

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

Board of Directors Meeting
Thursday, March 25, 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, William Bennett, Barbara Tomlinson, John Stem, Ellen Cassanos, Lorri Glidden, Roxie King, Randy Keller, Robert Scott, Scott and Gail Staube, Francine Ambrose, Allan and Joan Thoren, Susan Carter, Jill Brandau, Dick Morgan, Susan Atkin, (via zoom) Holly, Andrew Leonard, Cari, Wayne, Jan Patmalnieks, Kent and Bonnie Anselment, Les Goodman, Steven Bruce, Virginia Ambard Mahon, Joe, Toni Yeager, wlegr, Johna Donahue, iPad, Greg, DJ, Greg Banks (Greg), Nancy Melville, David Burton, Tom Edison, tmdev, Linda Bondeson, Richard, Frank, michael donahue, Bob Bondeson, Jim Shaw, 9416628750, David's iPad (2), Kim, cin, Owner, Linda Zielke, Gary & Rae Stevenson, Gary & Rae Stevenson, Linda Krukar, Todd Williams, eric christenson's iPad (2), iPad, Polly Allen csmith, Admin, iPhone215 7403119 Cindy Rubino,

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.

President Aho asked for a moment of silence for the loss of committee member and long serving chair of the Compliance Committee, Mr. Richard Duggan. A moment of silence was observed by all.

Director Schmelz moved the Board to approve the Meeting Minutes for the 11 March 2021 BOD Meeting. 2nd by Director Shaw. Motion Unanimously approved.

MEMBERS INPUT (Agenda Items)

- William Bennett presented the following questions to the Board regarding the Broadmoor Park Mowing Agreement/Application. Is there a property survey of the Broadmoor Park property? What is the meaning of 1st Class manner mowing? Why are the people that live on the canals not being included in this mowing agreement?

- Ellen Cassanos presented additional questions and statements to the Board with regards to Broadmoor mowing agreement and wanting to find some balance between homeowners and the RWA Board. Also requesting that the agreement be rewritten in plain English so that the homeowner is able to understand the agreement they are being asked to sign.
- Lorri Glidden presented the following questions to the Board. What happened to cause this action to be taken by the Board in the first place? Do the residents that live on the other ponds and lakes having to abide by the same guidelines? Who covers the cost if damage is done by allowing an easement to the RWA for mowing of these areas? Is this in the best interest of all members?
- Frank Warren thanks the Board for protecting all of the RWA members with regards to this mowing agreement and congratulates the Board and the RWA for a job well done.
- Cynthia Chatham would like clarification of 1st class mowing and clarification regarding easement requests. Would also like the Board to provide a mowing schedule.

President Aho thanked everyone for their input, also reminded members of the MSBU meeting regarding the street and drainage issues being held this evening with Kimberly Kelley via zoom at 6:00pm in the Community Center.

OFFICERS, EMPLOYEES & CONTRACTORS REPORTS

Treasurer's Report: Director Besase

No Report.

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

No Report.

COMMITTEE REPORTS

Activities Committee – Donna Stogsdill (Chair)

- Ms. Stogsdill provided a copy of the Activities Committee Charter Policy which is attached to these minutes. Motion made by Director Cowin to approve the Activities Committee Charter Policy and Director Eldred 2nd the motion. Motion unanimously approved.
- Ms. Stogsdill also stated that she hopes everyone received their invitation to the Volunteer Appreciation Picnic and hopes to see everyone there.
- President Aho thanked Ms. Stogsdill and the Activities Committee for their time and hard work with the upcoming events.

Administration/Personnel – President Aho (Chair)

President Aho reminds, all the liaisons and chairs to please remember to turn in their minutes and agendas to Mr. Harris so they can be posted on the website.

Aquatic Committee – Stan Plizga (Chair)

No Report.

Budget & Finance Committee – Wayne Legris (Chair)

- Director Besase presented a recommendation by the Budget & Finance Committee to the Board to fund the 2021 reserves at 50%. Director Besase made a Motion to approve this recommendation. Discussion was held to defer until next month once the update of the reserves study is completed as well as receiving the status updates from the treasurer of the reserves. This item was tabled by the Board until 2021 April.
- Meeting minutes and Committee Policy Changes were also presented to the Board and are attached to these minutes. Motion made by Director Cowin and 2nd by Director Shaw to approve the Committee Charter Amendments. Discussion was held regarding the necessity of auditing subcommittee to the Budget & Finance Committee. Discussion clarified by Mr. Legris (Chair) that the auditing subcommittee was there for internal control purposes and the Committee feels it is necessary to remain as a subcommittee to the Budget & Finance Committee. Director Shaw would like to keep the amendment for this subcommittee remain in the Charter Amendments. Motion unanimously approved.
- President Aho thanks Mr. Legris for completing the task of updating the policies and procedures to the Budget & Finance Committee Charter.

