

## Baytowne West October 2021 Board Meeting Minutes

### WELCOME

Meeting called to order @ 6:30 PM by President Tom Hamilton.  
Tuesday October 26, 2021.  
BTW community pool.

### ESTABLISHMENT OF QUORUM

Tom Hamilton, President  
Dave Swoboda, Vice President  
Mike Arnold, Treasurer  
Skip VanKleek, Director  
Vivian Swoboda, Recording Secretary

### MONTHLY BUSINESS REPORTS

Tom Hamilton

- No HOA board meeting in November due to annual meeting held right after on **Wednesday** December 8, 2021, 7:00 PM at the VFW club 965 Harbor Lakes Ct in Safety Harbor.

Dave Swoboda

- September minutes have one correction. There are technically 2 board positions open...they are not specifically Secretary and Treasurer.
- Mike moved to approve with corrections, Dave seconded, all in favor and approved.

### TREASURY REPORT

Mike Arnold

- Financials:
  - Operating account balance as of October 26, 2021, is \$23,347.90
  - Reserve account balance as of October 26, 2021, is \$212,035.90
  - HOA dues: 1 homeowner 30 days behind \$150.00  
1 homeowner 30 days behind \$90.00
  - Year-to-date, we are running a bit to the plus over our 2021 budget.
  - There are not many unforeseen or non-budgeted items at this time.
- Proof of Insurance:
  - There are currently a handful of homeowners that will be receiving a reminder letter from Community Financial to get their POI to BTW HOA.

### IRRIGATION UPDATE

Dave Swoboda

- BTW has entered into a month to month “hand shake agreement” with All Phaze Irrigation Company. Each party can cancel at any time as All Phaze does NOT offer contracts. As part of the agreement, All Phaze has a list of discounted costs for necessary repairs. In 2022, All Phaze will come to BTW every other month for an overall check up to stay on top of our 40 year old irrigation infrastructure.

### ACC COMMITTEE

Glenn Fish (not present)

- no current application reports.

### WALK ABOUT COMMITTEE

Cheryl Beyett (not present)

- no current violation or fining reports.

\*Note: The cover on the chimney at the end of Cadhay Ct. has been removed.

## **NEW BUSINESS**

Mike Arnold

- Proposed speed bump on Wickford Street East update:
- The board has not received any objections to the idea since it was proposed almost 2 months ago. Several homeowners have responded positively. A pair of 6 feet (which will be about 7.5' with end pieces, or a total of 15 feet for both) heavy rubber speed bumps has been requested. Total cost would be approximately \$500.00 including shipping. Some HOA board members have volunteered to install them.
- Dave moved to approve, Skip seconded, all in favor and approved.

Dave Swoboda

- Sidewalk grinding proposal update:
- Superior Sidewalks company came out to look at all common area sidewalks as well as some individual homeowner sidewalks. They have a range of grading that includes least severe, severe, most severe and replace. There are 68 spots that are listed as severe with 207 spots listed overall. The proposal for all to be done was \$19,385.00. Dave will get a revised quote from Superior Sidewalks to do only the most severe spots (1-2" areas) of which there are 39. Eight individual homes have trip hazards. The HOA will notify them to see if they want Superior Sidewalks to do them while the company is on site. The homeowner will get a bill from Superior Sidewalks and pay them directly. There will be a notice placed on the doors and if they choose to have them done, they can place the info into the black locked box by the pool. Dave will get in touch with the company to see how to proceed. This was okayed by the BTW HOA board.

## **OPEN BOARD POSITIONS**

Dave Swoboda

—There are 2 open board positions for 2022. Nobody has come forward asking to be considered for the BTW HOA board.

## **COMMUNITY TOPICS**

There were a number of homeowners that brought up an unsigned letter that was left at doors of some homes in our community. The letter was delivered by our fellow BTW homeowner John Strauss who was witnessed both by an individual as well as on camera at about 6 AM the morning of Tuesday October 26, 2021. The BTW HOA board usually doesn't address anonymous letters but there are concerns about unsigned letters being put onto individual homeowner's property as BTW has a no solicitation policy. NOTE: They were NOT put on every homeowner's door. The "HOA ALERT" letter as it was titled had a number of false statements. The \$15 increase to the HOA fee is one of those statements. The board has never considered raising the HOA fee by \$15 (or even \$10) for fiscal year 2022.

The letter also questioned whether all current board members are, in fact, home owners. Mr. Strauss has sent numerous emails to the HOA board regarding this exact subject. Mike observed that a simple google search (which included results from our own attorney's legal blog), confirmed that the trustee of a revocable family trust is a member of the HOA and eligible to serve on the board of directors of the HOA. Florida statutes 607 and 617 are clear in this regard. The only provision is that the trustee must occupy the residence. Accordingly, this repeated claim by Mr. Strauss is incorrect as a matter of law.

Additional questions by homeowners were about trespassing as well as personal safety issues on private property. These all will be looked into by the BTW HOA board.

The painting of lanais was a question posed by a homeowner. If the painting of the buildings are a different color than currently, he is concerned how that will look.

Dave has discussed with our attorney how to respond if a homeowner has a concern about letting a contractor into their lanai or screened porch (“wandering eyes”). It may create liability concerns for the BTW HOA by forcing the painting of the back inside wall. Mike mentioned that, according to our by- laws, all visible exterior stucco must be painted. This brings up the question of “what is visible” and what is “exterior” considering the variety of structures behind the homes? Members of the BTW HOA board will ask the lawyer whether we, as an HOA, can (or should) compel homeowners to permit painters or other contractors into the private portion of their homes.

The schedule for the painting of the buildings was asked about by a homeowner as she is having a sunroom put on the back of her unit in February. Dave says the painting is still on schedule for January 2022 and will be completed in about 6-9 weeks.

### **ADJOURNMENT**

Tom Hamilton

- Motion to adjourn meeting by Mike Arnold. Skip seconded.
- Meeting adjourned at 7:43 PM.