



BONITA LAKES PROPERTY OWNERS ASSOCIATION, INC.

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www.bonitalakes.org

November 2021 BOARD OF DIRECTORS MEETING MINUTES

Date: November 29, 2021

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 Triay	Attorney	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Lorraine Carrio	Insurance Agent	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Others: Homeowners

Toni Patti Elizabeth Sanchez
Cesar Guerrero Sandy

Meeting was called to order by Mr. Clinton at 7:00 p.m.

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

Old Business

- Mr. Clinton presented the issues to be discussed: Dock/Deck Issues, Traffic Study and Arborist Assistance.
- Mr. Clinton expressed many issues were raised during the annual meeting regarding decks and docks and the impact the implementation will have in the Insurance Policy of the HOA. Questions remains if there is any quality insurance companies that will establish coverage with the inclusion of deck/docks on the existing properties.
- Ms. Carrio explained that once the easement is reached or the water is entered issues arise for the association. She explained that rules and regulations need to be studied and put into place if the deck/dock rule is going to be adopted. Homeowners need to hold the HOA Harmless, show proof of Insurance for the additional construction, proof of the additional insurance needs to be provided

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to the HOA. Increasing the Umbrella Insurance is recommended. Umbrella Insurance, as explained by Ms. Carrio, pays for the excess over the limit of the original insurance.

- The HOA needs to set forward very specific protocols, rules, and regulations for the construction of the decks/docks (i.e. wood/steel? extended over the water? Etc.) The Association needs to retain from the Homeowner building the deck/dock a Waiver of Liability. The number of homeowners prepared to build the structure needs to be identified. The rules and regulations regarding the deck/dock needs to be prepared by professional Geotech, Environmental Engineers, and it needs to take into account the protection, slope, maintenance of the bank, as well as compliance with DERM Code.
- Mr. Lucky stated that current Building Code will require the leveling of the bank to meet current standards. The entire bank might need to be raised even before allowing the construction of any structures. 308 residents reside on the bank. Mr. Lucky expressed concern regarding the legality of a future owner not wanting to maintain additional insurance for the deck/dock on the newly purchased property and the effect it would have on the HOA's insurance premium.
- The implementation of the rules and regulations, and the management of all construction and certification of insurances must be constant and accurate. The By-laws must be modified to include all requirements and specifications.
- Mr. Triay stated that since the majority of the homeowners hold homeowners' insurance policies with Citizens, the additional insurance will have to be provided by a separate policy. The Contractors building the deck/dock will have to register with the HOA and provide proof of Liability Insurance of \$1,000,000 per incident.
- Ms. Carrio explained that homeowners could purchase additional Umbrella coverage to supplement their coverage over \$500,000.00. She also stated that if homeowner lapsed in coverage the liability will be directed to the association. If claim is processed the insurance premium will increase and the claim record will remain for a period of 5 years. She explained that carriers have been going bankrupt due to the large amounts of open litigations. Any increase in the insurance paid by the insurance carriers is passed in its entirety to the client, as there are many current open claims, the premium of insurance has risen over 50%.
- Mr. Ziembra stated that a definition of deck and dock needs to be established. Decks were established as structures that do not extend pass the fence line of the property. Such structures do not require additional insurance, and must be approved by the ACC. Docks were established as structures that extend beyond the fence line and extend pass the bank of the lake into the water.
- The ACC has approved wood decks not extending pass the property fence line.
- It was expressed that the maintenance of bank of the lake could become a problem because of the high-water mark.
- Mr. Ziembra ask for clarification regarding docks as permanent structures versus floating docks. Mr. Lucky clarified that that an anchor needs to be provided to stabilize the dock, therefore there is no such structures as a non-permanent dock. There is an impact to the lake regardless of the type of structure.
- Mr. Clinton stated that the approval of docks will considerably have an impact on the premium of the association's insurance. All homeowners will have to vote on an increase to the HOA Fees in order to accommodate the homeowners that would like to construct a structure pass the fence line.

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- Mr. Bustamante stated that the risk of losing or increasing the premium of the insurance did not justify an increase of HOA fees to the entire community.

A motion was set forward by Mr. Bustamante, to deny decks/docks past the fence line based on an educated decision, to maintain the July Meeting decision that the loss of the HOA's insurance and County sanctions upon the agreement of building decks/docks pass the mark of the allowed fence . The Motion seconded by Mr. Lucky – All in favor – **Motion Passed.**

- Mr. Clinton stated that the traffic study recommendations brought forward many comments from the homeowners. The traffic study is posted on the website, questions and answers regarding the study are also addressed. The best received improvements are the addition of speed humps, traffic enforcement, and circle improvements. The Traffic diverters were not well received as an improvement to the community. The Circles will need to be made to code to allow big service vehicles to navigate around the circle. Drainage issues need to be addressed before the repair of roads. There was concern, during the annual meeting, regarding the cost of the traffic study and the repairs and improvements it presented. It was explained that Miami-Dade County required the study to make any change/improvement to any part of the road, be it addition of a stop sign, removal and addition of speed humps, or any minor repair. There was increase support for the implementation of FHP patrolling the community.
- Mr. Lucky stated that RFP Packages for the work conducted at the circle and the expansion of the gate for service vehicles will be put forward before end of year as well as the RFP for the drainage improvements.

Mr. Clinton set forward a motion to divide the Final Traffic Study report into Two (2) Documents/ Sections: 1. Items to be voted by the Association for approval, and 2. Routine Improvement Items (including the circular entryway, gates improvements, sidewalks, drainage, and signage to name a few). The Motion seconded by Mr. Lucky – All in favor – **Motion Passed.**

New Business

- Mr. Clinton brought forward the idea of the addition of an Arborist to aid the Landscaping Committee. The arborist can provide important input in the maintenance of the landscaping of the community.
- Many complains surged during the annual meeting regarding the current state of the community's landscaping.
- Crew leader can be asked to be present as part of the landscaping maintenance.
- Mr. Fontana clarified that the arborist holds an advance degree.
- Mr. Mulindwa questioned if the current Miami Management Landscaping crew included the provision of an arborist. He stated that new RFP for landscaping maintenance and management should include the addition of an arborist as part of the contract.

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- Mr. Bustamante agreed that new proposals need to include an arborist as a member of the landscaping maintenance crew. It should be based on the complete proposal and the contract's cost.
- There is no need to hire a separate arborist. The Landscaping Maintenance Crew should provide quality service and enhance the community.
- Mr. Fontana explained that arborists work usually at an extended cost. They can provide tree trimming expertise, landscaping enhancement options, native species planting ideas, etc.

Mr. Clinton set forth a motion to require an Arborist to be part of the landscaping maintenance crew, from this date forward. The Motion seconded by Mr. Lucky – All in favor – **Motion Passed.**

Other Board Business:

- Mr. Ziembra questioned the current state of the ventilation at the pool area bathrooms.
- Mr. Mulindwa explained that the current odor problem can be resolved by three means:
Remain the same – odor will descend if premises are not overused
Use a timed freshener spray to minimize the odor.
Ventilation through roof / Use of louvered doors to aid with the air circulation.
- Mr. Mulindwa will study the most feasible and cost effective recommendation to remediate the matter.

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 8:24 p.m.