

Recap of the Rosedale Master Homeowner's Association Board

October 12, 2023 – via Zoom

This is a recap of the October Rosedale Master Homeowner's Association Board meeting, held Thursday, October 12, 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 2:02 PM. Notice was posted in accordance with Florida State Statute F-720. Including board members and Resource Property Management, 42 people were in attendance.

Directors Present: President – Peter Ingraffia, Vice-President – Sigrid Seymour, Secretary – Chuck Allen, Treasurer – Bob Eisenbeis, Directors Ed Mazer, Rich Toscano and Brian Fischer.

Approval of BoD Meeting Minutes September 14, 2023: Ed made a motion to approve the September 14, 2023 minutes. Rich seconded the motion. All in favor; motion carried.

President's Report – given by Peter Ingraffia:

1. Regarding the CH6 lawsuit, there has been no additional activity that has involved the Master Association. The parties are waiting on summary judgement which has been scheduled for November 28 at 1:30. As stated previously, the Master Association is remaining neutral and has no intention of further engaging in this suit unless forced to. All this information is easily accessible via the link on our website. Just click on the link, enter the case number and all documents are available for review.
2. As a reminder: flags and signs are not allowed in Rosedale other than those specifically called out in our CCRs. We recently received complaints that some homeowners are flying modified US Flags (blue line, red line flags). To clarify the topic of US flag displays, Congress passed the Freedom to Display the American Flag Act of 2006 which states that no HOA can prohibit a resident from displaying the official US Flag of the United States. However, the Federal Act does not cover first responder flags (Blue Line, Red Line flags). But, on July 1, 2023 Gov. DeSantis passed legislation that now includes first responder flags. In Florida, military flags and State of Florida flags are also allowed. As a result, residents are allowed to fly an official US Flag, First Responder Flag, Military flag, and State of Florida flag.
3. October marks our one-year anniversary with Hotwire being fully deployed in Rosedale. For some, it's been a bumpy road; for others it's been a pretty easy transition. It appears that most residents are now into a normal service environment with Hotwire. However, we do know there are a handful of residents that continue to experience service issues. So, for those of you who have had multiple techs out to your home and still having issues, I've reached out to the EVP at Hotwire asking hm to develop a process to address and solve the problems anyone is still having with on-going issues. More to come on what this looks like.

4. We are receiving far too many complaints from residents about dog owners not picking up after their dogs. One recent encounter had the dog owner stating she did not need to pick up after her dog because her dog pooped on common ground and not in anyone's private yard.

If you have a dog, walk a dog, are a grandparent to a dog, you need to pick up after your dog irrespective of where it decides to do its thing.

Treasurer's Report – Bob Eisenbeis:

Bob reported total assets of \$2,051,721, with \$1,117,288 in reserves, \$921,230 in operating cash, and \$13,204 in other assets, of which \$13,004 are delinquent fees.

Reserve expenditures were \$21,861 this month, with \$328,787 year to date.

Hotwire will be paying us for electric usage by the temporary mobile hut placed on 87th prior to the permanent location at the Highlands Circle.

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.

Bob reported that the 2024 budget process was proceeding well, with good input from all the committees. Current plans are to account for the Hotwire door bonus in reserves as has been discussed previously. This provides the overall community the best use of these funds to help offset known reserve expenditures expected in the near-term while allowing us to avoid any tax penalty on these funds.

Committee Reports:

Because Fred had to leave early, we had him present his reports first.

Compliance Committee – Fred Booth reporting:

The September speeding list was received from the Access Committee and reviewed. Of the 9 violators, one was a first-time guest. This homeowner will receive a warning letter for their guest; however, the next time the guest speeds, the homeowner will be fined. Fred recommended the board fine the remaining 8. Peter moved to waive the reading of the names of the speed violators; however, addresses would be published in the official meeting minutes. Sigrid seconded. All in favor; motion carried. Rich moved to approve the committee's recommendation for the fines. Ed seconded. All in favor; motion carried.

