

Recap of the Rosedale Master Homeowner's Association Board

February 9, 2023 – via Zoom

This is a recap of the February Rosedale Master Homeowner's Association Board meeting, held Thursday, February 9, 2023 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 President Peter Ingraffia at 2:05 PM. Notice was posted in accordance with Florida State Statute F-720. Including board members and Resource Property Management, 61 people were in attendance.

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

Approval of BoD Meeting Minutes January 12, 2023: Fred made a motion to approve the January 12, 2023 minutes. Bob seconded the motion. All in favor; motion carried.

President's Report – given by Peter Ingraffia:

Rosedale's annual meeting is scheduled for March 13, 2023 at 6:00 PM at Bayside Community Church located at 15800 State Road 64, Bradenton, FL. This is the same location as the 2022 annual meeting. Everyone will be receiving a mailing from RPM in the next week with the names of those running for the board, a short write-up from each of them on why they are running for the board, and three (3) CC&R changes that have been brought forth for the residents to vote on. More on these CC&R change later in the recap. There are 13 candidates that running for the board this year.

On Monday, February 13, a candidate forum hosted by the Rosedale Community Council (RCC) will be held at the Rosedale County club from 6:30 – 8:30 PM. Forum will be held in the clubhouse dining room, with a meet-and-greet from 6:30 – 7:00 and then an informative session moderated by the RCC. All are welcome to attend.

Side note after official meeting. Forum has been moved to Monday, February 27th now.

As packet mailing is not occurring until after the candidate forum, Chuck asked RPM to do a mass emailing of the candidate packets to all Rosedale residents so they would have this information prior to the forum.

Treasurer's Report – Bob Eisenbeis:

Bob reported total assets of \$3.739.5M, with \$1.403M in reserves, \$2,079K in operating cash, and \$257K in other assets, of which \$237K are delinquent fees (which are about \$100K less than January of 2022) and \$17.8K is due from an Aquagenix double payment (RPM has agreed to cover – original amount was \$35.6K; RPM has made payments totaling \$17.8K so far, and will continue to make monthly installments until balance is paid. Total repayment will occur in 2023.) and \$200 as a deposit with Manatee Co. Utilities and \$1.8K is related to a legal collection.

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 February.

Committee Reports:

Cable Committee – Jim Lamy reporting:

Jim moved that Steve Pomposi be named as co-chair of the Cable Committee. Sigrid seconded. All in favor; motion carried.

Steve was delayed in attending the meeting, and Jim wanted Steve to present the report. As such, board moved on to Roads.

Roads Committee – Tom Tangney reporting:

Residents had suggested placing speed limit signs on the streets at both entrances for better visibility and awareness for both guests and vendors. As such, the committee is recommending purchasing 2 sets of twenty-four inch "25 MPH" lettering to be placed after the gates at both the SR70 and 44th Ave. entrances. Cost is not to exceed \$1,200, which will include installation, and will be funded from budget line 2047-signs. Ed moved to approve expenditure. Jim seconded. All in favor; motion carried.

Fabrication of the new sewer inlet / collection boxes to replace the V-grate inlets has been further delayed due to general supply issues as well as the acquisition of the supplier by another company. Prepayment is also required to order the new inlets now. Tom is recommending purchasing 16 collection boxes now (4 that were planned in 2022 for Westbury Lakes and the 5000 block of 88th St. E as well as the 12 planned for 2023. Total cost is \$15,800.06 which will come out of reserves. Chuck moved to approve the expenditure. Sigrid seconded. All in favor; motion passed.

The large depression that opened in the grass next to the curbing on the south side of 52nd Ave E near the intersection of 52nd Dr E was identified as an underground sewer line leak. Manatee County Utilities were contacted and quickly excavated and patched the line. Committee is working with landscaping to repair the minor damage of the common grounds.

Because of the delay now in the collection box deliveries, our vendor has requested marking of utilities near the sewer inlet near the SW side of 49th Terr / 88th St. E interaction so they can begin work to address the subsidence issue as soon as possible. This marking must be done before they can begin work, and it is unknown how long it will take for this to be done. It could be days or a couple of weeks.

