

**Hammock Dunes Owners' Association, Inc.**  
**Board of Administrators Meeting**  
**August 17, 2009**

**Call to Order**

The meeting was called to order at 10:05 A.M.

**Members Present:** George Bagnall, Cosmo DiPerna, Howard Broussard, Bruce Aiello, Dave Eckert, Sterling Colee

**Members Absent:** David Jacobs, Janet Krolicki, Kelli Jebbia, Jay Furbay, James Schumaker

**Others Present:** Fred Annon, Jr., and Travis Houk, Southern States Management Group, Inc.

Members' sign-in sheet located in Association Meeting File

A quorum was established.

**Approval of Minutes – July 20, 2009**

**ON MOTION BY Dave Eckert, seconded by, Bruce Aiello, with all in favor, the Board approved the minutes of the July 20, 2009 Board of Administrators Meeting with the following corrections:**

On page 2 under Finance Report, the following sentence should be added "The Board is researching four properties in consideration of initiating foreclosure action."

On page 2 under Long Range Planning, the following sentence should be added, "Mr. Broussard presented to the Board a mission statement and a list of long range planning priorities." The information included in the minutes is a duplicate from the previous minutes and shall be deleted.

On page 2 under ShoreSox Proposal: Ocean Estates (Lake San Gabriel), HDOA (Lake Anastasia) the motion should be amended to read:

**"ON MOTION BY Dave Eckert, seconded by Kelli Jebbia, the Board voted to approve the expenditure of up to \$40,000.00 from Reserves from Ocean Estates/Playa del Sur accounting entities for a lake restoration project on Lake San Gabriel.**

In the same paragraph, the following sentence should be added "After discussion of alternatives, Mr. Eckert moved to withdraw the motion and the Board consented."

In the same paragraph, the following motion should be added:

**"The Board approved expenditure of up to \$10,000 for emergency repairs. The motion carried unanimously."**

**Committee Reports:**

**Communication Committee**

Bill Connor reported the next issue of the *Sandscripts* newsletter will be mailed in late September. He requested input from Board Members and advised he will be out of town the last week in September. The Security Committee has decided to extend the deadline for entering owner information into the computer system. Mr. Aiello will write an article for the newsletter, and Mr. Connor will send an e-mail to owners. Travis Houk advised Board of Administrator notebooks will be given to Board Members after the meeting.

### **Social Committee**

Mr. Houk reported the Volunteer Recognition Dinner has been scheduled for Wednesday, October 21<sup>st</sup>. An email has been sent requesting nominees.

### **DRC Committee**

Mr. Eckert asked if the DRC considered replacing Mrs. Abernathy, who recently resigned, with a professional engineer or architect. Mr. Colee said the committee is not specifically looking for a professional, but would certainly consider it if a professional expresses interest. Mr. Eckert said he has the name of a licensed Professional Engineer who is an HD resident that may be interested. Mr. Eckert noted the Board of Administrators does not have authority to appoint DRC members, but he asked whether the Board might be able to interview the candidates. Mr. Eckert stated he believes the DRC is an important committee and appointing a resident professional would give a counter balance to the two professionals currently on the Committee. Mr. Bagnall agreed a resident professional would be an asset.

Mr. Eckert asked how a house in Marbella was painted in a color that is not approved by the DRC. It appears the owner may not have been aware of the requirement to use approved colors and did not obtain DRC approval. The Association has notified the owner of the need repaint the residence.

For several years the owners of 110 Island Estates Parkway have avoided service of legal documents for violation of DRC rules. In an attempt to learn when the owner is in the community to facilitate service of the legal documents, their gate transponders were deactivated. The owner recently contacted Management to advise there is a tenant in their home and request that their gate transponders be reactivated. The owner has now agreed to be served. The fence has been removed; the lion medallions are still in place. Mr. Aiello asked whether the offending medallions would be more acceptable to the DRC if they were painted a color that would blend with the existing wall. Mr. Colee will contact the owners and ask if they are willing to remove the medallions since they are no longer living in the unit.

### **Finance Committee—Collections**

Bruce Aiello reported on Association finances and the status of efforts to collect delinquent assessments. Mr. Aiello asked for a ruling by the attorney as to whether the Association should issue an "intent to close" letter. Mr. Bagnall asked Management to advise the attorney that they need to find ways to assist the Association in meeting its goals. Securitas has not yet billed the association for the new access control system. The owner of 17 La Costa place has asked the Board to reduce the amount of monthly assessment payments that are in arrears and to forgive the interest and late fees. The Board agreed to continue to stand by its policy of requiring full payment for delinquent assessments. The former owner of 5 Roma Court still owes the Association money. Mr. Bagnall said the Association should pursue collection of the past due assessments in small claims court.

### **Access Control—Camera Policy**

Mr. Aiello reported the Committee drafted a Camera Policy in responding to owners who ask to review access control camera footage. Owners will be required to submit requests in writing for review by the Board of Administrators. The Sheriff's Office recommended keeping the tapes for not less than thirty days. There was discussion regarding recommendations for items to be included in the policy. Mr. Annon advised if the tapes are the property of the Association they become public record and the Association must provide copies to owners upon request. In the event a recording incident is required to be held longer than 30 days, the following language will be added as provision number 7 in the policy: "The Association has the right to request the third party vendor to retain certain sequences of data for a period of longer than 30 days." Management will make recommended changes in policy language.

## **Extension of Time**

Mr. Aiello recommended extending the deadline to September 15<sup>th</sup> for accessing the GateSure system and keeping the old access information. A notice will be posted on the gates reminding residents to complete their personal profile.

