



Key West Golf Club Homeowner's Association, Inc.
Regular Meeting of the Board of Directors
74 Golf Club Dr, Key West, FL 33040 and via Zoom
6:15 PM, Monday, April 15, 2024
MINUTES

Attendees:

Robin Mitchell, Board President, Chairperson
Guy Gross, Board Vice President
Sandra Swan, Board Treasurer
Thomas Siburg, Board Secretary
Derrick Rende, Board At-Large Officer
7 Association Member, In Person
13 Association Members, Via Zoom
Pat Labrada, Community Association Company ("CAC"), Property Manager
Laurie McChesney, CAC, Director
Jose Wenzel, CAC Employee

Purpose: Conduct business as properly brought before the Board of Directors.

1. Call to Order

Meeting called to order at 6:20 PM by Chairperson, Robin Mitchell.

2. Determination of Quorum

Quorum determined.

3 out of 5 Board of Directors required. 5 out of 5 present.

3. Proof of Notice of Meeting

Notice provided, verified by Property Manager, Pat Labrada.

4. Approval of Agenda

Agenda modified: 71 GCD added to Ratify Monthly Right of First Refusal agenda item.

Agenda approved.

5. Approval of Minutes

a. Regular Meeting – 3/18/2024

b. Special Meeting – 4/03/2024

Motion by Robin Mitchell: To approve the 3/18 minutes as drafted and the 4/03 minutes with minor corrections.

Seconded by Guy Gross.

Carried (Approved): Unanimous.

6. Reports of Officers

a. Officers

i. President's Report

Dog incidents continue. • Reminder about yard waste and other waste items, put in bins, not loose out front; Homeowner arranges for bulk/furniture pickup, only to be put out the night before, not days before; Monetary issue with HOA paying per dumpster load. • Reminder to assess presentation and curb appeal of own property; CAC ramping

up inspections; curb appeal has diminished; Work on front of home then work towards back. • Violations and fines discussions happening, might reestablish committee; Finance committee reviewing outstanding assessments. • Communication with CAC is strong; welcomes Todd, and excited for full time assistant. • Reviewing rule book. • Each committee has elected chairs and has had at least one regular meeting.

ii. Vice-President's Report

Waste Management (WM) – Review weekly garbage, recycling and yard waste dates and time; Desire to dictate time; Some in the Sanctuary have been skipped or trucks came earlier than bins were out.

Board and Management Discussion: WM comes early in Sanctuary to not block 1-way traffic; WM does not have an agreement with the HOA, WM has an agreement with the City; Homeowners pay WM through our City taxes. • Weekly pickup scheduled between City and WM. • The City and HOA governing documents allow bins to be placed as early as 4 PM the day before pickup.

Reminder people cannot be on the golf greens; Seeing nongolfers playing, trespassing on the golf greens. • At least 3rd time Sanctuary has had dog incident; Call police & animal control every time; Requests actions and advice; Community is a great dog neighborhood. • Parking & Security Committee had an aggressive (i.e., bold, ambitious) meeting; Hopeful it will bear fruit.

iii. Treasurer's Report

Thanks Dave Hubbert for assistance with formatting for Board. • Blake Oropeza, CAC, prepared Profit & Loss on Cash Basis and Balance Sheet on Accrual Basis. • Identified 5 discrepancies in report: Net Income not balanced; Accounts Receivable not balanced and is negative, indicating HOA owes homeowners money; Accounts Payable not balanced; Cash Reserve not balanced and to be liability on balance sheet; Net Income not balanced and stated as \$21K and \$296K. • Concerned Blake Oropeza (CAC Finance Director) is working outside of financial software. • Must get Assets = Liabilities.

Management: Oropeza will be happy to go over reports with Sandra.

Board and Management Discussion: Reports include 2 line items-Administrative Staff and Management Fees expenses-totaling about \$28K per month; Clarification who receives these line items and review requirements of contract; HOA currently does not have an updated contract with CAC; Two separate line items paid to CAC for different responsibilities. • Accounting fee is for Budget Auditing planning.

Over/Under analysis not complete; appears under for audit, tree trimming, and over for security.

Board and Management Discussion: Security pay period for 2023 end of year was paid after new year. • Requests tree trimming budget pattern. • Requests review for entire budget. • HOA has not yet been charged for AT&T. • Reserve budget available on website.

Outstanding Special Assessment dues come to \$52,433. • Actual net income is \$2,704. • Cash balance up \$45K from 2023, month-to-date. • Finance Committee will discuss Reserves analysis at upcoming committee meeting; 9:30 AM, 4/18.

iv. At-Large Officer's Report

Guy covered same items was going to discuss.

vi. Secretary's Report

Contract – Requests clarification on status of contract with CAC.

