

Board of Directors Meeting Minutes

Stirrup Key Homeowners Association

July 18, 2011

1. The meeting was called to order at 6:00 p.m. at the home of Mimi Molden, 371 Stirrup Key Blvd., Marathon, Florida. In attendance were Marv Schindler, President; Rick Bisson, Vice President; Barbara Magnotti, Secretary; Mimi Molden, Treasurer; and Barbara Cavanah, Tony D'Ascanio, Bob Guerin and Richard Rhodes, Directors. Additional members of the community were also in attendance.
2. Treasurer Mimi Molden presented the Treasurer's Report (See addendum A). We started the year with \$8,686.18. All but three members paid dues, amounting to \$44,250. We took in another \$450 from transmitters, for a total income of \$44,700.00. Total expenses this year to date are \$18,024.92. We have had about three times the amount of legal expenses this year so far as compared to last year. The telephone expenses are a combination of AT&T and Sunshine Communications. Mimi and Marv have been investigating ways of lowering this total, but so far, the current arrangement seems to be the most economical. In March, we moved our reserve funds from our Dreyfus Fund to Wells Fargo. Since that move, we have realized a gain of \$ 2,225.94. With currently over \$35,000 in the checking account, and \$75,000 in savings, we are in a better position than we were at the end of last year.
3. Road signs replacement costs are estimated at \$525 plus tax for replacement of the three road signs. That amount includes three sign posts with two signs each, each to be completely replaced, including installation. Motion was made (R. Rhodes), seconded (B. Guerin) and unanimously approved to proceed with the road sign replacement. Marv Schindler also presented a proposed replacement sign for the front gate which would incorporate into one sign, all of the information that currently is communicated through five signs. The cost for this would be \$420 (plus tax). The only additional sign would then be the Emergency Alert/YELP notification sign. After some discussion about the necessity of quoting the section of the Bylaws that government working hours, a motion was unanimously passed to accept the sign as proposed.
4. A Waste Transfer Station is being planned for a portion of the former D'Asign Source property to the left of the intersection of Stirrup Key Road and Aviation Boulevard. The plan is to use the site to stockpile several loads of construction debris for bulk removal later to a permanent disposal site. The EPA has approved the permit for this use. The City of Marathon, which opposes this plan and is appealing the EPA's ruling, has requested a letter from the association voicing our opposition to this project. It appears that the EPA did not consult with any of the affected parties before making its decision to allow the project. The consensus of the board was that a Waste Transfer Station at that location would be a traffic safety issue as well as potentially negatively impacting Stirrup Key property values. It was proposed that we have a legal representative prepare a letter to the city, with a copy to the EPA, voicing our objections, followed by an additional letter directly to the EPA. A motion was made (R. Rhodes), seconded (M. Molden) and approved, with Tony D'Ascanio and Bob Guerin recusing themselves, that we proceed with the objection letter.
5. An issue has arisen regarding By-laws Section 6.13, which addresses the height of walls and hedges bordering Stirrup Key properties. While this section prohibits hedges and fences which exceed five feet in height, it also allows for a deviation from this regulation at the discretion of the Building Committee. An informal survey throughout the community indicates that most residents do not object to any of the current hedges, regardless of height, one member has requested enforcement of the regulation on a hedge which this member planted on his neighbor's property. Marv asked for agreement that enforcement of this regulation regarding "hedges" be put in abeyance until the issue can be discussed at the annual meeting. In the interim proposed

revisions to this section will be considered. A motion was made (R. Rhodes), seconded (B. Guerin) and unanimously passed to defer action on this issue until the annual meeting.

6. A marina lagoon legal issue has arisen wherein one member of the association is trying to force the removal of a finger pier, originally installed by the developer, which extends from his deeded dock lot property. The member who shares this finger pier has installed a permitted boat lift, approved by the association. According to property records, the association owns, and therefore has governance, over the entire marina, the seawall, pilings and the finger piers. Individual members who own "dock lots" own property which extends from the roadway to the seawall, but do not own the associated finger piers, seawall or water adjacent to the dock lot. The association has determined that the neighbor with the boat lift is not infringing with the complaining member's access to his dock lot. In the interest of fulfilling its responsibility to the members by protecting the association's rights of governance over the marina and associated structures, we have petitioned the court to be included as a "pertinent member" of the lawsuit so that our interests can be considered by the judge as well. In addition, we will be requesting reimbursement of our legal expenses. To date, we have spent \$918 on this issue. Marv requested that the board approve additional expenditures, if required, to protect our position on this issue, although he expects it will be settled. With comments that the association "has no choice," a motion was made (M. Molden), seconded (R. Rhodes) and unanimously passed to continue.
7. Plans have been submitted for revision to the stairway and roof line of 105 Pirates Cove, which recently sold. Marv asked that the Building Committee review the plans for compliances with the codes and our restrictions.
Mimi Molden suggested that, since we are going to reviewing and revising our bylaws, we consider adding a rental policies section, requiring notification to the association of any rental and procedures for collecting delinquent dues from renters, etc. Marv is going to investigate common association rental policies for consideration.
8. Discussion of the security gate hours of operation, security code usage and general gate security ensued. It was agreed that the hours for automatic opening would be shortened and the entry code will be removed. A motion was made, seconded and approved with seven in favor, one opposed to remove the code. Members can purchase additional clickers for their personal convenience.
9. The meeting adjourned at 7:12 p.m.

Minutes submitted for approval by: Secretary, Barbara Magnotti, July 20, 2011.

Addendum A

Treasurer's Report **Stirrup Key Homeowners Association**

July 18, 2011

TIB CHECKING - JANUARY 1, 2011 **\$8,686.18**

INCOME

MEMBERSHIP DUES	44,250.00
TRANSMITTERS	<u>450.00</u>

TOTAL INCOME 44,700.00 + 44,700.00

EXPENSES

ACCOUNTING	235.00
DOCK & GROUNDS UTILITIES	1,579.43
ENTRY GATE	4,079.45
WEED GATE	1,195.00
INSURANCE	2,356.35
LANDSCAPING	3,680.00
LEGAL	2,464.80
MISC. M & R	267.00
OFFICE EXPENSE	210.56
SIGNAGE	43.00
SOCIAL	463.35
TELEPHONE	<u>1,450.98</u>

TOTAL EXPENSES 18,024.92 - 18,024.92

TIB CHECKING BALANCE JULY 18, 2011 **\$35,361.26**

WELLS FARGO INVESTMENTS

JANUARY 1, 2011	72,286.32
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JUNE 30, 2011	<u>74,512.26</u>
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NET DIFFERENCE **2,225.94**