As stated in last month's meeting, committee was not happy with the work Cape Coral, our current power washing contractor, had done in the Links. They are working with the vendor, but were also considering looking at alternate vendors. Since then, Cape Coral has been out twice in January to address cleaning deficiencies in the Links and has promised to come back one more time to address several spot issues (primarily around Royal Dornoch and Glenclose Ter). While not perfect, the committee is recommending continuing with Cape Coral. As a side note, a bid they received from another vendor was slightly higher than the current one we have

with Cape Coral. Committee feels Cape Coral is responsive to our needs, and actions they have taken are ensuring the vendor is doing the expected work. As such, committee is recommending releasing the planned first quarter payment of \$10,250 as agreed to in our annual contract. Sigrid moved to approve expenditure. Peter seconded. All in favor, motion passed. Bob asked if we were getting ¼ of the planned work for 2023 done with this ¼ payment. Tom responded that we were actually going to get a bit more done than planned, so was happy with work-to-payment arrangement. Fred asked if rust stains on the streets were predominately in one area. Tom stated no, they were sporadic, and all are caused by watering and fertilization, and nothing can be done to remove them short of replacing the concrete.

At last month's meeting, board had approved new color schemes for the SR70 gatehouse. However, after additional review, it appears that if we go with this new color scheme, Rosedale will have 4 different color schemes in the neighborhood. Upon review, it is recommended that the SR70 gatehouse be painted the same as the wall and caps on the east side of 87th St. E next to the gatehouse. Furthermore, it is planned that this color scheme will now be used on all the upcoming ironwork pillars, (North Bridge, SR70, Highlands entrance, Links entrance and the 44th Ave entrance), the Tobermory Bridge, and the two walls perpendicular to the Malachite between the Highlands and the Links (all planned work for 2023). The colors are Sherwin Williams SW 7501-Threshold Taupe for the base and SW 7511 – Bungalow Beige for the trim. This will make our walls, pillars and building uniform within Rosedale. Chuck moved to rescind the January motion for paint colors. Jim seconded. All in favor; motion carried. Peter moved to approve the new paint colors. Fred seconded. All in favor; motion carried.

Fabrication of the new panels for the SR70 monument entrance is nearly complete and vendor is expected to be on-site in the next 2-3 weeks to complete the project. Lykins is still waiting for the county to issue the permit for the 44th Ave entrance monument, but they continue to fabricate the panels while they await permit approval. However, they have stated that they expect the permits to be had in the next couple of weeks. Committee is working closely with landscaping, as landscaping will finish the SR70 front-end project as soon as the monument is completed.

Lykins, the company that has also been assigned the work to replace all the damage signage from Hurricane Ian, is awaiting the wooden posts to come in to complete the project. This situation is hampering many other communities trying to get their signs fixed.

Tom reiterated that the best and fastest way to get a mailbox fixed or replaced was to contact RPM. RPM will then expedite the process and will work with our handyman to get repair made.

Cable Committee – Steve Pomposi reporting:

The committee and the board are continuing to work with our Hotwire provider in efforts to reduce the number of system-wide outages experienced and improve the Customer Service experience. The team is meeting weekly with the Hotwire team, and recently have escalated our concerns to the CEO of Hotwire, Kristin Johnson. The agreed upon action plan involves Hotwire publishing and driving a plan to their Rosedale customers that will address how they intend to fortify their networks, address gaps within the Customer Contact Center and address stability issues with the FisionTV+ platform.

The committee expects the plan will touch on the requirements to complete:

- A build-out of an additional fiber path to Rosedale that will provide redundancy in the event of a failure of the existing network (issue on 4 of the 6 outages)
- The build-out of the permanent equipment facility in the Highlands
- Increasing staffing in the Call Center (hiring is beginning in February)
- On-going software updates to the FisionTV+ platform (issue on 1 of the 6 outages)

The committee held its first quarterly service review (SLA). As previously published, these SLA's include performance against the following categories:

- Service availability for Data (Internet), Video (TV) and Telephone
- Timeliness of Customer Service Orders
- Timely Response and Cure of Trouble reports
- Customer Hold Times

In all cases except Customer Hold Times, Hotwire achieved or exceeded their targets. There were 4 significant outages in the period including Hurricane Ian. The two additional outages in January were not part of this report. However, an analysis of these 6 outages has been used by Hotwire to help drive the service improvement plan mentioned above. Although not required, Hotwire provided a service credit to Rosedale as a show of "good faith" related to the December FisionTV+ outage. This credit will be applied against the regular monthly bulk payment and included in the budget.

