

**STONEYBROOK AT GATEWAY MASTER
HOMEOWNERS ASSOCIATION, INC.
Minutes of the Board of Director Meeting
October 8, 2009 @ 7:00 PM
Stoneybrook Community Clubhouse**

Approved 11-12-09

Present in Person: Joe Mikulka, Sherry Bucar, Matt Davis, Richard Nussbaum, Margaret Fineberg, Jeremy Toback, Brett Asbury and Kim Proudfit and Cheryl Sczesny representing Alliant Property Management.

- 1) Call To Order/ Establish a Quorum: at 7:03 pm. A quorum was established
- 2) Proof of Notice: Notice was posted on bulletin board, front clubhouse door, website and signs at entrance
- 3) Approval of the Minutes:

Motion: Motion was made by Sherry Bucar to approve and accept the September 10, 2009 Board Meeting minutes as written, seconded by Jeremy Toback. **All in favor, motion passes.**

- 4) Comments and questions from owners pertaining to agenda items only

5) Alliant Report

Kim Proudfit

- a. Prepared the Minutes from your September Meeting.
- b. I put your financials on the website.
- c. Processed the packets for the September Fines & Hearing Meeting.
- d. Implemented the fines imposed at the Fines & Hearing Meeting.
- e. Processed several compliance letters including Fines and Hearing notices and notified several homeowners/renters that we need an active and approved lease on file.
- f. Spoke with several residents regarding their tickets and compliance letters they received.
- g. Contacted Sunset Air to repair your Air Conditioner in the Fitness Room.
- h. Notified Accounting of an adjustment to make on a residents account per your boards request.
- i. Up-dated condocerts.com about your resolutions/documents and rules and regulations.
- j. Mailed a letter to a gentleman who is requesting financials for the last 5 years. Explained to him, he needs to make an appointment to come into the Alliant office to get this information and that there will be a charge of .50 cents per copy for any copies he would like to make.
- k. Gathered documentation for your attorney for one of your pending legal cases.
- l. Discussed your meeting with Cheryl and explained some of your policies with her. I will be informing her more in this transition.

6) Treasurers Report: Given by Brett Asbury

i.	Operating Total Assets	\$ 432,428.56
ii.	Operating Liabilities	\$ 133,761.79
iii.	Operating Equity	\$ 298,666.77
iv.	Reserves	\$ 66,210.00

- i) Brett Asbury did projection of 2010 budget will be sent to the Board for review. Seeking clarification on Association payroll and management contract
- ii) It was noted that under Income to change –Coca Cola to sales income instead of commission

7) Committee Reports

a. ARC Committee: Laura Morrison Reported

- i) Committee met on September 24, 2009 and all members were present.
- ii) 9 request were submitted
- iii) It was discussed that any planting must be checked with FPL before planting
- iv) Looking into alternatives to current mailboxes & address numbers

Architectural Review Committee Meeting Minutes
September 24, 2009

Call to order-7:15 P.M

Attendance: Laura Morrison, Arline Keleman, Lynn Lewis, Suzanne Mikulka and Cheri Hilenski

Proof of notice posted on door of clubhouse and bulletin board

Approval of Minutes: August 25, 2009 Motion to accept approved by all.

New Business:

1. Lewis-12613 Stone Valley Loop. Owner requests to install Direct TV satellite dish.
 - a. discussed-as long as it is installed towards the rear of the dwelling
 - b. voted-all approve, if installed properly according to the bylaws.
2. Birch-12665 Gemstone Ct. Owner requests to renovate landscape (front only). Removing trees infected with fungus.
 - a. Viewed detailed drawings and information.
 - b. Voted-all approve, as well as properly maintained.

3. Brown-12665 Stone Tower Loop. Owner requests to install gutters over the garage, which would connect to the existing system and match the same color.
 - a. Voted-all approve

4. Morrison-12466 Muddy Creek Lane. Owner requests to install landscaping in front of the transformer box directly beside the driveway.
 - a. Discussed the type of plants that will be utilized (grasses) to hide unsightly view
 - b. Voted-all approve
 - c. Laura Morrison abstained

5. Riso-12580 Stone Tower Loop. Owner requests review of last month's request for a patio extension that ARC previously denied as to the need for more information required.
 - a. Discussed placement of said extension and decided that it fit within the parameters of Acceptable parameters.
 - b. Voted-all approve

6. Jackson-9531 Blue Stone Circle. Owner requests to paint front door and to add a maple tree to the Front yard to replace a smaller tree.
 - a. Paint sample and photo of said tree attached-viewed by all
 - b. Voted-all approve

7. Miller-12429 Rock Ridge Lane. Owner requests to remove a dead palm in the front yard and replace
 With three new royal palms. Also requesting to remove a dead palm and dead plants in the back yard and replace with new trees and new plantings. Would also like to add cedar trellis to the pool area on said property.
 - a. Discussed and decided that this work had already been completed.
 - b. Trellis approval not needed since it is within the confines of the lanai
 - c. Will send letter to remind owner of need to request pre-approval prior to work start in the future

8. Reitz-12373 Rock Ridge Lane-Owner requesting to install brick curbing for existing landscape beds.
 - a. Sample and plan attached-viewed photos
 - b. Discussed and decided that this curbing had already been installed
 - c. Will send letter to remind owner of need to request pre-approval prior to work start in the future

9. Barney-12370 Rock Ridge Lane-Owner requesting to paint window sashes to match existing exterior
 - a. Viewed paint sample
 - b. Voted-all approve. This is to complete previously approved exterior painting.