The committee is working on a new revised Compliance violations recap that will include comply-by dates/timing for each area. Committee is recommending adding an additional item – Fences Owned by Homeowners – to the list. Board will review once list is complete.

Fred stated the next visual audit of homes for roofs, driveways, trees that need trimming, and garage / lamp post lights will take place in January 2024.

44th Ave. and Lena Road Project Committee: Fred Booth reporting:

Committee met with new District 7 Commissioner Raymond Turner on October 3, 2023 at the Rosedale clubhouse. He was given a tour of Rosedale. We started with the SR70 entrance and the potential impact of traffic with the pending Lena Road construction, and moved to the 44th Ave entrance and the impact 44th Ave will have on this area. We told him while both areas were a concern, we would focus our discussion on the 44th Ave. area now, as that was scheduled to be completed first.

We stated the county currently has no plans for either a traffic signal or a round-about at this intersection, and we had serious concerns over the safety of our residents as well as the business and guests on the other side of the street. Commissioner Turner agreed with our concern and stated the strategy the committee was using was exactly what he would recommend. He felt we were correct to focus on the safety aspect of this intersection., and working directly with him and the public works people was the best way to advance this case. We stated our goal was to get this traffic signal approved and in the CIP for the 2025 budget. Commissioner Turner replied timing for considerations for the 2025 budget would begin in late 2023 / early 2024. He was very supportive of our efforts and committed to staying in touch with Fred as this moved along.

Committee has a similar meeting planned for the other Commissioner-at-Large, James Bearden, scheduled for early November.

Committee has developed a petition for a traffic signal or round-about to be signed by Rosedale residents. The RCC has agreed to help gather the signatures in their various neighborhoods. Fred and Gil Waldman have been in discussions concerning this issue with the various business across the intersection on Solutions Lane. They are very supportive of our efforts and plan on petitioning the commissioners for a light as well.

Committee continues to work on the next meeting with the county public works / development team, where the intent is to include recently hired Alex Anaya of ESRP Corp Engineering to provide additional support and expertise in the discussions.

Roads Committee – Tom Tangney reporting:

Tom requested approval of the quarterly power washing payment of \$10,250 to Cape Coral. Schedule for area cleaning for Q4 is under development; it will include the south side of the Malachite wall (the soccer side of the wall) that is ours, and sidewalk and gutter cleaning in problematic areas throughout Rosedale. Chuck moved to approve expenditure. Sigrid seconded. All in favor; motion carried.

Tom requested that Chris Morrison be added as a member of the Roads Committee. Sigrid moved to approve as such. Peter seconded. All in favor; motion carried.

Several mailboxes were repaired or replaced this month, including one that was damaged by a FedEx driver within one hour after it was repaired. FedEx will be asked to reimburse us for replacement of this unit.

Our handyman replaced 2 loose ADA mats at Marbella and Royal Dornoch, repaired broken mailboxes, removed the pole on 96th St. where a previous stop sign was removed, straighten sign posts (mainly in the Links) from previous hurricane damage, removed broken sign “stumps, and adhered the speed limit signage to the roadway at the SR70 and 44th Ave entrances. Cost for 2 ½ days’ work, including off-site materials purchased and disposals, was \$2,350. While a bit pricey, these projects had been waiting to be done for months, so they needed completed. We’ll ask Paul to continue looking for another handyman service.

An interim punch list was submitted to Lykins for street sign repairs/follow-ups, including those raised at last month’s meeting. Regarding the stop sign at the 44th Ave. exit at Royal Dornoch that has the exit sign pointing the wrong way: that sign is glued to the post, as is the stop sign itself. It will need to be replaced with a new sign. Lykins will be doing so at their expense.

Prioritization of sidewalk and curb damage is completed, and bids will be sought this month. Committee has also surveyed street and safety signs that need replaced, and a bid will be sought this month for this work. It is planned to present proposal to board for November approval. Any expenditures for these projects will be a reserve expense.