There was discussion regarding problems accessing the new GateSure System. Mr. Eckert recommended having the gate staff give owners a new vehicle access card and instructions for use of the system. If owners have a problem accessing the system, the gate staff will input information for them. Owners may also contact Property Management for assistance. There was discussion regarding permanent status category for contractors. Mr. Eckert observed three youths on one motor scooter driving 55 or 60 miles per hour, but was unable to get the vehicle license tag number. The gate staff believes the youngsters were from Island Estates Neighborhood. Mr. Eckert asked whether there was any circumstance in which the Association would authorize the sheriff's department to enforce traffic laws on private roads in the community. Mr. Annon advised the post orders do not specify notifying the property owner if the rover detects an alarm going off at an owner's residence. There was discussion regarding how the gate staff should react when a home alarm is going off or suspicious activity is noted.

Bruce Aiello moved to approve the draft security camera video policy and review it again at next month's Board of Directors Meeting. **The motion was withdrawn.**

**ON MOTION BY Bruce Aiello, seconded by Howard Broussard, with all in favor, the Board approved Resolution 2009-01 as amended.**

## **Long Range Planning Committee**

Howard Broussard recommended that each committee prepare a mission statement and a list of their long range planning goals. Long range planning is nothing more than a collection of what each Committee does. Mr. Eckert has already provided his input on behalf of the Maintenance Committee. Mr. Broussard will convene a meeting within the next few weeks.

## **Maintenance Updates**

Mr. Eckert reported the air cards installed at the Mariner Drive gate may need to be reevaluated since the connection continues to be slow. The Maintenance Committee is following up on Mr. Bagnall's recommendation to plant smaller trees in various locations that are not as dense. The Department of Transportation has made recommendations for engineers to inspect the bridges.

## **Backlog Projects – 2010 Budgeting**

At the Board's direction, the committee has tried to restrict spending during 2009. One option for the 2010 budget is to shift funding for vine clearing to backlogged projects for which designs have not been developed. Mr. Eckert reviewed a list of backlogged projects. There was discussion regarding removing a dune walkover adjacent to the comfort station on Lot 71 in Playa del Sur. Mr. Annon stated he believed the walkover was owned by the lot owner and was exclusive to their use.

## **Lake Bank Stabilization Options**

### **Lake San Gabriel**

The DRC and the Maintenance Committee met jointly to review options for lake bank stabilization. Mr. Eckert reviewed three types of lake bank stabilization options under consideration for various lake bank conditions. The DRC and Maintenance Committee maintain their position that exposed concrete bags or sheet piling with concrete caps are not acceptable stabilization methods. Mr. Eckert asked the Board to support a design plan for Lake San Gabriel lake bank stabilization and to fund the work in the FY 2010 budget. After reviewing Association documents it is still unclear as to which Associations should pay for the work. The cost will be about \$100,000 over five years. In the next few months, a plan will be developed to make the changes during low water conditions in the winter months. DRC landscape architect Bob Dickinson may assist with the plan.

**ON MOTION BY Dave Eckert, seconded by Cosmo DiPerna, with Mr. Eckert, Mr. Colee, and Mr. DiPerna, in favor, Mr. Bagnall opposed, and Mr. Aiello and Mr. Broussard abstaining, the Board approved expenditure of up to \$6,000 from the Ocean Estates Neighborhood Reserves to create a study for lake bank restoration along Lake San Gabriel to be implemented this winter. *The motion carried three to one.***

**Association Updates/Discussion  
Incorporation**

Mr. Bagnall reported the next meeting of the Incorporation committee is scheduled for August 31, 2009. No other action has occurred on the matter during the past month.

**Legal Updates – 110 I.E. Parkway**

This item was discussed in the DRC Committee report.

**Casa Bella—Avenue de la Mer**

Phil Henderson, President of the Casa Bella Neighborhood Association, Inc. reported on the status of plans for changes to a portion of Avenue de la Mer roadway in the Casa Bella Community which WCI deeded to the Neighborhood Association. For five months, the Neighborhood Association has attempted to obtain a survey and as built drawings from WCI. WCI never paid for the work. As a result, the engineering company will not release copies of the documents. WCI has suggested the neighborhood association negotiate a price and pay the contractor in order to obtain the documents and submit the bill for reimbursement by WCI. The county will likely require the documents prior to approving changes in the roadway. Mr. Colee advised the county may have the documents on file. The Neighborhood Association is responsible for roadway maintenance. There was discussion regarding jurisdictional authority and options for roadway changes. Board Members suggested installing planters to stop the traffic flow. It was noted this option may result in issues regarding fire truck access. The Fire Department required full fire truck access between the boundaries of Viscaya Condominium and Casa Bella Condominium property.

**New Business**

**Owner Letter Regarding 16 Cordoba Court**

The owner of 15 Cordoba Court asked the Board to authorize establishing a buffer zone in the undisturbed area between his property and the abandoned construction site at 16 Cordoba Court to prevent vines from the adjacent lot from encroaching on his property. The Board expressed concern that approving the owner's request would set a precedent. The Association will advise the owner that at the present time the Master Association is only undertaking grass and weed trimming of abandoned properties approved by the Board. The Association does not have the legal authority to trim or remove trees/shrubbery from private property.

**Rental Issues**

There was discussion regarding violations of community neighborhood and condominium association covenants and restrictions regarding the duration of rentals. Notices were sent to Board Presidents of all Hammock Dunes Associations.

**Bicycle Racks**

Mr. Aiello reported on a request to install bicycle racks to accommodate bicycles left by students at school bus stops at Clicker Beach and Island Estates Neighborhood. There was discussion regarding bicycle rack installation.

**Audience Comments**

There were no audience comments.

**Adjournment**

**ON MOTION BY Dave Eckert, seconded by Bruce Aiello, with all in favor, the meeting was adjourned at 12:45 p.m.**