Announcements: HOA Board is requesting that the ARC submit some ideas for replacing existing house numbers and mailboxes. Cheri submitted some information on 2 different websites. The first being: mailboxes.com and the second: improvements.com to look into for ideas and pricing. Next meeting: October 22, 2009 at 7:00 p.m.

- b. GSD/Stoneybrook Advisory Committee: Rescheduled for Tuesday Oct. 13, 2009
- c. Landscape Committee: Report given by Margaret Fineberg
 - i) Most planting redone at common area
 - ii) Some sprinkler heads need to be changed or replaced
 - iii) Shortly will start to work on the cul-de-sac
- d. Compliance Committee: Report given by Phil Prinzi
 - i) Sealed front window on foreclosure home on Pebble Stone
 - ii) Kids getting into vacant homes
 - iii) Golf cart sign in and will be put up. NO GOLF CARTS ALLOWED
- e. Fining Committee: Report given by Joe Targia
 - i) 11 cases sent to Fining
 - ii) 8 fined or cards shut off, 3 dismissed
 - iii) Need to obtain photos
 - iv) Homeowner offered lawn mowing in lieu of paying off fine. Will look into insurances
 - v) Golf cart signs are now posted
 - vi) Security issues were discussed regarding unsecured homes and kids gaining entry

8) Unfinished Business

- a. Update ARC Manual-Playsets
 - i) Board discussed the ARC recommendation from the ARC for guidelines regarding wooden play sets in for residential use in the community
 - ii) Discussed the language to add to the existing 3.2.13 rule
 - iii) Language to be added to include *–unless there is a pool*
“such structures do not exceed a length of 25 feet and must also be centered with the home structure when placed on homeowner lots, coming out at least 10 feet from the home, unless there is a pool, and not to be placed beyond the midpoint of the backyard, and at least 10 feet from the lot line or easement and not to encroach into preserve areas”

Motion: Motion was made by Jeremy Toback to approve and accept the ARC recommendation to be added to the language above for the 3.2.13 rule Swing sets Playground, seconded by Joe Mikulka. **All in favor, motion passes.**

- b. Entrance Gate Extension: Report given by Matt Davis
 - i) Matt Davis informed Board that he is working with the Gate Company
 - ii) Looking to eliminate the orange cones

- c. Clubhouse Parking Lot: Report given by Matt Davis
 - i) Matt Davis contacted a few companies that do parking lot painting
 - ii) If do not hear from by the end of next week will contact others through phone book

9) New Business

- a. Set date for Budget Workshop: Budget Workshop meeting scheduled for
Wednesday, October 21, 2009 at 6:30 pm

- b. Non-resident use of Facilities

- Margaret Fineberg explained to Board that Insurance Company will not allow Non-Residents to use facilities. It is a liability issue and can create problems.

- c. Business Activity-Resolution

- i) Brett Asbury read Business Activity proposed Resolution
 - ii) Board discussed the Resolution as presented and read through language
 - iii) Attorney's advised that no business activities be conducted on HOA common property
 - iv) Discussion of "One on One" fitness services can be conducted with approval

**STONEBROOK AT GATEWAY
BOARD OF DIRECTORS**

Agenda Item # 9C

PROPOSED BY: Asbury

SECONDED BY: Nussbaum

DATE SUBMITTED TO THE BOARD: 9/30/09

COVENANT AFFECTED: Section 2.5 & 2.6 of the Master Bylaws

PURPOSE: The purpose of this proposal is to address liability associated with business activities conducted on HOA common property. It was the opinion of our legal council that no business activities should be conducted on HOA common property.

EXPLANATION/BACKGROUND:

Prohibition of Non-Association Programs, Lessons and Activities, except as specified.
The Stoneybrook at Gateway Amenities may not be used to provide, conduct or solicit any activity, program, or event for profit, financial gain or otherwise by any business or person unless such activity, program or other event is fully disclosed and pre-approved in writing by the Stoneybrook at Gateway HOA or is a program offered by the Stoneybrook at Gateway HOA. Examples of such activities include but are not limited to: Conducting seminars or classes, or providing services as personal trainers, to include fitness/swim/tennis/sport instructors (individuals not on payroll as employees of the association

or hired as independent contractors by the Association). With approval, personal trainers may work with a Stoneybrook at Gateway Homeowner / Resident in the Gym, but must be properly certified and have at least \$1 million liability insurance coverage naming the Association as an additional insured interest. A certificate of insurance evidencing the coverage must be on file with the Association Management Office. Trainers must comply with all Rules & Regulations of the Stoneybrook at Gateway Gym. Proof of renewal of policy must be filed at appropriate time.

