

Tailored Management Concepts

1451 W. Cypress Creek Road Ft. Lauderdale, FL 33309

www.tmc-management.com

(954) 982-7786

TREVI AT THE GARDENS HOMEOWNERS' ASSOCIATION, INC.

BOARD OF DIRECTORS MEETING

Tuesday, May 22nd, 2019

Trevi Community Pool

6:30 P.M.

BOARD OF DIRECTORS AGENDA

1. Call meeting to order at 6:38 PM
2. Establish a quorum of the Board – Present were the following members of the Board - Randy, Renee, Kathy, and Keely
3. Review of prior Board of Directors Minutes, and Approval, Keely motioned to waive reading, 2nd by Renee, all were in favor
4. Old Business:
 - a. Relocation of Trevi Sign – Board discussed that this project is on hold until 2020 budget review.
 - b. Entrance Lighting and pathway lighting – Keely reported the new lights are in.
 - c. Pest Control Services – Board discussed that all pest control services were now consolidated to Vulcan
5. Roof (Repairs and Maintenance) & Insurance – Attorney Jessica Knox gave the following opinion to the Board of Directors:
 - a. **Roofing**

The maintenance and replacement of the roofs is the Association responsibility. This is common in townhome communities, because the Association will want all roofs to be replaced in a uniform manner for aesthetic purposes. Also, it is important that the Association control the roof maintenance and replacement to ensure that it is done to the appropriate standards. If an owner were in control of such repair, and did not have the work performed properly, it could cause damage to the common elements and neighboring units. Water does not “follow/obey” the Unit boundaries, and a water entering through the roof over one Unit can travel to the ceiling of another Unit.
See Declaration Article IV, Section 9:
See also the Architectural Rules, Paragraph 4, which calls of for the Association to create a reserve fund for re-roofing:

 - i. Policy adopted for reporting roofing issues by homeowners is as follows:
 1. Notify HO Insurance
 2. Notify Management

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6. Landscaping Responsibility Attorney Jessica Knox gave the following opinion to the Board of Directors:

a. – **Lawn Mowing/Maintenance**

“The same section referenced above, Declaration Article IV, Section 9, states that the Association shall be responsible for “maintenance of all lawn areas of the Lots, including lawn cutting, lawn fertilization, weeding and irrigation maintenance, [and] tree trimming. . .” There does not seem to be a debate regarding lawn mowing.

Landscaping Replacement Landscaping is different, however. I believe there is a line between landscaping in the “lawn area” (which is usually minimal), and landscaping in landscaping beds (more common). Any landscaping in the lawn area is to be maintained by the Association and any landscaping in the beds is the responsibility of the Owner. The Lot Maintenance section states that the Association is responsible for “maintenance of lawn areas.” Tree trimming is also the responsibility of the Association, but landscaping beds are not listed in the Lot maintenance to be performed by the Association. Landscaping beds are generally not considered part of the “lawn area.” Owners are allowed to make changes to the landscaping, but they must first obtain architectural approval (Declaration Article V, Section 2; Architectural Rules, Paragraph 3). Although landscaping beds are not specifically listed in the Lot Maintenance section as either the responsibility of the Association or the Owner, it is on land owned by the Owner, so the default position would be that those areas are the Owner’s responsibility. Also, there is general language in that section that Owners are responsible for “other exterior items.” There is also some relevant language in Declaration Article V, Section 3, regarding architectural approval. That section states that “the ARB may withhold approval for upgraded landscaping to be installed by an Owner within that portion of his Lot to be maintained by the Association solely due to maintenance and related considerations.” This implies that there are landscaped areas of the Lot that are maintained by the Association and landscaped areas of the Lot that are maintained by the Owner. A reasonable reading is that if the Owner wants to install some landscaping (e.g. a shrub) on the lawn area, the Association can deny that request because it would be an issue for their lawn maintenance/mowing crew. However, if the Owner is going to install the shrub in the landscaping bed, which the Owner is going to maintain, the Association cannot use increased maintenance as a reason for the denial (since they are not maintaining that shrub). The Association could use aesthetics or invasive/native criteria. Therefore, although the language is not perfect (a common occurrence in association documents), I believe the documents state that any landscaping in the lawn area is to be maintained by the Association

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- and any landscaping in the beds is the responsibility of the Owner. When it comes to a member reaching out to the Board requesting replacement and repair requests, the Board should listen to what the member has to say, perform its own research on the request, and make a decision. Members can raise their concerns and desires to the Board, but when the Board has the responsibility for the maintenance/replacement, then the Board makes the decision regarding that work. That means that the Board, in its judgement as a business entity, decides when work is to be done, how much work is to be performed (e.g. if the roof can be repaired or if it needs to be replaced), and what contractor will be used to perform the work. Put simply, the entity/person who pays for the work controls how and when it is done.”
- b. Drainage Issues at Entrance – Keely gave a brief update on drainage issues at Entrance. June 30th was deadline date. Pipes laid out.
 - c. Fitness Center, and improvements – David with TMC is repainting fitness room, and repair work at door. Eventually, we’ll replace flooring. Quote for repair of Treadmill, awaiting the right time in the budget to get it fixed.
 - d. Maintenance Contract (Janitorial and Pool) – Keeley motioned to stay with current vendors. Seconded by Kathy, All were in favor. Motion Passed.
 - e. Woodpecker deterrents – TMC reported David should have them this week.
 - f. Bulletin Board – Kathy Nelson will begin to maintain
7. New Business:
- a. Appointment of Board Member Kathy Nelson Motioned by Keely, 2nd by Renee, all were in favor, motion passed.
 - b. Appointment of Fine Committee Member Amy Feldman, Motioned by Keely, 2nd by Kathy, All were in favor
 - c. Fining of 4511 for Infractions concerning truck and pets - \$100 a day up to \$1,000 – fine approved for committee if violation continues.
 - d. New Collections Attorney – Mankin Law Group
 - e. Pool Furniture, proposals – TMC presented a couple of proposals , the association is holding off for now – possible in 2020
 - f. Any Unfinished or presented business
 - i. Sea Grape Trimming – requested proposal
 - ii. Vulcan Pest Control
8. Homeowner Comments, if any.
- a. 4560 Letter on removing dead
 - b. Susan – ask Vulcan to spray tree.
 - c. Who is responsible for driveways from tree roots? Owners

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9. Adjournment of Meeting – Motion made by Keely, 2nd by Renee All were in favor
Meeting adjourned at 7:24 PM

TMC To Do:

- Roofing Warranty's?
- Painting Warranty's?
- Pressure Cleaning of roofs/buildings?
- Check on front drainage.
- Tree's cutting along hood road. – Is the city replacing them?
- Front fountain has mold on it in the front. Clean it off.
- Tree trimming over front fountain
- Close umbrellas when done - Laminate

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