Buildings & Grounds – Director Besase (Chair)

- No Report.

Communications – Karen Harvey (Chair)

No Report.

Compliance – Barb Peszko (Vice-Chair)

No Report.

Deed Restriction – Director Schmelz (Chair)

Director Schmelz brings to the Board a proposal to establish an I.D. for Rental Properties within the community as well as a registration process for rental properties going forward. Discussion was held on a possible process for deed restriction issues.

Election Committee – President Aho (Chair)

No Report.

Residential Modifications Committee – Barb Peszko (Chair)

No Report.

Wildlife Committee – Cari Hale (Chair)

- Director Cowin reminds every one of the March 31, 2021, presentation on Raptors at 1:00pm, as well as the April 9, 2021 celebration of the gopher tortoise that will also include a presentation beginning at 1:00pm, and the unique opportunity of a camera view into a gopher tortoise burrow.

UNFINISHED BUSINESS

- President Aho mentions the standing item relating to any changes to the current limitations to the opening of the Administration Building as well as the Community Center regarding the COVID19 restrictions that are in place. Currently there are no changes.

NEW BUSINESS & COMMUNICATIONS – President Aho

President Aho opens discussion with regards to the 13 applications for the mowing in common areas listed in the materials packet. Motion made by Director Cowin to accept the application numbers 1, 3, 4, 8, 9 & 11 for the mowing of common areas. Motion was 2nd by Director Eldred. Motion Unanimously approved.

- Applications 2, 6, 7, 10, 12 & 13 were set aside for further discussion requesting further clarification of applications.
- Director Besase requests verification that application #5 mowing request does go to the waterline. Director Shaw asks if homeowner specifies, they would like to mow to the waterline, is mowing to the waterline permissible? President Aho agrees that mowing to the waterline is permissible as the littoral zone issue has not been discussed. Motion made by Director Cowin to accept application #5 based on Mr. Hedges input. Motion 2nd by Director Eldred. Motion Unanimously approved.
- President Aho open discussion for 3 applications received for the use of the Common Areas. Application for the use of the Community Center for a graduation party on Saturday, May 29, 2021. Motion made by Director Eldred to approve the application. Motion was 2nd by Director Shaw. Discussion opened by Director Besase with a question of how much is being charged for the use of the Community Center? President Aho stated that \$250.00 is being charged for the occasion. Motion Unanimously approved.
- Application for approval for the Rotonda West Women's Club to use the Tiki Hut on Thursday, April 1, 2021. Motion made by Director Shaw to approve the use of the Tiki Hut. Motion was 2nd by Director Besase. Motion Unanimously approved.
- Application for approval for the Ladies of Paradise Bridge Group on Wednesdays from 11:00am to 3:45pm. Effective 1st Wednesday beginning April 2021. Motion to approve application made by Director Cowin and 2nd by Director Schmelz. Director Besase asked for confirmation that there are no scheduling conflicts. There are no scheduling conflicts currently and the event may be added to the calendar. Motion Unanimously approved.

President Aho presents preliminary discussion with the Board of any areas or topics they may need to be discussed with the RWA attorneys for updates and/or amendments to the RWA By-Laws. President Aho brings four items to the board for discussion.

