

Recap of the Rosedale Master Homeowner's Association Board

September 8, 2022 – via Zoom

This is a recap of the August Rosedale Master Homeowner's Association Board meeting, held Thursday, September 8, 2022 via Zoom. It is not the official minutes of the meeting, but rather a recap to provide additional information of the discussions during the meeting to better inform Rosedale residents.

With a quorum present, the regular monthly board meeting was called to order by Peter Ingrassia at 2:02 pm. Notice was posted in accordance with Florida State Statute F-720. Including board members and RPM, 44 people were in attendance.

Directors Present: President – Peter Ingrassia, Vice-President – Jim Lamy, Secretary – Chuck Allen, Treasurer – Bob Eisenbeis, Directors Fred Booth and Ed Mazer. Sigrid Seymour was unable to attend.

Approval of BoD Meeting Minutes August 11, 2022: Ed made a motion to approve the August 11, 2022 minutes. Bob seconded the motion. All in favor; motion carried.

President's Report – Peter Ingrassia:

- In-person board meetings: There is availability at the clubhouse for board meetings; however, timing of meetings would need to be moved to Thursday mornings instead of afternoons. Peter, Ed and Chuck will meet with Miller Results to determine technical needs to have a hybrid meeting. We will continue to conduct Zoom meetings to accommodate those unable to attend, and will still need Zoom attendees the ability to see, hear and speak at the meeting and those in attendance to hear them.
- Peter acknowledged all the work that our committee volunteers do for the community. We are very fortunate to have such talented people assisting on the various committees and areas of need within the community. 53 people put a lot of time and effort into their “jobs” making this a better community. Without them, we'd be paying a lot more in annual fees to handle what they do for us.

Treasurer's Report – Bob Eisenbeis:

Bob reported total assets of \$2.227M, with \$1.296M in reserves, \$878K in operating cash, and \$55K in other assets, of which \$36K is due from Aquagenix (which RPM has agreed to cover) and \$19K in receivables, most of which is not yet collected maintenance fees. Overall, we are slightly under budget at this time. Exact details can be found on the Rosedale homeowner's website under the Governance tab, Committee Reports for September.

Committee Reports:

Cable Committee – Jim Lamy reporting:

Jim referenced a chart in the committee report showing the consultation and installation status of homes in the community. 196 homes have yet to have a scheduled consultation session with Hotwire. Without a consultation session, Hotwire is unable to complete the home installation. This step is needed so Hotwire knows what is needed for the resident. If you have not scheduled your consultation, please do immediately. Failure to do so may result in installation not being completed by the September 30th Spectrum cut-off date.

Of the 886 homes that have had a consultation, 281 have completed the install, 465 are scheduled and 139 are being scheduled. Jim and the committee meet weekly with Hotwire, and they assure them that installation is running as expected and at the same time pace as they've experienced in other communities. They remain confident that they will have everyone installed, provided they get those remaining homes scheduled for consultations soon. While the installations are temporarily disruptive, for the most part, they have been relatively smooth events. There are always exceptions, of course, but Hotwire is working through those issues.

Also underway is the restoration effort. Team leaders of the installation crews are going through each neighborhood to identify areas that have been disturbed and restoring them to initial condition.

Spectrum has issued a letter to all Rosedale residents with notification that their cable and internet service will conclude at the end of the month. Cablegram has also been issued to the community. It should be noted that residents are responsible for getting their Spectrum equipment (router, cable boxes, remotes, cables, etc.) back to Spectrum. One can take their equipment directly to their offices on SR64 or use UPS to ship equipment back free of charge. If you do use UPS, ensure you get a shipping confirmation and inventory list from your UPS agent, as this is your only proof that you've returned them to Spectrum. It is also advised that you contact Spectrum to ensure your account is closed so no retail charges will be accessed after September 30th.

A new app being developed by Hotwire, called *Fision TV Everywhere*, is in the final stages of development. It should be in our hands in the next several weeks, and Hotwire has informed us that our community will be the first to get this new technology.

