

THE FALLS MAINTENANCE ASSOCIATION, INC.

BOARD OF DIRECTORS MEETING

September 16, 2020

MINUTES

MEETING PLACE: Via GoToMeeting – Meeting ID 813-677-349

MEETING TIME: 6:30 p.m.

DIRECTORS PRESENT: Lynn Steffen, Ralph Long, Ray Kass, Nora Snyder, Jordanne Spencer

DIRECTORS ABSENT: None

ALSO PRESENT: Jack, Meryle & Dana Shaw, Signature Property Mgmt.
Over 60 Falls residents

Dana called the meeting to order at 6:33 pm and explained the process of how the meeting would be conducted as it was a new format for the Board and for the Association. He reminded everyone of the time limit for residents to speak during the Question and Answer session as it was important for all residents to be heard.

Dana explained that there were Minutes from prior Board and Compliance Committee Meetings that required approval. The first set of Minutes were from the 6/2/2020 Board Meeting. Lynn made a motion to accept these Minutes as written. This was seconded by Nora and the motion passed unanimously. Lynn then made a motion to approve the 7/16 Compliance Committee Meeting Minutes as written. This was seconded by Nora and the motion passed unanimously. Lynn made a final motion to pass the 7/30 Compliance Committee Meeting Minutes as written. This was seconded by Nora and the motion passed unanimously.

Dana informed those in attendance at the meeting that due to Scott Beck's departure, a position on the Board became vacant. He indicated that Jordanne Spencer was interested in serving on the Board, and then turned the meeting over to the Board for further consideration.

Lynn made a motion to appoint Jordanne Spencer to the Board of Directors. This was seconded by Ralph and the motion passed unanimously. Jordanne thanked the Board for their consideration and accepted the nomination.

The next order of business was the Officer's Report. Dana stated that as Signature had received several complaints regarding overnight street parking that the Board should consider resuming overnight parking enforcement. Ralph made a motion to resume overnight parking enforcement. This was seconded by Ray and the motion passed unanimously. Dana then asked the Board when they wished to begin the enforcement. Ralph instructed Dana to post a notice to the membership and recommended a start date of October 1, 2020. This was seconded by Ray and the motion passed unanimously.

The final order of business on the Officer's Report was the consideration of upgrading the community's two front entry monuments. Dana submitted a proposal from the Association's current vendor, Testa Signs, to make the signs look exactly as the mini-monument signs at the entrances to the four subdivisions. The total cost for the project quoted was \$6,420. Dana "shared" his screen with all of those in attendance at the meeting, and requested that the Board vote on the rendering submitted by Testa Signs. Lynn made a motion to accept Testa's proposal. This was seconded by Jordanne and the motion passed with a vote of 4-1. Dana then asked the Board if the rendering was good as submitted, or if the layout of the letters should be changed to vertical as opposed to horizontal. Lynn made a motion to keep "The Falls" horizontal on one line only. Ray stated he would want to see a rendering of the sign with "The" above "Falls". Jordanne stated she was fine with either layout. Nora requested that Dana obtain a rendering of both types, and that a final decision should be made at a later date. Dana stated he would obtain an additional rendering.

Dana then began his Management Report, and wished to clarify some of the misinformation that was being posted on Facebook regarding the Association's requirements for posting meeting times as well as distributing the Agendas for the meetings. Dana explained that as the current meeting was a "Board Meeting" pursuant to FSS

720.303(2), the Association was required to conspicuously post the date and time of the meeting at least 48 hours before the meeting was to begin. He stated that as the sign was put out the Friday before the meeting, this was well beyond the statutory requirements. If, however, this had been a Membership Meeting such as the Annual Meeting, the Association would be required to post the date and time of the meeting at least 14 days in advance as well as distribute a copy of the agenda to each member pursuant to FSS 720.306(5).

Dana continued his Management Report by discussing the swale trees that were planted throughout the community. He recommended that instead of re-planting a Live Oak tree in place of a dead/dying/hazardous swale tree to instead plant a Japanese Blueberry Tree. He "shared" his screen again so that all in attendance could see the tree itself as well as an example of a hazardous tree. Dana said the approximate cost per tree, including removal and replacement, was approximately \$1600 per tree. Ralph made a motion to approve the Japanese Blueberry Tree as the replacement tree of choice for the swale area. This was seconded by Nora and the motion passed unanimously.

The last item on the Management Report was the current software being used at the Gatehouse. Dana stated that the existing system was more than 10 years old, and was slow and out of date. This is currently resulting in delays at the Gatehouse, especially when there is a lot of traffic. Dana obtained a bid from the Association's current company, ISN, to completely upgrade the system, which would be able to handle all of the new information as well as streamline other features for the gatehouse and the community. The total proposed cost was \$3,440. Lynn made a motion to accept ISN's proposal. This was seconded by Jordanne and the motion passed unanimously.