Committee is working with a select group of residents to understand FisionTV+ issues and working with Hotwire to fix. Outcomes will be communicated directly to the community.

ARC Committee – Peter Ingraffia reporting:

Peter stated that 17 requests had been reviewed in January, down from the 27 requests in December. No items remain on the under-review list.

Committee is recommending that homeowners with sidewalks in their driveways be allowed to paint the sidewalk if they decide to paint their driveway. If homeowner decides to paint their driveway, sidewalk can only be painted within the area of the driveway. As always, any such action still will require ARC approval, so proper ARC forms must be submitted beforehand.

Chuck recommended that this change be updated in the ARC information section on the Rosedale Homeowner's website.

Landscape Committee – Cheryl Smith reporting:

Cheryl had several funding requests:

- \$900 for the removal of 2 Queen Palms at the SR70 entrance and stump grinding, \$3,000 for root pruning of oak tree in common area behind home at 9707 51st Ter E, to include root pruning, installing interlocking bio barrier and back-fill, and \$500 for possible irrigation repairs needed after work is completed. Oak roots are infringing on homeowner's lanai and displacing pavers / pavement. All work will be done by Terry's

Tree Service, except for the irrigation work which will be Teal. Chuck moved to approve up to \$4,400 for this expenditure. Sigrid seconded. All in favor; motion passed.

- \$12,973 for Phase 2 of the SR70 front entrance relandscaping project. This will complete the monument area and both sides of the entrance once the monument refurbishment is completed. Work will be completed by Brightview, who completed Phase 1 of the project. Sigrid moved to approve the expenditure. Jim seconded. All in favor; motion passed.
- A total of \$21,576.05 for relandscaping of the 4-way stop area at 87th St E and 54th Ave. E. Work will include the signage beds of both Bloomfield Park and Westbury Lakes monument areas, median end-cap areas on the north and south, and all 4 corner beds (SE, NE, SW and NW corners). All the old mulch and dirt will be removed and new installed. Plantings will now be lower and signage will be visible. Work will be completed by Brightview. Fred moved to approve expenditure. Sigrid seconded. All in favor; motion carried.
- The following four projects were grouped together for approval:
 - o Refurbishment of the Sweetbriar Monument area for \$1,540
 - o 44th Ave. palm replacement for \$1,050
 - o Finalizing of plantings at the Clubview Crossings Monument area for \$705.28
 - o Finalizing of plantings at the Victoria Court Monument area for \$352.24

All work will be completed by Brightview. Chuck moved to approve expenditures. Sigrid seconded. All in favor; motion carried.

All the above projects were planned for 2023 and part of the 2023 budget. The committee provided a recap of planned budgeted amounts and actual costs of these projects. Planned amount was \$51,500; actual costs came in at \$38,197, which is \$13,300 less than planned!

Storm Water Management Committee – Sigrid Seymour reporting:

Sigrid requested the board approve \$1,800 for stump grinding on a resident’s property after recent invasive removals encroached upon the homeowner’s property. Jim moved to approve the expenditure. Peter seconded. All in favor; motion carried.

J.R. Evans, the vendor the committee is using to look at street flooding and other drainage issues, including Pond 5 in the Links, has been delayed in getting their report back to the committee due to illnesses. They expect to have the report for March’s meeting.

Submittal of required materials to Manatee County for payment of the 2022 \$10,000 grant for Green Area Invasives Removal has been made. SWC has also submitted the 2023 grant

application as approved by the board last month. This request is on hold until the 2022 grant has been paid and closed out. Passarella, the consultant the team is using for this work, has provided clear written recommendations for modifications to the existing scope of work for this last phase of invasive removals.

Crosscreek will begin littoral planting in Pond 19 in the Legacy section and Ponds 22 and 23 in the Highlands in late February. SWC will prepare a communication notice for residents to inform them of this work prior to it being undertaken.

