



BONITA LAKES PROPERTY OWNERS' ASSOCIATION, INC.

14340 SW 122 Court, Miami, Florida 33186

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www.bonitalakes.org

December 2024 BOARD OF DIRECTORS MEETING MINUTES

Date: December 2, 2024

Location: Teleconference via Zoom

Board Members	<u>Name</u>	<u>Title</u>	<u>Present</u>	<u>Absent</u>
	Gary Clinton	President	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Winston Lucky	Vice-President	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Mark Ziemba	Treasurer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Bob Mulindwa	Secretary	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Miguel Bustamante	Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Miami Management:	Al Fontana	Property Manager	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Carlos A. Triay	Attorney	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Others: Homeowners

Erik Alexander

Ewie Marais

Hans Buddan

Meeting was called to order by Mr. Clinton at 6:00 p.m.

- Mr. Clinton established that enough board members were present to have Quorum for the meeting to proceed.

New Business: Alarming Increase in Insurance Rates

- Mr. Clinton stated that a suggestion for a PVC Fencing to be implemented, as the standards are higher for withstanding hurricane and storm conditions.
- Mr. Clinton stated that the PVC Fence will be an addition to the existing fencing options.
- Mr. Lucky reiterated that the fencing option is to meet Miami-Dade County Building Code Approval and Certification as well as the color options established by the ACC. The current ACC application forms specify the conditions for approval.
- Mr. Triay specified that the only change being added to the standard is the addition of the PVC material only.
- Mr. Lucky also clarified that shared fences would retain the same application procedure as present, including neighbor approval.
- Mr. Alexander inquired as per samples and colors available for viewing. The ACC should be able to provide a Sample of Design, to avoid future violations by owner.

MEETING MINUTES Continued.

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- Mr. Lucky stated that the design should remain harmonious to the community.
- Mr. Mulindwa suggested that the ACC should provide a specific sample and color options to help the community member on their decision.
- Mr. Marais commented that the PVC Fence's vendor stated that any color other than white will be harder to find, time-consuming, and higher in price due to the consideration of classifying as custom. Mr. Marais also commented on the requirement of obtaining approval from the neighbors to fulfill the ACC approval. He stated that not all neighbors are readily available to provide approval.
- Mr. Triay stated that under the community declarations when a fence is a parting wall in between two properties the walls are jointly owned. By law, approval needs to be obtained by the next-door owner. The Declarations specifically state that no one owner can make a structural change without the approval of the other owner. Property owners need to contact the Joint owner, or as a second option place the fence on the inside of the perimeter fence. Association needs to abide by the declarations of the community.
- Mr. Marais inquired as per the option to build the fence inside the perimeter fence and the need to acquire approval from the ACC.
- Mr. Triay clarified that all structural changes need approval from the ACC. ACC needs to approve nevertheless.
- Mr. Clinton and Mr. Triay stated compliance with the ACC and Community Declarations remain in place even though the structural changes occur on your property.
- Mr. Ziemba stated that only a small group of homes have a shared fence.
- Mr. Fontana stated that the Lennar homes have a fence attached to one neighbor and the other to the property line. A number of homes have back shared fences, back-to-back.
- Mr. Triay stated that zero-lot lines are considered shared ownership fences, and all structural changes need to be approved by the ACC.
- Mr. Triay clarified that as per law the fence is on the property line and is a joint-owned fence.
- Mr. Fontana explained that prior to the approval of different fence materials the distinction was not clearly evident being that the material remained the same.
- Mr. Triay stated that the Association needs to proceed with caution. Proper written consent needs to be obtained from all joint owners.
- Mr. Clinton summarized that if the fence is co-owned approval needs to be obtained.
- Mr. Buddan stated that the additional expense to order the color approved by the ACC will not be financially feasible for some homeowners. He expressed disparagement with the HOA Board on the decision not to choose white as a color for the PVC Fence.
- Mr. Clinton stated that an option is being provided.
- Mr. Buddan stated that the Board had not done its due diligence by not approving the white color.
- Mr. Clinton made a motion to accept the community standard as adopted to include PVC fencing in accordance with the colors presently in effect. The motion seconded by Mr. Lucky – All in Favor – **Motion Carried**

MEETING MINUTES Continued.

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Community Input:

- Mr. Buddan inquired regarding the metal roofs.
- Mr. Clinton stated that the metal roofs will be visited in the new upcoming calendar year.
- Mr. Buddan stated frustration with the Board.
- Mr. Mulindwa stated that in order to make any changes the best way will be to have the necessary 2/3 homeowners attend the board meetings and vote accordingly. The Board can only make the changes allowable by law under the recommendation of the Community's Attorney.

Adjournment

There being no further business to discuss Mr. Bustamante made a motion to adjourn. The Motion seconded by Mr. Lucky – All in favor – **Motion Passed.**

The Meeting was adjourned at 6:49 p.m.