In our contract with Hotwire, we have established Service Level Agreements (SLA's) that stipulate required network uptime, service ticket resolutions, and other service-related measures. Beginning in January, Jim and the committee will meet with Hotwire quarterly to continue to make the service better. This is a feature that we did not have with our Spectrum contract.

Roads Committee – Tom Tangney reporting:

Tom stated that there is a temporary stop sign at the corner of 88th St. E and 52nd, replacing the bent sign post. Vendor thinks they can repair the bent post, saving us \$5-700 on the job.

Three depressions holes on 88th St. E were diagnosed by our engineer and repaired by our vendor ANJ. Cost was \$5,850 plus an additional engineering charge, which is not expect to be large. This was a reserve cost. Several other depressions have since been discovered: 49th Ave at a sewer intact; 88th and 49th intersection; and in the 5200 block of 88th. These seem to occurring more frequently as either faulty sewer line hook-ups, well-points not properly filled, or other erosion areas pop up. Therefore, committee is recommending increasing the reserve budget for sewers and subsidence in the 5-year plan be increased from \$10,000 to \$20,000 per year.

The remaining lights for the mailbox stations have arrived and should be installed within the next week. Tom and Chuck will verify that mailbox numbers have already been installed on all the mailbox stations except those in Westbury Lakes. These stations need numbers ordered, which has been done.

ADA mats for the Legacy and Highlands crosswalks will be installed late September / early October. Issues developed with delivering the mats, as manufacturer could deliver but did not have the equipment to unload them from the truck or pallet. Installation vendor will now pick up pads when installing.

Committee received a bid from Lykins Signtek for both rebuild of the 44th Ave. entrance monument and refurbishment of the SR70 front end monument. Estimated cost will be \$75,000, of which approximately \$50,000 is for the new structure at 44th Ave entrance, \$20,000 for refurbishment and new signage at the SR70 entrance, and the remainder as permit fees and taxes. While higher than original estimate, the polystone construction proposed for the 44th Ave monument will be much more durable than the current foam construction. The SR70 monument is a block/stone construction that just needs refurbishment. This funding will come out of reserves. Upon approval of contact, project is expected to take 90 days, although majority of this item will be allocated to permitting and materials procurement. Chuck moved that board accept this bid and authorize Lykins Signtek to begin the project. Jim seconded. All in favor; motion carried. Tom will work with landscape committee on timing of repair work, as they are also looking at phase two finalization of their restorative project. A picture of the new design is within the committee reports should anyone like to view this new updated look.

Tom asked for approval for painting of the south Malachite wall for \$7,450, which will come out of reserves. Contractor is Cape Coral. Fred moved to approve expenditure. Jim seconded. All in favor; motion carried.

ARC Committee – Peter Ingraffia reporting:

Peter stated that 23 requests had been reviewed in August, with three under review, down from the 27 requests received in July. This is to be expected given a large number of residents away for the summer.

As approved by the board in August, ARC is under no obligation to confirm whether a home owner has secured a permit for any given project. As a result, a permit submission will no longer be a condition of approval.

Landscape Committee – Cheryl Smith reporting:

The approved palm trimming along 87th St. E will be done on October 6th by Cleancut Tree.

As approved by board last month, the dead oak tree and root ball located in the Eastwood Park circle was removed and a 25-gallon Shady Lady Olive tree was planted instead, as well as planting grasses where the cardboard palms were removed.

Summer annuals will begin to be removed and fall annual plantings will begin in October. A proposal for such will be presented at the October board meeting.

Cheryl was asking for a resolution to apply for a Manatee County \$10,000 grant for landscaping improvements at the SR70 front entrance for 2023. This is a 1:1 grant offered by the county. Bill Moran provided some insight to the process, as he had been instrumental in securing the Storm Water Management's previous requests. Bill stated that the "resolution" simply needed to be stated in the meeting minutes as board approval to pursue, then one could move forward with the application. The application goes to the county board for approval, and if approved, one can move forward. However, one cannot sign a contract with the vendor until approved.