The next pond for shoreline stabilization is Pond 5 in the Legacy section. SWC is working with their engineer, Schappacher, to refine Pond 5 scope of work and to obtain bids for the work.

Community Access Committee – John Sasa reporting:

The committee submitted a list of 42 incidences of speeding in the month of January to the compliance committee for review, and compliance committee will present during their report.

The access committee will continue to monitor speed and record violations throughout the community in the months to come, with monthly reports being sent to the compliance committee for review. The committee is also beginning to monitor stop sign compliance due to the high number of complaints from residents. A preliminary report was sent to the board for review; however, more work needs to be done in this area. Ed reiterated there are no plans to initiate fines for stop signs. It simply a safety concern. He felt reminders of the situation via cablegrams would help people to be more mindful.

There continue to be acts of vandalism towards the radar and camera system. Fortunately, no damage was done to the unit. The committee has taken counter measures which will be reported as they gather information.

The Malachite gate has been repaired at a cost of \$500. No one identified the individual caught on camera as causing the damage, so the association was forced to pay for the repair itself.

John submitted his resignation from the committee, citing the continuous offensive comments and actions of some Rosedale residents regarding the speed control program. Several other committee members are leaving as well due to various reasons, so we will be in need of new volunteers for the access committee. Peter thanked John and his team for the remarkable work they have done and the steps they have taken to make Rosedale a safer neighborhood. They will be missed. He wondered if the board should consider hiring an outside company to perform the tasks of speed monitoring rather than have our volunteers do this work. It will be considered.

Communications Committee – Ed Mazer reporting:

Committee held their first in-person meeting in quite some time. They reviewed the FAQ's and are dismissing old and updating as needed.

Contact Us inquiries are addressed as they come in. During the December/January timeframe, 20 inquiries were sent an immediate response from the committee. 45 inquiries were forwarded to various committee leads for follow up. Most inquiries are about Hotwire and speeding.

Ed informed the board that the company that the committee uses for email services (MailChimp, recently purchased by Intuit) charges \$156/year for their services. He moved that the board approve this expenditure. Peter seconded. All in favor; motion carried.

Lighting Committee – Chuck Allen reporting:

A motion was made in December 2022 to approve up to \$500 for an emergency lighting repair at the Bloomfield Park monument. This work was not done. Therefore, Chuck moved that the motion be rescinded. Peter seconded. All in favor; motion carried. Good news is lights are working now!

Lighting issues at the SR70 entrance by the center island oak trees and the lighting at Malachite and Tobermory have been repaired.

Chuck reported that he is meeting with vendors getting estimates and recommendations for repair of the 87th St. runway and the Highlands Circle. He expects to have several bids for consideration in the next month or so.

Community Standards and Practices – Jim Lamy reporting:

Committee has developed spreadsheet that lists all rentals in Rosedale and also identifies the rentals by local HOA. Committee is working with RPM to get spreadsheet user-friendly and in the system for access by appropriate parties.

Compliance Committee – Fred Booth reporting:

Fred noted that the hearing committee met February 3rd. All speeding fines issued in January were upheld with one exception, and that was changing a second offense to a first offence. Notices will be sent to these individuals by RPM.

Compliance committee reviewed speed violation list from the access committee and recommended that the 42 speeding incidences in January be waived of any fines, due to the new program going into effect February 1, 2023. Board agreed.

There is a list of 365 reported violations, largely driven by the large number of speed violations in October and November. While number of current monthly violations are going down, still large number of violations on the books and many have not been paid, making it difficult and cumbersome to manage. Committee is working with RPM and Miller Results to streamline the process and make it more manageable. Fred asked if we could get someone outside of RPM to help monitor and manage this information. Recommendation was to work with Karie and RPM, as well as getting a legal opinion to ensure privacy issues are considered.

Fred noted that the compliance committee completed visual audits of all homes in Rosedale. However, moving forward, they will divide Rosedale into segmented areas to be audited

quarterly, reducing the total number of homes that needed surveyed and potential notices that could be generated at any one time.

Parks Committee – Jim Lamy reporting:

This is a new committee approved by the board in January. Jim moved that the board approve Jackie Meehan as a member of this committee. Fred seconded. All in favor; motion carried. Jackie will move off the landscaping committee but will remain on the ARC committee.