Results of a community survey on the 44th Ave monument installation delay were shared. With 181 responses, 15.5% voted to take the monument down now; 43.6% voted to leave monument up and place a “Pardon our Construction” signage on it; 10.5% voted to just remove the broken tiles; and 30.4% voted to just leave it as is. Committee will once again confirm with vendor on timing of new monument installation, and if nothing definite can be committed to, committee will look for such signage and place on the monument.

ARC Committee – Peter Ingraffia reporting:

Peter stated that 15 requests had been reviewed in September, down from the 26 requests in August. No items remain on the under-review list.

Committee received a question from a homeowner regarding metal roofs being allowed in Rosedale. Committee decided there is no ban on metal roofs or other materials. CC&R’s state that roofs must be tile or such other composition or material approved by the ARC. Such requests would be reviewed on a case-by-case basis after local HOA (if there is one) granted approval.

Landscape Committee – Cheryl Smith reporting:

Cheryl had four funding requests:

- \$10,370 to Brightview Landscaping for various projects:
 - o Additional plants for SR70 entrance
 - o Replace oak tree on Malachite wall that was damaged from Hurricane Ian
 - o Refresh the island and berm on Malachite
 - o Plant replacement tree at Royal Dornoch Park
 - o Plant 6 Royal Palms for replacements at the Tobermory round-about.

Sigrid moved to approve expenditure. Chuck seconded. All in favor; motion carried.

- \$500 to Ace Stump Grinding for removal of 5 tree stumps. Chuck moved to approve expenditure. Ed seconded. All in favor; motion carried.
- \$112.29 to Cheryl Smith for plant replacements in the flowerpots at the SR70 gatehouse. Chuck moved to approve expenditure. Ed seconded. All in favor; motion carried.
- \$6,000 to Brightview Landscaping for annual plantings throughout Rosedale. Chuck moved to approve expenditure. Ed seconded. All in favor; motion carried.

The dog park clean-up approved last month will begin shortly. After the clean-up, replacement shell will be placed around the fence perimeter and adding crushed shell at gate entrances and water areas. Concrete pads are being priced for the benches in the park. Additional pads are planned for the small dog park with accompanying benches, as well as around several ponds in the Highlands. More details to follow.

The roses planted at the R70 entrance have suffered from the hot summer. Per the Florida extension service, this is the situation with many rose beds in the area. They assure us they will begin to flourish with cooler weather and rain. They have recommended a special fertilizer for use.

Chuck Allen provided an irrigation update, with three new projects. All three of these requests will be funded from reserves, as they are long-term maintenance and new installations.

- Maintenance on pond intake lines and strainer to pond pumps:

It is recommended they be serviced every 2-3 years, yet there is no record of this ever being done. One pond pump was replaced earlier this year as motor had burned out. Line was plugged, so this may have contributed to the pump failing.

We have 6 such ponds, pumps, and intakes; one has been done. Recommendation is to have remaining 5 completed this year to potentially prevent another motor burn-out and let pumps run more effectively and efficiently. Intake lines will be pulled out of ponds, new PVC check valves installed, new canal strainers, and 2" piping will be replaced. Strainers will be reset into ponds on "stilts" to keep them off the bottom and not pull in silt and debris. Cost per pond/pump station is \$1,150. Total for 5: \$5,750.

Chuck moved for approval of this funding. Sigrid seconded. All in favor; motion carried.

Once all ponds are done, we will set up this maintenance schedule. Recommending doing 3 ponds in 2026, with remaining 3 ponds done in 2027. Then have ponds maintenance every 3 years thereafter: 2029/2030; 2032/2033 and so on.

- Irrigation for north side of Malachite from mailbox kiosks to Links entrance pillars:

Currently the common area along the sidewalk on the north side of Malachite and the common area right behind the mailbox kiosk is not irrigated. Main supply line has been found and marked and is close to this area.