Presentation by Robin: Reviewing 3 versions of contracts and working to meld together; Not renegotiation of terms. • Concern about HOA delinquent on updating contract. • 3 contracts include: Original from 2013, Amendment signed by CAC in 2023, and pending new Contract; Important nothing is missed. • Timeframe requested by CAC for pending contract is 18 months so that contract does not expire at new year. • Current contract draft allows termination upon 60-day notice, not intent for short termination period, may increase to 120-days.

Reviewing original 1995 development agreement between City and developer and other original approval documents; Will prepare a formal report for next Regular Board meeting; Identified HOA is required by City to have a designated children's play area; HOA removed designated Children's playground a few years back; HOA must come into compliance and have designated children's play area.

b. Committees

i. Architecture Review Committee

Chair: Katee Martineau. • Requests received for new items to HOA: 1) Minisplit AC unit; 2) Solar panels & battery system; 3) Updates to Design Guidelines.

1) Minisplit AC Unit (16 KW) – Approved with conditions about placement of condenser and tubing lines.

2) Solar Panels & Battery System (85 GCD) – FL Solar Rights Act preempts HOAs from prohibiting solar panels; HOAs can limit where solar system is located as long as restrictions do not impair operation of solar collection. • Requests guidance from Board on: Location of battery box; Numbers of solar panels; and, Power Purchase Agreements, i.e., 'subletting roof'.

Board and Management Discussion: HOAs have little say in solar; State Statute governs. • No issues with number or location of solar panels. • An HOA requirement for something like a solar energy analysis determining optimal panel number and locations seems burdensome to homeowners. • Has no issues with Battery being screened if required by ARC.

ARC approved Battery to be screened.

Motion by Thomas Siburg: Solar panels must be owned by homeowner, as opposed to a Power Purchase Agreement, or 'roof sublet'.

Seconded by Robin Mitchell.

Discussion: Types of financing – three typical ways to finance solar panels include: Buy, Lease, or Power Purchase Agreement. • Financing situation is not a board issue; Homeowner can decide, such as second mortgage, lien.

Motion rescinded by Thomas Siburg.

Board Discussion: Situations where townhouse breaker panel is on adjacent property, homeowners may need an agreement.

3) Updates to Design Guidelines – Updates approved by ARC at last committee meeting and posted online; Proceeding with piecemeal approach to updating guidelines.

Board Discussion: Governing documents require Board oversight and approval of updates to guidelines (Declaration of Covenants, Subsection 8.2.B.); Requests review of proposed changes be send to Board.

ARC directed by others that they could update guidelines without Board oversight and approval; ARC will go through necessary process as required.

ii. Finance Committee

Chair: Sandra Swan. • Upcoming meeting will be only time committee meets after Board meeting; All others will be before. • To review the Reserve account.

iii. Landscape & Maintenance Committee

Chair: Anne Boland. • Landscape survey to community has 56 responses so far. • 3rd committee walk upcoming on Thursday, 4/18.

Committee Member: Terry Raum. • Seeks clarification from Board on absentee homeowner with tree extending over neighboring property; Trimming at property line will destabilize tree. • Familiar with rules in Virginia allowing neighbor to cut right at property line; Unfamiliar with FL rules. • Trimming tree without approval of homeowner violates City guidelines and tree best practices.

Board and Management Discussion: HOA has in past acted as negotiator between parties; Should HOA be involved in neighbor negotiations? • FL statute allows individual residential homeowner to get arborist letter to remove tree without city oversight; Trees on HOA-owned land require going through City review process. • Researched FL legal opinions: Tree owner owns tree, limbs, and roots, even when extending over property lines (gulisanolaw.com/florida-tree-law/).

iv. Parking & Security Committee

Chair: Orsuré Francis. • Had first meeting on 4/04 to familiarize, elect chair, and determine note taker. • Received feedback from those in attendance. • Plan to send out community survey similar to Landscape & Maintenance Committee. • Discussed: 1) Decals; 2) Parking issues; 3) Wanting 2 guards per shift.

1) Decals – Updating decals may have chain-reaction, resolving other issues. • Decals to be updated to current Red/White/Blue flag by 6/01; Requests Management send out email; Committee to meet on 2 Saturdays in May to assist with updating decals; Goal is to get everyone updated. • Discussing consequences; Spoken with Management about deactivating transponders as a consequence; Management getting security to review and make list of outdated parking passes by vehicles. • January 2025 start fresh with annual expiration of decals, no lingering expired decals; Example, homeowner sold car with old decal to employee of golf course, car with old decal parks in golf course parking lot appearing to be a homeowner in violation. • Day passes are an issue; Distinguish different colors; Handbook says one thing, reality is something else; Handbook says Green color may be more than a week, Yellow color is resident. • Golf course users should have different pass.