A draft charter of the parks committee will be forthcoming for consideration by the board.

Before Peter moved to new business, Chuck inquired about any update from the Lena Road and 44th Ave. Extension committee. He asked if the committee had any recommendations from the consultant the board had approved to enlist. Fred reported that Gil Waldman was working with the consultant on a scope of work for both projects, but he did not have an update as to status. He will look into this for the next meeting.

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

New Business:

Most of the new business topics were covered during the committee reports (speed monitoring, stop sign monitoring, community standards update, stump grinding/invasives removal, oak root remediation, sidewalks relative to painted driveways, and rescinding a December lighting motion). Those not covered are listed here:

1. CC&R's up for Membership Vote. There are three CC&R's to review/vote on. Peter provided an overview of the three and a brief recap of the changes. Residents are encouraged to read the entire CC&R document with the changes to be fully informed. The changes being considered are:
 - a) Leasing Amendment:
 - Better defines how old a background check can be - no more than 60 days. Previous version could be interpreted that a background check months-old could be viable.
 - Also advises that lease application packets should be, but not required to be, submitted 30 days before the proposed start date of the lease.
 - Also advises the Association will strive to complete submissions within 30 days, unless of an unusual circumstance. For example, a background check performed in a foreign country.
 - b) MRTA Change regarding the Golf Club:
 - The 2022 amendment to Article 12 was made because the language that was in place was contrary to Florida law in relation to the Marketable Record title act (MRTA). The language included would bind all properties (which includes the Golf Club). This is the status quo of the provision as it is recorded today.
 - The language that is in the 2023 amendment (to be voted on by the membership) is

the same language that existed in 2021.

- The Golf Course took the position that they were inadvertently removed in the 2022 amendment as a result of the MRTA provision. This was clearly never the intent. The Board at the time recognized the removal as an item to correct so as to assuage the club's concern regarding their place within the Association. Therefore, at that time, the Board stated that while the change has no effect and does not seek to change the relationship between the parties, that they would include the language at the next election to avoid the issue entirely. The language as now drafted has little to no effect on the applicability of the declaration as it is currently recorded and is merely being reinserted to avoid unnecessary litigation.

c) Vehicle Amendment:

- This is the only proposed change received from our resident community. This change was originally brought forth last year but as there were so many CCR amendments last year as we moved from Developer control to Resident control, this change and others were excluded from a priority perspective.

- When the Board asked residents for suggested CCR changes, this amendment was again brought forth with a request to submit it in this year's amendments.

- There are several components in this amendment. So, if you vote for or against, you are voting for the CCR amendment in its entirety. The Board makes no recommendation and only asks its members to read this amendment carefully, form their own opinions and vote accordingly.

2. Pet Waste Receptacles: Jackie Meehan reported that the receptacles have been installed. Units will be serviced 1/week, removing any pet waste and restocking the waste bags.
3. Carnoustie Limb Removal: Sigrid stated that there were several dead tree limbs in the preserve area that was leaning over a resident's home. She moved the board approve \$600 to have limbs cut down before they did any damage. Peter seconded. All in favor; motion carried.
4. Chuck asked to add an item. He has been working with RPM on improving our cleaning services and handyman services, and asked if Karie Carroll of RPM could provide and update. She state that she has interviewed several cleaning companies and asked them to provide a scope of work based upon their recommendations and what is being done now. Currently we're paying \$500/month for the two gate houses to be cleaned twice a month and stocked with paper supplies. Chuck commented that he felt the buildings should be cleaned more often than just 2/month. Karie also stated that she is looking at several handyman services and hoped to have some recommendations soon.

5. Ed provided an update on the AEDs. He has spoken with our legal contact and they see no issues with having AEDs on the property and minimal liability given Florida's Good Samaritan laws. He is looking at companies that could service the units on a regular basis to ensure they are always in good working order. Stay tuned for further updates. Chuck mentioned a recent notice about the American Heart Association conducting a free Zoom informational seminar Tuesday, February 14th at 1PM concerning CPR and AED's.

With all business covered, Peter opened the meeting to any resident's questions.