Recommendation is to install two separate sections. First section will install new irrigation line along Malachite to the Links entrance pillars. Line will be placed under the intersection of Malachite and Tobermory (boring work needs to be done – see separate request). Estimate from Teal includes pipe, valves, sprinkler heads, wiring and labor to install. Once completed, this will also allow for irrigation of new refurbishment project landscaping is planning for the Links entrance. Cost for this section: \$6,675.

Second section will provide irrigation behind the mailbox kiosk and between the existing cabbage palms at Malachite. Cost for this section: \$2,445.

Total cost for new irrigation: \$9,120. Chuck moved to approve this funding to Teal. Ed seconded. All in favor; motion carried.

- Boring project needed for Malachite irrigation:

As noted in previous project, boring will be required under the Malachite & Tobermory intersection to complete this project. As we did earlier when boring work was done in the community, we've added two more areas for boring work since he'll be here already. The three areas being recommended are:

1. Boring under Malachite & Tobermory intersection. This will be a larger bore to enable both electric and water lines to be placed under the street.
2. Boring under Eastwood to provide electric to the Eastwood Park area. Currently, all irrigation here is on battery and no timers. This will improve watering and efficiency in this area, as well as enable proper irrigation and timing needs once Eastwood project analysis is completed.
3. Boring under street at 44th Ave. entrance, enabling center island to have electric as well.

Chuck moved to approve this funding to Atlas Cable and Conduit Services at a cost of \$6,790. Ed seconded. All in favor; motion carried.

Rich asked about watering in the Royal Dornoch park area. He thought that previous watering was done off of neighboring homeowners, but discontinued due to cost. He asked if electric and lines were needed there. Chuck responded that he didn't know but would follow up.

(Follow up after the meeting: Chuck spoke with Teal, who confirmed that this area is irrigated and on a master water line, not a resident's.)

Storm Water Management Committee – Gary Schaefer reporting:

Gary reported on the findings of JR Evans for the flooding on 88th St. E. Eight different options were reviewed with the engineer. Committee had issues with several in that they would require

extensive variance and access to homeowner's lots with potential major disruptions. After careful consideration, the recommendation to pursue presented Options 1 and 7 or a variation of the two. These will require discussions and cooperation from CH6, as a new, larger pond pipe would be laid from Pond 10 to Pond 16 and run under the cart path area that connects holes 8 & 9 and 10 & 11. It would also go under 88th St. E to connect to Pond 16, as well as possibly hooking up with the major existing sewer line in this area. This will allow overflow from Pond 10 to move into Pond 16. Pond 16 has much more capacity available to access. Also, both ponds 16 and connected 17 have additional multiple outflow opportunities that take the water away from the golf course and the community. This would be a gravity-fed system, requiring no additional pumping stations to move the water. Committee will be working with JR Evans to fine tune cost for this project, to include construction, engineering, and permit costs. They will also have discussions with CH6. Intent is to be able to come to the board in November with final proposal. Board agreed with path committee is taking and thanked Gary and his team for all the hard work that went into delving into the root cause of this flooding situation and developing a long-term solution.

Gary stated that he was also working to get JR Evans to submit their scope of work on the Eastwood Park and the Pond #5 citation issue with SWFWMD. JR Evans has stated they agree with Gary's assessment that the pond is oversized and not needed for the area. They will provide the data and documentation to present to the county.

Gary worked with our engineer, Schappacher, and our excavation company, ANJ, to examine a flooding situation on 54th Ave. E and 88th St. E. Water flow in this area is coming from a wet lands area on the north side of the street, flowing through inlets and drains to the south side of the street. Recently, during heavy rains, this area has been flooding. After examining the area, it was found that there was extensive tree roots in the grates blocking water access, as well as three downed trees further restricting water flow. ANJ will cut trees and remove them from the center of the flow, cut and remove the roots in the grates, remove other tree debris near the skimmers to ensure adequate water movement area, ensuring there is a clear area so water can flow without any obstruction. Gary asked for approval of this work to be done by ANJ at a cost of \$4,125. Chuck moved to approve expenditure. Peter seconded. All in favor; motion carried.