2) Parking Issues – Parking is at a premium. • Resident and visitor parking spaces at, overflow on college road. • Security patrol. • Requests Treasurer review budget about 2 guards per shift.

Board and Management Discussion: Moped/Scooters – Expired tags; Whose responsibility to remove; Tagging and towing; How to issue day or temporary passes to scooters, where would the pass be located?; Some are old and not legible; No record exists for some. • Can we get owners details from license plates through the police?; Simple solution, tag and tow, especially if registration is not current.

Parking for contractors, holding homeowners responsible, discussing how to implement; Work in progress. • Tackle major things and have chain reaction. • Update / re-do HOA leased parking spaces in golf course parking lot; Clarify payment and

number of leased spaces; Some homeowners are interested in cutting these back to reduce lease payment; 10-13 spaces are leased, clarifying required; Payment about \$1,200-1,400/month. • Security to enforce parking violations; Parking violations need to have teeth; might need to be part of violation committee discussions.

3) Wanting 2 Guards Per Shift – One guard at guard shack, other patrolling; To crack down on inconsistencies and violations.

Board and Management Discussion: Requests clarification why 2 guards, when we have 1 guard vs. 3 guards; Mostly night shift is one guard; Daily schedule reviewed by Board for review; Many 1-guard shifts. • Exterior of guard shack often smells like “outhouse”; Concerned when 1 guard is present may not be using restroom facilities. • Guards are mostly working fulltime and have second jobs. • Some shifts require 2 guards, such as early morning when vendors come. • Issues: Guards may be sick, have vacation time, Management scrambles to find someone. • Parking is at premium; Car may be buzzed in via QuickPass system, but if have no day pass, will get violation. • Previous Parking & Security Committee interested in cutting costs on security; Actions of current committee may reverse actions of previous committee, where every meeting was spent talking about how to get down to 1 guard; Review and reduce double spending (QuickPass items vs guard duties, etc.). • Very important to remember to streamline process. • Consider cost perspective; How much things will cost in time and expenses, from Management and Security. • Clarify what is trying to solve and the cost value. • May need to redo handbook. • Must review how homeowners have 3+ cars onsite. • Must review where cars are being parking and by who and the dollar value of enforcement.

Meetings are first Thursday of month; Next meeting is 5/02 at 6 PM.

c. Management

Security is going through to determine which cars have old orange tag, get vehicle information to management; New tags use same numbers as old tags; Must cross reference by license plate. • Did 88 inspections last quarter. • ARC updated design guidelines. • Landscape & Maintenance and Parking & Security committees working. • Lift station is operating well; Gary’s Plumbing says working efficiently, less than 2 hours per day, avg. 1.6-1.7 hrs/day.

7. Unfinished Business

a. Fines & Violations

Chair: Due to time, discussion is pushed back.

8. New Business

a. Ratify Monthly Right of First Refusal: 21 SPW, 71 GCD

Motion by Robin Mitchell: To ratify monthly right of first refusal for 21 Spoonbill Way and 71 Golf Club Drive.

Seconded by Sandra Swan.

Carried (Approved): Unanimous.

b. Real Estate Report

Presentation by Robin: Report is on website. • Management is tied into multiple listing service (MLS) system; Allows for timely home inspections and homes do not slip through, rectify issues prior to sale. • Not too many price reductions; A few under \$600K; Some still big sellers, \$1.65M; Not everyone is on fire to sell their homes, most holding value. • Foreclosed home is not in MLS system.

c. Association Employee & Third-Party Vendor Responsibilities

Board and Management Discussion: Incidents in Sanctuary with some contractors hired by homeowners damaging common ground elements, including irrigation and curbs; Concerns about parking locations and who is responsible. • ARC approved document for committee review of contractor agreements; Not all contractor work requires ARC approval. • Work in progress.

d. Drafted Minutes – Publishing

Motion by Thomas Siburg: To postpone topics 7a (Fines & Violations) and 8d (Drafted Minutes – Publishing) to a future Regular Board meeting.

Seconded by Sandra Swan.

No vote taken.

9. Upcoming Topics

Not discussed.

10. Member Input

None.

11. Adjournment.

Motion by Robin Mitchell: To adjourn meeting.

Seconded by Guy Gross.

Carried (Approved): Unanimous.

Meeting adjourned at 8:25 PM.