



HOMEOWNERS' ASSOCIATION, INC.

6285 Riverwalk Lane
Jupiter, FL. 33458

BOARD MEETING

June 16, 2016
7:00 p.m. Pool #2

The meeting was called to order with quorum present by Board President Ronald Perholtz at 7:02 p.m.

Board Members present at the meeting were President Ronald Perholtz, Vice President, Stephen Nagy, Secretary John McOwen, and Director Bob O'Brien with Director Austin Isherwood absent.

Motion made by Director Bob O'Brien to approve the Board Meeting Minutes of April 26, 2016 and seconded by Secretary John McOwen. The motion passed unanimously.

OLD BUSINESS:

Tree removal – Tree removal has slow due to rain. Contractor has been very aggressively working on removing the trees and will be here tomorrow.

Street Repair – Concrete repair has been put on hold and evaluate further over paving the concrete streets with Asphalt.

Staff Changes – We have another staff change in the administrative office. Kathy Tulk resigned several weeks ago and Rick Lovell has now joined our staff. He was our contracted internet support person and is very familiar with the Riverwalk property. Rick will be working towards obtaining his CAM license and filling the Property Manager's position. With two support personnel, the office is now open Monday thru Friday 9:00am – 5:00pm.

Sink Holes – The sink hole is actually a collapse pipe that was incorrectly installed when the community was originally developed. Contactor put a camera into the pipe to see the problem. The cost of this sink hole and the last on by building 6214 will put pressure on the Riverwalk reserve funding.

NEW BUSINESS:

A motion was made by Secretary John McOwen and seconded by Bob O'Brien to accept the agenda. The motion passed unanimously

Fining Committee Appointments: Ron Perholtz made a motion to nominate Chere High to the Fining Committee. Bob O'Brien seconded the motion. The motion passed unanimously

Proposed Fines: Three fining letters were issued this month to owner/residents for parking violations for units 6190-3, 6214-2, and 6190-7 and copies of these letters provided to the Board. Bob O'Brien made a motion to

approve the fines specified in these three letters and submit these proposed fines to the Fining Committee. John McOwen seconded the motion. The motion passed unanimously.

A discussion occurred related to a proposed \$100.00 fine letter being sent to the owner of unit 6311-6, noting that boating and boatyard privileges will be taken away if there is another misuse of their ice machine privilege. On the Boat Yard video surveillance system, this unit owner allowed an unauthorized person into the Riverwalk boatyard to completely empty the ice machine and then threw the scoop to the ice machine on the bottom of the emptied ice machine (instead of returning it to its holder). This scoop was then covered with ice and thought to be stolen. Stephen Nagy made a motion to send the letter to the unit owner and a fine of \$100 be approved and sent to the fining committee. Bob O'Brien seconded the motion. The motion passed unanimously.

Attorney Collection Procedures: Ron explained for delinquent accounts the existing foreclosure procedure does not work and is costing us tens of thousands of dollars with little or no hope of recovery.. The laws in Florida favor the banks who have a superior lien to us on the property. and The Bank's lien and their resulting Attorney's fees and expenses far exceed the value of the virtually every delinquent unit in the Association. Accordingly, if the Association spends money to file a lien and foreclose, the bank can then simply foreclose on us. If we try to fix up the unit and rent it, the bank can then just foreclose on the unit, benefit from our repair of the unit with no reimbursement to the Association, and immediately evict any tenant with only 30 days notice. As a result, it is unlikely we could even find a tenant after we spend thousands to foreclose and fix up a unit.

Ron Perholtz suggested, instead of foreclosing, that we file civil cases against the unit owner and simply seize whatever assets we can find. During the civil case we will hold depositions and request records such as bank statements, tax return etc. to quickly determine what assets a delinquent unit owner has. If feasible after looking at a unit owner's financial situation, we would then proceed to seize their assets and possibly garnish their wages.

Ron Perholtz indicated that the entire Board was very dissatisfied with the performance of Becker and Poliakoff and believes their fees are excessive and performance is questionable. Bob O'Brien made a motion to retain the law firm of Rosenbaum Mollengarden PLLC, Attorneys at Law to handle all future delinquency cases and current cases in progress, if it makes sense to transfer these active cases. John McOwen seconded this motion. The motion passed unanimously.

Delinquent Accounts: A summary of current delinquent accounts, along with examples of two letters that were provided to Board Members that will be sent to owners who are in arrears and delinquent. John McOwen made a motion to accept the letters and mailings. Bob O'Brien seconded the motion. The motion passed unanimously.

Proposed Rules & Regulations: A copy of new proposed Rules and Regulations was distributed and discussed. They will be distributed to the membership and voted on at the July Board Meeting. Ron Perholtz made a motion to accept them as written, subject to review by Rosenbaum Mollengarden PLLC, Attorneys at Law. Stephen Nagy seconded the motion; all were in favor except John McOwen who accepted the motion with the exception of the Pet Breed Restrictions. The Motion passed with John McOwen's exception noted.

Political Advertising in Newsletter: Riverwalk was contacted by Michael Steiger's office and asked if we would run a full page political ad in Riverwalk's newsletter for \$300. Ron Perholtz made motion to accept and mail out any political ad with our newsletter with payment in advance to offset the mailing costs with a

disclaimer that Riverwalk was not endorsing candidate that will be noted on the face of the ad. Bob O'Brien seconded the motion. The motion passed unanimously.

Internet Speed: Riverwalk now has 200 units using the internet. Our speed has been dropping and it has been determined that Windstream is the problem and is not providing the incoming internet speed that Riverwalk has been paying for since February. They have promised to have it fixed this week and issue us a refund for overbilling us. Rick Lovell is on-site now and we are able to address these types of issues more quickly.

Home Inspections: Rick Lovell is currently inspecting each unit that is scheduled for repainting in November. Violation letters are being sent out listing required repairs that need to be completed within 90 days or fines will be applied.

Burglary & Trespass Events: There was one unit broken into during the middle of the day and two bicycles stolen off a porch.

Riverwalk Logo Shirts: The existing stock of Riverwalk logo shirts for Office Staff, Maintenance employees and Board Members has been used up. A new shirt proposal from the company EmbroidMe Palm Beach Gardens was reviewed by the Board. Bob O'Brien made a motion to accept this proposal. John McOwen seconded the motion. The motion passed unanimously

Agenda was not completed and meeting adjourned at 8:25pm due to a heavy rain storm.