Dana then explained that Tyler Worthington of 976 Savannah Falls Drive was present at the meeting, as he previously requested to speak to the Board about a gate arm strike for which he was invoiced. Dana "shared" his screen to play the surveillance footage taken of the incident. Mr. Worthington stated that the car in front of him was "waiting" and that his barcode did not have a chance to read. After he struck the gate arm, he "followed" the other car into the neighborhood to talk to the driver of the other vehicle. He then said when he could not get her to stop, he came back to the Gatehouse and found the arm was already put back up. Dana explained that as the arm he hit was damaged, a spare arm was put in its place. However, due to the severity of the impact, the power cable that connects to the LED arm was broken and had to be repaired by the Association's vendor, Access Masters. Dana explained the \$50 surcharge from "Front Sight Services" was to review the surveillance footage, install a new arm, and identify Mr. Worthington's vehicle. The \$375 invoice from Access Masters represented the new gate arm, the new power cable, and the installation of the power cable by Access Masters, as well as a service call charge. Ralph made a motion to have Mr. Worthington pay the full outstanding balance of \$425. Nora made a motion to waive the \$50 surcharge, bringing the new balance to \$375. Lynn seconded Nora's motion and the motion passed with a vote of 4-1. Therefore, Mr. Worthington is required to pay \$375 to the Association.

The meeting was then opened to Homeowner Question and Answer.

Cindy Baldwin asked the Board how they could be more transparent, and what the responsibilities of the Board was. Ralph explained that the Board is given topics and certain matters that require attention by Signature, and are able to discuss these items individually prior to the Board Meeting. At the Board Meeting itself, the Board is able to vote on their decisions.

Claudia Lezcano then asked the Board if they were aware of any current lawsuits or legal action against the Association. After clarification, Ralph stated that the Board is not aware of any current litigation, but was made aware of Ms. Lezcano's formal request for the production of Association Documents, which was sent by her attorney. Dana asked Ms. Lezcano to elaborate the reason for her question, but she would not clarify.

Vito Candela asked the Board if the new Japanese Blueberry trees would be messy or leave any kind of fruit droppings. Dana said that several of them have already been planted along Falls Boulevard and are clean and do not drop any kind of fruit.

Ed Radosh wished to make a comment regarding resident participation, and felt disrespected that the membership was muted while the Board was talking about Agenda items. He requested that going forward, there be more participation and transparency.

Orlando Zuluaga agreed with Ed and wished to clarify the cost/benefit analysis of replacing the Live Oak trees with Japanese Blueberry trees. Ralph stated that the Board had done an informal cost/benefit analysis; a formal cost/benefit analysis was not necessary due to the main issue being the type of tree the Association would consider to replace the Live Oaks when necessary.

Shrief Mandour asked for the Board to clarify what the “suspension of gatehouse privileges” meant. He said that he knows he has fines pending against him, but is unable to pay them at this time. He said that Signature “threatened” him with this “suspension”, and wanted clarification. Dana explained the suspension of gatehouse privileges means that although his barcodes and clickers will still work, all visitors would need to be physically let in by Mr. Mandour as the gatehouse would not call his house or raise the gate arm to allow them to enter.

Max Gueli asked the Board if the new ISN software benefits the Gatehouse Attendants or the community as a whole. Dana explained that the system would make the job of the attendants easier and would streamline the process for residents and visitors, which would benefit the community.

Eddie Pacheco asked what would need to happen in order for the Board to allow pickup trucks into the neighborhood. Ralph answered that in order to amend the Governing Documents, 75% of the membership (451 homeowners) was required to formally amend the Documents as it was not a Board decision, and that the Statutes had all of the information required to do that. Ralph then clarified the difference between a variance and an Amendment. Nora explained that the Board would help the membership by disseminating prior Amendment revisions from the 2010 attempt to amend the Documents. Dana told Cindy Baldwin that he would email her with this information.

Scott Sussman requested that the Board not help the membership with amending the Documents. Dana clarified that the actions required to amend the Documents are the responsibility of the membership only, and that the Board and Signature would remain neutral during this process.

Lina Marquez said that the truck rule only applies between the hours of 2am-5am. Dana clarified that the truck rule states that the overnight parking of trucks is prohibited, and that overnight technically means 12:01am and dawn, but the Board had requested that enforcement be done only between 2am-5am. Lina asked if this would be memorialized in the Minutes. Dana said it would be.

Carlos Puche asked about the election process and how to vote new members on the Board. Jack explained the quorum requirements and processes in order to have a valid election.

Pat Norstedt complimented Signature on their efforts, but asked that the Board be more transparent with their decision making.

Janet Padron asked about the Board granting a variance for pickup trucks, such as a “bed cover” as opposed to having the neighborhood amend the Documents. Ralph clarified that the Board can make variances to existing rules, but cannot ignore a rule completely. He also noted that this type of variance was discussed multiple times by the Board in the past, and each time, the Board rejected covering the bed as acceptable. In order for all trucks to be allowed (or a specific type of truck to be allowed or not allowed), the neighborhood would have to amend the Documents.

Marc Weiss requested a more modern design for the Falls entry monuments, and said it should look more like the neighborhoods surrounding The Falls. Dana stated that the Board has the power to make decisions for the neighborhood, and that regardless of the decisions they make, it will never please 100% of the membership.

Carlos Puche again asked for the number of members required to have a quorum at the meeting, and how the Board is elected once a quorum is obtained. Jack again stated the quorum of the Association is 181 members, and that once a quorum was obtained, an election for all Board positions would take place.

Ralph then made a motion to adjourn the meeting. This was seconded by Nora and the motion passed unanimously. The meeting then adjourned at 8:28 pm.

Respectfully submitted,

Ralph Long, Secretary