Bill confirmed that there was just one grant available – this was the same grant that SWM had used for invasive removals. Cheryl was asking for this grant funding as committee was under impression that SWM was not going to ask for it in 2023. Gary Schaefer stated that SWM was not intending on applying as the committee had heard landscaping was going to try for the monies.

After discussion, it was decided to have SWM apply for the grant. So far, SWM has been able to secure the grant in each of the last 4 years, and 2023 will be the fifth year of a 5-year plan for invasive removals. We have a track record for SWM, and it seemed as if the county may favor invasive removal projects. Net results are the same; we intend to fund both projects in 2023, but having the \$10,000 grant will help off-set resident's cost. Therefore, SWM will apply for the 2023 grant, and this action will be noted in the official meeting minutes for the committee to use upon submission.

Cheryl had two additional funding requests that were not on the committee report. There are two dead pine trees along 87th Ave. As Cleancut Tree will be trimming the palms in this area October 6th, committee secured a bid to remove these two trees now. Bid came in at \$1,500 to remove both trees and grind the stumps. There also are 4 dead Ligustrum trees, a dead Jatropa tree, and several dead holly bushes at the SR70 4-way stop entrance area. Teal can remove these for \$1,100. While this is not in our budget, concern is the dead trees coming down on the golf course or a resident's home in a storm. Also, as there is a nearby eagles' nest that limits when any tree work can be done in the area, this may be the best time to have trees remove. Board agreed to find the funding. Fred moved to approve the funding. Chuck seconded. All in favor; motion carried.

Storm Water Management Committee – Gary Schaefer reporting:

Committee met with the new SWFWMD team on August 25th to gain approval and sign-off for swales and changes in classification for Pond 5 in the Links. SWFWMD agreed the swale work addressed their concerns and approval will be pending a submittal by Cooper Engineering documenting work completed. However, SWFWMD rejected Cooper Engineering's proposal for Pond 5 as being inadequate and non-responsive to their concerns. Gary asked if a recalculation of nutrient removal requirements using better field data would be acceptable, an approach that Gary had asked Cooper to use but they didn't. SWFWMD said yes, it would. Gary also asked about using swales instead of Pond 5; SWFWMD said maybe depending on the approach and calculations. Gary has directed Cooper to accept or reject his nutrient recalculation approach and submit it to SWFWMD before proceeding with any additional work.

Issue was raised by residents about how builders repaired some of the swales. Question raised if this was a reserve expenditure and how do we fix them. Bob confirmed we do not have a reserve line for swales. Not that we couldn't add one in the future, but nothing existed now. Committee felt fixing swales as a one-off would be very costly. SWM is recommending inspections by an engineer on an annual or bi-annual basis and determine needs for maintenance and repairs, then repair all at the same time at a much-reduced cost. Board agreed. Committee will develop proposal and process.

Invasive removal project will start early October. This is phase 4 of 5. As noted earlier, SWM will now submit a proposal for the \$10,000 Manatee County grant for invasive removal in 2023.

Repair work on Pond 19, as discussed and approved in August, will begin early October. The no-mow area around Pond 9 in the Links has been trimmed down to mowable height. The removal of the spike rush will take place once the committee selects contractor for rest of 2023 aquatic plantings.

Fred brought up concern of algae on some ponds in the Highlands area. Gary stated that Admiral had been out treating all area ponds for algae. He encouraged residents to contact either RPM or the SWM committee with any such finding or concerns. Admiral has been very responsive to reacting to our requests and needs.

Community Access Committee – John Sasa reporting:

Now that speed camera is up and running, committee is providing reports for the board to review.

There have been issues with Hotwire contractors speeding in the neighborhood. John and Jim have had discussions with supervisors, and Jim will contact senior managers about this concern as well.