David Rice asked about background checks and what specifically was being checked. Karie stated that a 3rd party service is doing this work. After some discussion, it was confirmed that background checks are looking at criminal and sex offender data bases. David inquired if homeowner could do the background check, as it could be done more cost effectively. Peter replied that new statute would allow for that as long as background check followed protocol and was done within the designated timeframe. David then asked about the need for additional security deposit for common grounds. Jim asked David to send him an email with the details so he could look into it.

Debbie Castoro had several comments:

- She stated that she was getting community emails sporadically and asked the communications team to ensure they had her correct email on file.
- She commented on the recent incidences reported of camera vandalism, rude behavior to committee members and the incident with the gate attendant. She thought the board needed to do something to prevent continued behavior within the community. She thought using a trail camera could be used to monitor anyone moving or vandalizing the camera. John Sasa reported committee has used a trail camera focused only on the radar camera, but it did not work. There was too much ancillary activity and it quickly consumed all the memory of the camera. The committee is looking at other options.
- She asked if our speeders were mainly golfers and vendors and was told most of the speeders are residents. However, John and his team make note of any golfer speeding and share this information with the golf manager, who in turn deals with the individuals. John noted that we can only really impact those golfers playing Rosedale on a regular basis. He also noted that he personally calls all vendors who are caught speeding, and vendor instances are way down.
- Lastly, Debbie was concerned about her surround sound not working properly after the Hotwire installation. Several visits by Hotwire techs have not been able to rectify the situation. Steve Pomposi said he would reach out directly to Debbie to get full details and work with Hotwire to see what could be done.

Lee Ohliger had several comments:

- He commented on the sidewalk being painted if a driveway was painted. He hoped this didn't happen on his street. He thought painting should go to the sidewalk and stop if someone chose to paint their driveway.

- He asked what was the extent of the board authority concerning the camera vandalism and gatehouse attendant assault – what could the board do. Peter replied that if we knew who vandalized the camera, we could be able to fine for common property destruction as well as notify the sheriff for such vandalism. Fred responded as to the assault, stating that the board really couldn't do anything; the individual themselves needed to press charges, and in this case, the individual did not but instead resigned from his position.
- Lee inquired if the speed program was picking up golf carts. He thought some of the custom carts with larger wheels were able to go much faster than a “normal” cart and he had noted them in his area along 52nd Ave E from the clubhouse to the 3-way stop-sign at 88th St. E. John Sasa responded that first, his team had captured golf carts but none were in excess of the speed limit imposed, and secondly, even if they did capture one, they had no way of identifying who the owner was. Chuck commented that getting private golf carts registered in the community was an item the RCC had brought up some time ago but had been tabled – it needed to be revisited and looked into in the future.

Carole Kakos thanked the board and committee members for all their hard work. She felt everyone was doing a great job and it was nice to see things getting done in the neighborhoods. She commented about the proposed refurbishment of the Sweetbriar monument by the landscape committee and thought it would make a big difference. She asked if irrigation and lighting was part of the scope of work. Cheryl responded that the team would be putting in new irrigation once the planting was completed. Chuck stated that the Sweetbriar area was part of the scope of work on the runway lighting project. Lighting would be restored once the landscape project was finished; however, it may be updated / revamped once the runway project started.

David Rice had several other comments:

- He asked if a visitor speeds, does the homeowner pay the fine? The answer was yes. He responded then why couldn't we fine the golf course the same way? Peter responded that they have talked to the club manager about speeding and they have taken appropriate actions on their side. It really isn't an issue now. He stated the club has similar “fines” for its non-Rosedale members, but there was little we could do about those golfers who only played the course once. Chuck mentioned that the roads committee recommendation of painting speed limit signage on the street may also help the situation with these one-time golfers.
- He agreed with Lee's comments about painting the sidewalks within driveways and thought they would look like checkboards when going down the street. It was mentioned that those that put in pavers do so all the way to the street and that looked ok. David was concerned about what the potential color might be on said driveways. Sigrid pointed out that the homeowner still needed to get ARC approval to paint their driveway, and Peter stated ARC would use same coordinated standards for driveways as they do for all requests.

With no more resident comments and all agenda items covered, Bob moved to adjourn the meeting. Jim seconded. All in favor; motion passed. Meeting adjourned at 4:48 PM.