Gary stated that invasive removals in the orange area, which is the areas around golf course holes 4, 5 and 6, will begin shortly. Pond plantings in Legacy ponds will also begin this month.

Committee continues to keep Williams Creek and potential vegetation maintenance on their radar. This may require more input and approval from the county, as well as determining if such cleaning of this area in the Links could impact other areas of the waterflow. This is a work in progress.

Community Access Committee – Rich Toscano reporting:

The radar was put out twice in September for training of the new committee volunteers and Allied Security. Committee volunteers have been trained in extrapolating the data from the portable radar system and drafting violation reports for the compliance committee. 11 speeding

violations were recorded in September, with 2 of them being vendors that the committee is following up on. The other 9 were given to the compliance committee.

Rich gave an update on the committee's work to evaluate various gate security companies. The initial 3 companies has expanded to 7 now. A quick overview of these companies:

Allied and Weiser Security have been eliminated as they use 3rd party vendors to accomplish many of their tasks, and the goal is to get a local, one-stop-shop company to provide our services.

Envera is the company the committee was originally looking at. They are local and seem to be a good fit for Rosedale, but they are pricey, especially in their monitoring costs, and their equipment is proprietary, which could be a negative. Neighborhoods that use them gave Envera high marks.

Proptia is California based and is strictly a security tech company. They sell their product to a dealership, who in this case is Securiteam, another company committee is looking at.

Securiteam: Committee expects to receive a quote from them shortly.

ISN is the company that we procured our portable radar from and is a Florida based company. They are strictly a software security company. Their system is very user friendly but will not adapt to our camera system.

Securitas is based out of Tampa and their system is very user friendly as well. They are the sole owner operators of their technology. They also provide 24/7 physical security guards. This company is a complete service operation, including software, installation, maintenance, and personnel. They are in the process of submitting a quote.

Committee has made site visits to communities that use Securitas, ISN and Envera, and each of these vendors have agreed to come to Rosedale to make a presentation to the board if needed. Committee will continue to evaluate and work to prepare an analysis for the board to review and consider.

During the month of September, the committee provided the following services to the community on:

- a. Leases/Access/Warranty Deeds: (11)
- b. Barcodes: (3)
- c. Speed Program: (1)

Communications Committee: Ed Mazer reporting:

Ed reported that the committee continues to respond to inquiries through Contact Us and emails.

Lighting Committee – Chuck Allen reporting:

Transformer for lighting at 4-way corners at SR70 entrance has been replaced. Holiday Trimmers have wrapped the entryway palm trees in preparation for seasonal lighting.

Community Standards and Practices – Ed Mazer reporting:

The committee continues to review the CC&R's to evaluate and propose potential changes that could be voted on by the community at the next annual meeting. Ed highlighted the areas that the committee has looked at recently, those being Article V, Section 6 – Garbage bags and containers; Article V, Section 15 – Vehicles, sections a, b, c, d, e, and f; and Article V, Section 7 - Driveway paving.

As has been stated previously, intent is to get this information out to the community for input and discussion. To that point, a section has been developed on the website explaining the details and recommendations of the committee on each area. Residents are encouraged to view the website and provide their feedback – both pro and con – on the various subjects listed there.

Insurance Report – Brian Fischer reporting:

Brian reported that the General Liability coverage will be updated / renewed with the correction of the number of housing units within Rosedale October 15th. Increase in cost was within expectations with the increase in housing units going from the previously recorded 650 units to 1108.

The property appraiser has provided his assessment of our common property, including both gate houses, walls, pillars, fences, gates, monuments, and mailbox kiosks. Our gatehouses were previously insured at \$143,500; the appraisal came back at a value of \$245,000 after exclusions, so they are very much under-insured. Further details were given on value of all other areas for replacement / coverage amounts, which in total equaled over \$1.5 million.