FUNDING: No funding necessary

DISCUSSED WITH TREASURER: YES NO N/A

FUNDING COMING FROM BUDGET ACCOUNT: YES NO N/A

WHICH ACCOUNT: # _____

COMMITTEE: (Was this recommended by a committee) YES NO N/A

BIDS ATTACHED: YES NO N/A

DISCUSSION/NOTES:

Votes for: 6 Votes Against: 1

Asbury Bucar Davis Mikulka Nussbaum Toback Fineberg

Y N Y N Y N Y N Y N Y N Y N

Motion: Motion was made by Brett Asbury to accept Business Activity Resolution inserting the language “one on one” at sentence discussed, seconded by Richard Nussbaum. **Brett Asbury opposed, motion passes.**

d. Request for Information-Resolution

- i) Brett Asbury read Request for Information proposed Resolution
- ii) Board agreed with language as written and to accept the Resolution

**STONEYBROOK AT GATEWAY
BOARD OF DIRECTORS**

Agenda Item # 9D

PROPOSED BY: Asbury

SECONDED BY: Davis

DATE SUBMITTED TO THE BOARD: 9/30/09

COVENANT AFFECTED: Association Documents

PURPOSE: To insure that we are legally protecting the association and the privacy of the members information.

EXPLANATION/BACKGROUND:

It is the legal opinion of General Counsel that when non-board members request association information, such requests must be in written format to comply with Florida statutes. As such, all requests for association documents from non-board members need to be submitted via US mail, fax or hand delivered. The request needs to list a valid association address and be signed by the member. This request will be maintained in the association files. E-mail requests from non-board members will not be honored as there is no way to legally verify that the requestor is authorized to access this information. This policy is in accordance with Florida statutes. All requests will be responded to in the legal time limits as set by the Florida statutes. Costs to provide physical copies of information will be borne by the requestor.

FUNDING: No funding necessary

DISCUSSED WITH TREASURER: YES NO N/A

FUNDING COMING FROM BUDGET ACCOUNT: YES NO N/A

WHICH ACCOUNT: # _____

COMMITTEE: (Was this recommended by a committee) YES NO N/A

BIDS ATTACHED: YES NO N/A

DISCUSSION/NOTES:

Votes for: 7 Votes Against: 0

Asbury	Bucar	Davis	Mikulka	Nussbaum	Toback	Fineberg
<u>Y</u> N	<u>Y</u> N	<u>Y</u> N	<u>Y</u> N	<u>Y</u> N	<u>Y</u> N	<u>Y</u> N

Motion: Motion was made by Brett Asbury to accept the Request for Information Resolution as written, seconded by Matt Davis. **All in favor, motion passes.**

e. Use of Picnic Area

- i) Joe Mikulka discussed the picnic area
- ii) No reservation procedures in place
- iii) Tables can be locked up all day with just one birthday party
- iv) Signage at the picnic area stating time usage was discussed

f. Foreclosure Language-Section 15.2-Master Docs

- i) Sherry Bucar discussed the 12 month reimbursement to Association Assessment Law in effect July 2008
- ii) Language on section 15.2 per Darrin R. Schutt, Esq. should state—mortgagee/bank is liable for the assessment as provided under Florida Law

g. Comcast Contract

- i) Joe Mikulka discussed with the Board about speaking with an Attorney about setting up an escrow account to hold Comcast payments and pay when issue resolved
- ii) Comcast Cable costs are up 33% and feature less channels. Bills higher than Association collects
- iii) Raise of fees may be necessary
- iv) Margaret Fineberg suggest vote of the membership before placing money in escrow. Can consider this a question for the Annual Meeting

10) Board Member Requests and Comments

Street Challenge- Matt Davis

- i) Event is scheduled for Nov. 13, 14 & 15. Will include volleyball, baseball etc.
- ii) Meeting at Matt's house to discuss
- iii) Matt Davis and Ken Jackson will help get this going. Looking for Captains & developing 6 teams
- iv) Some maintenance will be needed to take care of field weeds, ants etc.
- v) Access to Clubhouse and grill that weekend

Boat Parking- Sherry Bucar

- i) Document section 5.17- section (B) middle of paragraph leaves out the word *Boat* where it states that vehicles that are permitted to be parked in Community for loading and unloading purposes only for a maximum of 12 hours
- ii) Language "and the like" should cover—Boats

11) Owner Late Fees of \$25.00

- i) Estimate that 25 people owe about \$25.00 & late fees. A letter should be sent out to those owners who have a \$25 late charge plus interest, notifying them of the charge and informing them that if they pay the \$25.00 late fee by a certain date, that they Board will "erase" the interest charges that accrued.

Motion: Motion was made by Sherry Bucar to send a form letter to the owners who have the \$25.00 late fee plus interest and if they paid the late fee by a certain date then the interest charges would be removed. seconded by Richard Nussbaum. **All in favor, motion passes.**

12) Comments and questions from owners pertaining to non-agenda items only

13) Adjournment: at 8:58 pm

Motion: Motion was made by Richard Nussbaum to adjourn the October 8, 2009 Board of Director Meeting at 8:58 pm, seconded by Sherry Bucar. **All in favor, motion passes.**