Overall speeding report: committee has placed camera in 6 different locations throughout the community. Report given to board contained 240 incidences over a 2-week time-period. With that, Chuck outlined the process which will be followed moving forward:

1. During the month of September, warning letters will be emailed to all offenders each time their speed is recorded as exceeding the posted speed limit. Details of the time, location, license number of the vehicle and speed recorded will be documented.
2. Residents are responsible for the conduct of their guests, including speeding. If a guest is caught speeding, the letter will be sent to the resident noting the offense of the guest.
3. Those residents speeding multiple times in September will receive multiple warning letters. It is hoped that these measures will begin to curb the speeding problem.
4. BEGINNING OCTOBER 1, warning letters will no longer be issued; rather violation / fining letters will be mailed. The process for these notifications will be as such:
 - a. October 1-10: access committee compiles report of captured speed infractions and submits to the compliance committee by Monday evening.
 - b. Tuesday, October 11, compliance committee reviews list and prepares submission for board approval of fining notices.
 - c. Thursday, October 13, board reviews list and authorizes fines to be assessed. List is given to RPM.
 - d. RPM merges list into violation letters and mails to impacted individuals. All mailings will be completed by the end of the day Monday following the board meetings. Those individuals will have details of the infraction, amount of the fine, and date of payment. Information to request a hearing, if so desired, is also included in the letter. Notification of request must be given to RPM four days in advance of Hearing Committee meetings.
 - e. Hearing committee meets the first Friday of every month at RPM's office. If someone is asking for a hearing, there are two possible outcomes:
 - i. Your request is approved and you have no fine. Violation will be removed.
 - ii. Your request is denied and you have to pay the fine. Fines will be due 5 days after the hearing date.

The process will repeat in subsequent months. However, for November, board will be reviewing speed recording incidences from October 11 – November 7. Following months will have a full month of incidences to review. As the board needs to approve all fines and meets once/month, this is as streamlined as we can make this process while satisfying state requirements.

As noted in previous meeting recaps and recent Speedgram email and mailing, the fines increase with multiple incidences, in both financial liability as well as bar code access restrictions. Details of the Rosedale Speed Program can be found on the HOA website.

Vendors will be notified of speed infractions as well. Repeated violations could result in refusing vendor access to the community. Board encourages residents to notify their vendors

that Rosedale is taking speeding seriously and inform them of potential speeding consequences. If the vendors hear this from multiple sources, it will carry a lot more weight.

Lastly, John reported incidences of improper leasing of rooms within the community, with no leasing agreement on file and tenants improperly registered as permanent guests. Standards committee has proposal on updating recent approved rental guidelines. Working with these, Access committee will no longer enter a lessee / tenant into the system without confirmation of a lease approved by RPM. Entry privileges will be granted as a temporary guest of registered homeowner. Once lease agreement is filed, guest will be registered as tenant and have the ability to add guests to the Dwelling Live system. Also, permanent gate passes will be granted initially for 30 days. After 30 days, gatekeepers will fill out a brief questionnaire during next entry after pass expiration and before issuing a more permanent guest pass.

Communications Committee – Ed Mazer reporting:

Ed reported committee is working on updating user-friendly guidelines for the CC&R's.

Lighting Committee – Chuck Allen reporting:

Lighting along 87th St. E entryway continues to be a problem. Lights along west side of road (Westbury Lakes side) are working correctly, but lighting along the east side by the golf course is not. There are various transformer and electrical line issues. Committee is seeking other contractor bids for more permanent solution to this problem rather than the current band-aid approach. Committee will also include the lighting at the Highlands round-about for improvement considerations.

Community Standards and Practices – Jim Lamy reporting:

Task force was created to develop clarification around recently approved leasing and renting CC&R changes. Committee brought forth two documents – a Homeowner's Leasing Information document, and a Lessee Application for Lease or Rent document. Jim moved that the board approve these documents for future use for all rentals and leasing agreements. Peter seconded. All in favor; motion carried.

