. Discussion regarding sanitization of returned books noted. Motion Unanimously passed.
- Director Besase asked about capacity and reopening other Common Areas. President Aho advises that they look at the updates for COVID19 guidelines and discuss with staff.

### **NEW BUSINESS & COMMUNICATIONS** – President Aho

- President Aho opens discussion with regards to the receiving of signed applications for mowing in common areas. Director Cowin requested the applications be numbered and a list compiled in the same manner as the Deed Restrictions violations reports are presented. Director Schmelz brings up several concerning issues regarding the mowing of common areas and asks that the Board take more time and consideration regarding the application sent out to the members. President Aho assures that members can change their decisions at any time and notify the office accordingly. Motion made by Director Eldred to accept the applications for the mowing of common areas. Motion was 2<sup>nd</sup> by Director Besase. Motion Unanimously approved.
- Director Besase reaffirms that these applications are with regard to encroachment mowing only, and that there are other issues of encroachment and they will be handled in a separate manner. Director Schmelz states that there are signatures that are missing on the applications. President Aho will ask that phone calls be made to the members with missing signatures on applications. Motion to approve applications that have been submitted in Board packet was made by Director Besase and 2<sup>nd</sup> by Director Shaw. Motion Unanimously approved.
- President Aho states that there were no new applications submitted for approval for the use of common areas at this time.

### **MEMBERS INPUT** (Non-Agenda Items)

No member Input.

### **DIRECTOR INPUT**

- Director Eldred mentions concerns regarding the removal of the pepper trees in Broadmoor Park and the underbrush that is removed as well. Can the contractor be more selective or cautious while removing the pepper trees and try to keep other shrubs and bushes intact. If not, then he suggests possibly replanting native plants and shrubs where the pepper trees and underbrush were removed.
- Director Eldred agrees that it is a wonderful thing that the members take pride in the community and appreciates what the members have done to date with the mowing of the common areas of Broadmoor Park. But would like the members to be reminded that this is the property of the HOA and have legal rights to the property as well as the liability issues that exist with such encroachments.
- Director Cowin addresses that the ponds and everything within Broadmoor Park are owned by Rotonda West Association. She clarifies that the canals are county easements and RWA has no authority over the canals.

- Director Cowin mentions that the election ballots were counted by the Auditor for safety purposes during COVID19 so as people were not crowded in the Community Center and unable to allow for safe distancing and was a much cleaner and straight forward process.
- Director Besase comments on the mowing and maintenance schedule of the application areas of Broadmoor Park. There will be 3 types of mowing of the different areas throughout the year. Maintenance schedules will remain what they have been in the past with no additional cost to the Association. He also asks the members to realize that the RWA has the same concerns with liability issues and are not looking to strain relationships between the RWA and the members.
- Director Schmelz would like to thank Director Eldred for his comments for the areas that were cleared of the pepper trees and agrees that a lot of underbrush was taken during removal. He asks that Manager Hedges to look at a specific area where erosion is now happening since the removal of the pepper trees.
- Director Schmelz comments on the “30-year handshake agreements” and that we are living in different times and a handshake agreement no longer applies. However, we need to take into consideration of what the property owners have done to maintain the common areas, that benefited both the property owner as well as the adjoining properties. Director Eldred commends the property owners for the great job that they have done over the years of maintaining these common areas.
- Director Shaw mentions that the Board represents all of Rotonda West in its entirety.

### **ADJOURNMENT**

Meeting adjourned at 3:25 pm.

**Next Board Meeting:** 25 March 2021, 2 PM

Respectfully Submitted,  
 Annette Casteel,  
 Minutes Clerk/Admin. Assistant  
 Attachments:  
 Agenda  
 Minutes  
 Reports