To ensure all would be very expensive, and committee feels that the chances of major damage to our walls, pillars and fences are minimal compared to the cost of potential insurance coverage. However, committee feels the gatehouses, monuments, front, rear and Malachite gates, and the mailbox kiosks should be covered. Policy will be up for renewal early next year, so committee will be working with current vendor as well as seeking competitive bids for various levels of coverage. Brian reiterated that there will be a minimum amount that the insurance companies will write a policy for the HOA. Therefore, including the items the committee is currently considering may well fall within that limit anyway. Committee will evaluate and present findings to the board at a later date.

Manager Report:

Paul will be providing monthly reports to the board on his activities and findings. For September, Paul reported that he is actively working with various committees to identify their needs, those committees being landscaping, roads, access, ARC, and compliance.

For compliance, Paul will begin doing most of the day-to-day leg-work. He will be identifying possible violations and presenting them to the committee. He will be sending out violation notices and following up on those notices to ensure corrective action has been taken in the timeframe required.

Paul has been tasked to follow up on approved ARC requests to ensure they are properly completed. He attended the most recent landscape committee meeting where the 2024 budget

was reviewed, so he got a very good overview of what the committee intends to accomplish next year and the support they will need. He continues to work closely with Teal as he evaluates landscaping issues within Rosedale. He has met with Mark Dover from Teal, Sigrid, and Chuck to review the invoicing process to clarify repairs and get them properly coded to either short-term or long-term repair. He has been working with the roads committee on projects, most notably the recent handyman project, and continues to work on various issues with the gate house AC and repair needs.

Storm water has asked Paul to keep up with inspection timings. The next inspection is due for recertification by April 28, 2024. Paul has received one proposal so far for the committee to consider.

Lastly, Paul wanted to inform the committees that all vendors must be registered with Vive before they can submit payments moving forward. Those that have completed work prior to October 1st will be paid, but thereafter must be registered. If any vendor has an issue, Paul has asked that they contact him directly.

With no old business to discuss, meeting move on to new business.

New Business: All new business items were covered during regular committee reports.

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

Susan Hetzler stated she was pleased that Peter had clarified the requirements for flying flags and that Gary had addressed tentative plans for Pond #5 in the Links. She asked that the board look at recently passed HOA legislation that details homeowner's rights. She wondered if they had any impact to our current CC&R's and if any changes needed to be made. Peter responded that we would follow up with RPM on these measures and take action if necessary.

Ed Serra asked if the golf course and CH6 was subject to our CC&R's. Peter responded yes, but there were a few exemptions that they were not subject to. Ed asked about the placement of recent club signage and the condition of the clubhouse entrance. He felt that he as a homeowner would be told to take down any signs and required to clean up the landscaping or receive a fine. Peter responded that he had had a discussion with golf course about the signage, and they had removed them from any common areas. However, we cannot restrict what they place on the golf course itself. Peter stated that he and Chuck would be having a meeting with the golf course soon and would discuss the entrance concern.

Dave Kuchinski had two questions:

1. Dave asked why only the mailbox kiosks were considered for insurance evaluation when the master was responsible for all the mailboxes in Rosedale. He added why the sidewalks were not included, as they also were master responsibility. Brian responded that the kiosks were much more expensive being a mass group of boxes and more likely to have substantial damage. While there is a cost to the individual mailboxes, the odds of multiple individual boxes being damaged were much lower. While we could possibly insure everything, including the sidewalks, it would just become cost prohibitive.

2. Dave asked for clarification on some of the CC&R proposed changes on vehicles. He stated he felt homeowners should be responsible for their tenants and guests to abide and follow our CC&R's.

With no more resident comments and all agenda items covered, Bob moved to adjourn the meeting. Brian seconded. All in favor; motion passed. Meeting adjourned at 4:54 PM.