Committee is also recommending three specific paragraphs be included in all lease documents. These include Hold Harmless, Rules & Regulations and Bylaws, and Association's Right to Demand Rent statements.

This information will be put out on the website and is recommended to be included in all Welcome Packets given to new homeowners within Rosedale.

Jim moved on to a concern that was raised by John from his access report. Concern is that there are a number of properties currently being rented or leased without the proper documentation. Jim is recommending sending an email out to the community, asking anyone who is renting or leasing a property and has not filled out the Homeowner's Application to do so and send it to RPM. He is also recommending that we grandfather tenant/lessee applications for those in rental agreements as of this time. However, once the rental / lease is up, homeowner must adhere to the new policies. Jim moved that the Master accept existing leases without background checks

and return information for those currently renting or leasing, provided that the homeowner sends in this form to RPM. Homeowners will have 30 days to comply. Failure to do so will result in non-compliance and potential fines. Peter seconded motion. All in favor; motions carried.

Once John gets confirmation of these agreements, he will change those listed from guests to tenants within the Dwelling Live system.

Compliance Committee – Fred Booth reporting:

Committee has dramatically reduced the number of outstanding violations, now down to 26. Three are expected to be resolved by this writing.

Committee brought 3 fines for board approval:

1. A homeowner has been renting rooms within her home, which is a violation of our CC&R's. Owner has been legally notified and has not complied. Fred moved to accept the committee recommendation of the posted \$100/day fine from the date of the notice by our attorney, August 17, 2022, bringing the fine to \$2,400. Chuck seconded. All in favor; motion carried.
2. Fred moved that the board accept committee recommendation of a \$50 fine for a resident not cleaning their driveway. Resident has had several notification letters with no action being taken. Jim seconded. All in favor; motion carried.
3. Fred moved that the board accept committee recommendation of a \$50 fine for resident not trimming palm trees, again after several notifications. Peter recommended adding a time parameter to this motion, asking resident to either have work completed by September 30th or have written confirmation of vendor scheduled to work in near future. Fred agreed to addition. Jim seconded motion. All in favor; motion carried.

With all committee reports given, and no old business to cover, Peter moved on to new business.

New Business:

- Irrigation Committee Charter. Chuck moved that the board approve the charter for the newly formed Irrigation Committee. Peter seconded. All in favor; motion carried. Ed will update website to remove irrigation now from landscape responsibility and add the new irrigation charter
- The Speed Enforcement program was discussed during the access committee report and nothing new to report.
- The Rental and Leasing process was discussed during the community standards report and nothing new to report.
- Fine/Violation: This form is on our website but needs updated with new speed program. Chuck will re-create form and add the speed fines to the list. Once complete, he will circulate amongst the board for final approval, then Ed will post to the HOA website.

- Proposed Villas in May 2022, Peter and Jim met with Pat Hogan of 4141 Development to discuss development of land by the golf clubhouse. Peter and Jim were given a proposed drawing of 11 villas – 10 attached units and one free-standing – that would be accessed via the golf course parking lot. Following this meeting, this information was sent to our legal counsel for review. Counsel’s opinion was this would require changes to the CC&R’s and other documents requiring approval of the Rosedale residents. Peter asked for board input. Bob responded that he could see no benefit to the community, but potentially an increase cost burden and was not in favor of further development of this area. Jim agreed. Bob further stated counsel’s concern of current homeowner’s dilution of ownership of common grounds with the addition of these units. While minimal, still a dilution and a concern for the residents. As this change would require a majority of residents to approve (unsure of required level – either 67% or 100%), he felt most residents would not approve. Fred and Chuck agreed. Peter voiced concerns regarding the proposed villas being required to have a social membership at the club. With the current lawsuit from the Links on this issue, Peter felt board approval of this villa project would no longer put the board in a no-bias position. All agreed. Peter asked for a question: Are members of the board in favor of considering this project at this time? All members voted negative.