1. Allow us to pursue and option in the By-Laws to allow the option of electronic voting.
 2. To ask the attorneys whether there is a recommendation to clarify our duties during emergency situations. Director Cowin agrees and would like to include medical and health emergencies as well (i.e., COVID19).
 3. Currently the language in our By-Laws makes it clear that any member that asks for any documents, invoices, assessments or other official communication to be received electronically we can do so and would like to ask the attorney to look at our current language to see if there is any other language that may be needed to add into the By-Laws, as we move forward with a member only section to our website. As members ask for having everything delivered electronically it would certainly be beneficial with postage and mailings.
 4. Currently our By-laws state that 2 Directors must physically sign any check over \$100 dollars and would like to find a way that we can have 2 Directors authorize payments of bills between \$100 -\$1000 dollars to allow us to do electronic payments vs. sending paper checks. While maintaining a certain dollar amount that would require an actual paper check payment. This would allow us to pay our monthly expenses electronically which currently we are unable to do which will save time and money.
- Director Cowin would like to look at the Board term limits and will present a concept language of term limit ideas for the Board to discuss as to send these ideas to the attorney. Director Besase asks if we should look at how many meetings a Board meeting can miss before being relieved of their position. President Aho state that unfortunately we are unable to do this as Florida HOA law 720 has very specific criteria as to when a director can be removed.
 - Director Schmelz asked to look at how our committees are constituted and believes that there is a conflict of interest for a Director to also sit as Chairperson on a committee. He suggests that each committee should elect their own Chairperson. Director Schmelz will bring concept language to the Board for further discussion. Director Cowin feels that there are enough that we currently have plenty of Directors and there should be no reason for any Director to hold more than one position.
 - President Aho will compile a list of concepts and bring back to the Board at the second meeting in April.

President Aho presents preliminary discussion of committees and restructuring. The Board agreed to look at the restructuring. Directors will present a merger list and discuss accordingly. Any changes that may take place would go into effect in December. President Aho recommended the second meeting in April for further discussion.

MEMBERS INPUT (Non-Agenda Items)

Andrew Leonard has always felt that he was not represented on Board as most of the Board members are from the older section of Rotonda. We are a growing community and believes that there should be a Director on the Board that represents each section of pie which would equal 7. Then have an automatic association representative by the developer and then perhaps 1

additional. He asks how do we go about electing officers to represent each section of the Rotonda Pie?

DIRECTOR INPUT

- Direct Shaw has heard it being said that the Board has accused people of stealing. With being on the Board and listening to the Board she has never heard anyone on the Board of Directors accuse anyone of stealing. On the issue of mowing, this issue has gone on long enough and to the point that is harming our community. If we can divide this into issue with signing the release or not signing. It seems very straight forward, you either sign the release to mow or you do not to sign the releases and let the RWA manage the areas. No one is being forced to sign these releases. The second issue with this is that there are a large majority that are not represented here, and those are the members that do not live around Broadmoor Park. She has spoken to many people that live on the park and that do not live on the park and those people that do not live on the park are given rights to property that does not belong to them. It belongs to the entire Rotonda West Community. We must represent All people of our Community.
- Director Eldred added his comments with regards to the Broadmoor Park Agreement. He feels that people are getting carried away with this entire issue, and if you chose to mow the grass that is RWA's property. He feels that you must adhere to the deed restrictions and keep the mowing height at the 8". Those members that do not mow and want the RWA to mow this would be mowed as per our deed restrictions as well. Also, he feels that the members that choose to mow should hold a strip back from the water's edge for environmental purposes. This would be so that when your lawns are sprayed with fertilizer and pesticides that it would not directly impact the water. This is just good environmental practices.
- Director Cowin addresses section 5 on the application agreement being very confusing and has asked President Aho if we could get some plain language translation to clarify what was requested to be written up by the attorney. This application is meant to be a hold harmless of liability waiver for the RWA for mowing and maintenance only. Not for recreational purposes.
- Director Besase the easements are already a part of the deed restrictions. Again, 1st Class Manner is the same standards as you mow your property. Charlotte County mows to 10" and RWA mows to 8". It started out that we were not going to allow any encroachments. Next, we agreed to allow encroachment mowing. Now we are at a point of negotiation mowing. He does not feel that the Board is willing to negotiate anything other that what has been presented, and they are not getting credit for looking out for the best interests of the members. We are mowing 6 times a year in the park, and we will continue to mow 6 times per year so there will be no additional cost. This is not a sky is falling situation, this has been ongoing for the past 13 months, and was brought on by people driving their vehicles into the park and dropping off plants and other items and planting them where they see fit.
- Director Schmelz would like to know if the property owners decide not to mow, and if the board is truly aiming at the mowing of the property per deed restrictions with a buffer area, this would defuse some of the uncertainty of the members of the community.

- Director Schmelz thanks Director Cowin for trying to clarify section 5 on the agreement. Let us be fair and can we have some compromises?

ADJOURNMENT

Meeting adjourned at 3:44 pm.

Next Board Meeting: 8 April 2021, 2 PM

Respectfully Submitted,
Annette Casteel,
Minutes Clerk/Admin. Assistant

Attachments:

Agenda

Minutes

Reports