- Traffic Engineer: the Lena Road and 44th Ave. Expansion Committee, led by Fred Booth, recommends hiring Jason Utley as a traffic engineer consultant to assist with their efforts. The majority of Jason’s professional experience has been served as a planner and project manager for government entities in the State of Florida. He has worked directly with local governments and the regional planning council. He is experienced in preparing and reviewing traffic impact studies, land use and zoning petitions and other planning and development related projects. He is certified as AICP, PTP, PMP and LEED AP, all planning, project management and environmental certifications. He also came highly recommended by our current engineer consultant, Rick Schappacher. He can be hired at an hourly rate of \$125/hour. As we only have \$3,000 in our engineering budget for the remainder of this year, this is recommended as the best way to get the level of expertise we need in a short amount of time. Fred moved that we hire Jason for this area of service and expertise. Peter seconded. All in favor; motion carried.

With all agenda items covered, Bob moved to adjourn the meeting. Chuck seconded. All in favor; motion passed. Meeting adjourned at 4:45 PM

With the business meeting concluded, Peter opened the meeting to those attending.

Bill Moran asked the board to confirm with legal counsel concerning the opportunity for residents to speak during the meeting, as he felt it violated the current statutes. Peter responded that this issue had been address with legal and we were in compliance as we were conducting a business meeting and following Florida statutes. Current format does include resident’s comments to be heard after business meeting is conducted. Chuck added that this is a topic the

board has been wrestling with. He agreed that giving resident input during the meeting could be valuable, as exhibited today when Gary and Bill spoke about the Manatee County Grant process during the landscape discussion. Concern is overall length of the meeting as it is. He felt there was opportunity to reduce time in the committee reporting periods and possibly freeing up more time for resident comments. It will be something the board continues to work on.

Mark Irvine requested that compliance warnings and violation notices be sent via email as well as regular mail. As he traveled, he is not always able to receive and respond in a timely manner on regular mail, whereas by email he can react and respond immediately. Rhonda of RPM responded that we're required by law to mail violation notices, but she would make a note in his One Source profile to add email notifications on all future notices should they occur. Ed suggested the board look into email notifications for everyone in the future.

Lee Ohliger seconded what Mark had suggested, wanting email notifications as well.

Michael was a phone caller, and no last name was recorded. Michael said he hadn't lived in Rosedale very long, and inquired if the board ever considered evening or weekend meetings. As he worked, he was not able to attend the Thursday afternoon meetings. Today was a fluke because a meeting was canceled, so he decided to call in and listen. He felt having meetings at other times would enable those that worked more opportunity to attend. He was also concerned about recent restrictions that he felt were impacting quality of life in Rosedale, and wasn't sure what the board actually did. Peter responded the board's responsibility was to enforce the CC&R's of the community and to effectively maintain the community and common grounds. Michael stated he was not receiving communications or information about what was going on in the neighborhood other than from his neighbors. Board members responded with inquiring if Michael was receiving the monthly meeting recaps that Ed sent out after every board meeting via community emails and all the other information communications that are emailed out to the community. Ed encouraged Michael to contact him if he was not getting this information. Chuck commented that the board had considered alternate meeting times/days but had not pursued given the current difficulties just securing an open time for everyone and a possible physical location for a meeting. We will keep it on the radar for future consideration. Michael then brought up safety issue concerns within the community. He felt any safety issue should be shared within the entire community. He cited a break-in incident that he felt had only been communicated to those in the immediate neighborhood when the entire community should have been informed. Peter stated that the only incident he could remember of that type occurred in March, and a community email blast went out to the entire neighborhood the very next day detailing the event and warning homeowners to ensure their homes were locked and secured.

Richard Ward wondered if our speed program that fined only residents was discriminatory, as it did not similarly impact golfers and non-residents. Peter responded that we have reviewed the policy with legal counsel and they have approved our program, due to the fact that our roads are private streets.

With no further resident's comments, Peter thanked everyone for attending and ended the meeting. Meeting ended at 5:10 PM.