

# 2023 Indian Wells HOA Annual Mtg.



# Agenda

- Call Meeting to Order
- Certify Proxies and Establish a Quorum
- Certification of Mailings
- Approval of Meeting Minutes
  - 2022 Annual Meeting minutes
- President's Report
- Financial Report
- New Business
  - Board of Directors
  - New Lely Master POA voting requirements and implications
  - ARC decision - 8380 Shutter request
- Adjournment

# President's Report

Focus of 2018 Board:

Financial stability, improved mgmt.,

- Address pending financial crisis
- Replace HOA mgmt. company and on-board new company
- Salvage the governance document re-write work done by our lawyer and get Association Members approval
- Installed new call box

Focus of 2019 Board:

Legal & Improved Mgmt.

- Bring all our supporting documents and procedures into compliance with our governing documents and state law
- Address discovered significant maintenance and code issues
- Manage expenditures to aggressive 2019 budget

Focus of 2020:

Major Projects & Continued Business Process Improvement

- Executed maintenance projects – Wall & Gate repair & painting, Street resurfacing
- Installed camera system at gate to aid authorities with any legal investigation
- Create fine appeals committee & implement

Focus of 2021:

Major Projects & Governance Documents Preservation

- Installed aerator for south lake to pilot lake water quality via aeration
- Installed community message board
- Installed new gate call box
- MRTA Document submission

Focus of 2022:

Major Projects & Governance Improvements

- Addressed North Landscape Barrier damage from EF-0 Tornado, planting irregularities, inadequate watering, and end of life
- Created a rule to make addressing Landscape Barriers fairer financially for Owners with LBE's

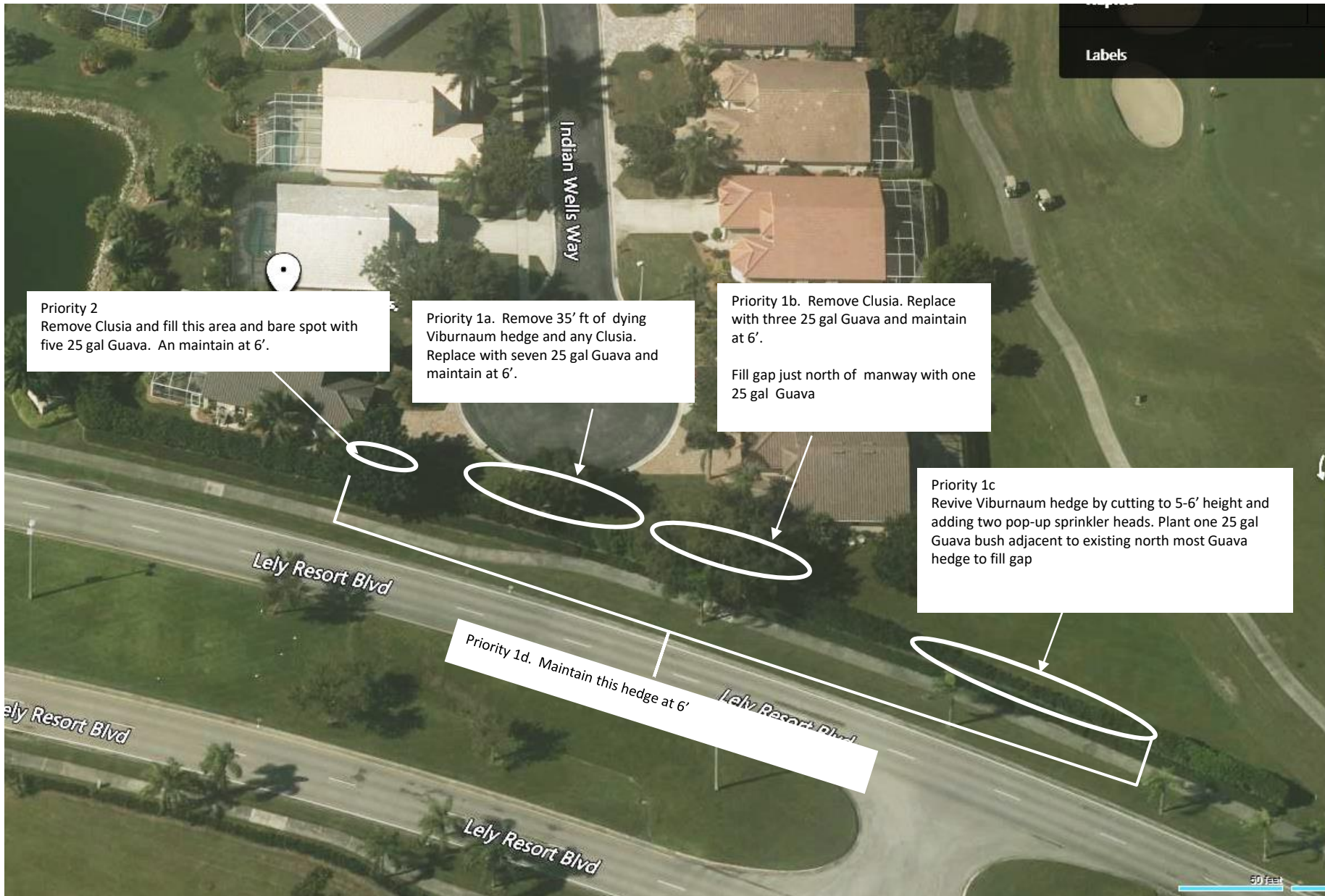
# 2023 Action Plans

Focus of 2022:

## Major Projects & Governance Improvements

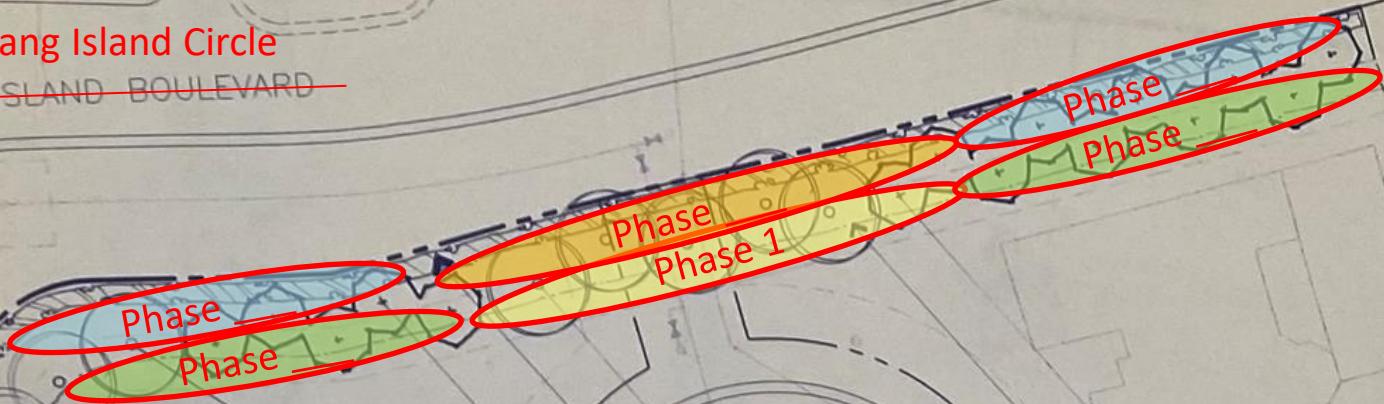
- Begin implementing multi-year plan to replace South Landscape Barrier Easement Planting due to end of life and ongoing maintenance concerns
- Propose and implement governance documents amendments
- Install aerator for north lake if water improvement is seen in south lake and if desired by HOA members

# North Landscape Barrier Project 2022



Mustang Island Circle

~~LELY ISLAND BOULEVARD~~



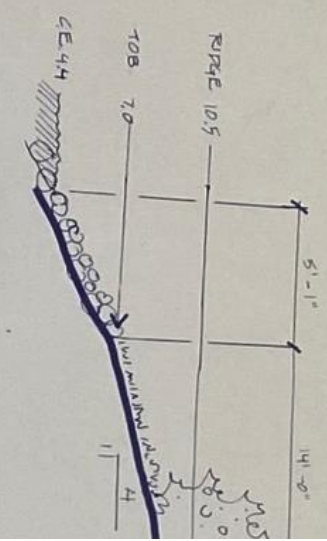
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X/3' STRIP OF SOB  
ALONG BACK EDGE

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# Financial Report - 2022 in review

- Estimated expenses & budget were \$97,989
- Actual expenses were \$99,098 (includes accrued expense of \$861)
- We had a \$1109 deficit from 2022
  - The tornado damage clean-up & repairs, something not budgeted for in 2022 and the cost of that was \$4380
- We had an operating balance of \$45,423 at the end of 2022
- We had a reserve balance of \$28,966 at the end of 2022
  - The tornado ate into our reserves. We were budgeting to have ~\$33K at EOY

# Financial Report

## 2023 Budget Highlights

- Estimated expenses are \$ 113,880
- Quarterly fee increases from \$557 to \$647/quarter (16% increase) Drivers for the increase included:
  - 40% increase in cost of insurance
  - 29% increase for Lely Master POA Dues
  - Budgeting an additional \$6K for landscaping to pay for first phase of South Landscape Barrier replacement
  - While Stalzman reduced the cost of Landscape Maintenance after being flat for years, they removed mulching from scope of work which had the effect of increasing the cost overall. Mulching is a new line item in the budget and is expected to be ~\$10K



# Reserves

Reserves are for major infrequent capital / expense considerations. Items earmarked include:

- Street resurfacing & sidewalk repairs
- Major gate projects
- Major landscape projects along road and possibly in landscape barrier easements
- Aerators
- Repair, Repaint Common Walls and Fencing,
- Major hurricane damage to common area
- Possibly mailbox repainting or subsidizing replacements if we chose to do something across the whole neighborhood

# 2023 Community Involvement

## Board of Directors

- Bill Fox
- Pat Buchenroth

## ARC

- Jean Takacs
- Kathy Fox
- Pat Schulz
- Barb Wietzes

Community Manager: Michael Cohen, CAM; Anchor Associates, Inc

*Martin Pollack stepped down in Oct. 2022 due to moving and Paul Harvey stepped down in Nov. 2022 after nearly 6 years of service to the community on the Board*

# Volunteers who said they would serve on the Board

- Tricia O'Hare (8468)
  - Currently Director of Development and Communications at the Family Service League in Huntington NY
- Meagan Billings (8440)

*Any other volunteers?*

# Lely Master POA

- What is the Lely Master POA and how does it fit in?
- What are they responsible for?
- Recent changes and concerns
- Implications for us
- Upcoming annual mtg.
- Current vote

# What is the Lely Master POA and how does it fit in?

- The Lely Master Association is the umbrella association that includes all condo associations and HOAs in Lely Resort. It includes 5284 "door fronts" (i.e. homes) including **us**
- Every home in the Lely Resort:
  - pays a Master POA fee. (This is included in our IWHOA fees you pay quarterly and the IWHOA pays the Lely Master the fee x 44)
  - must comply with Lely Master Declarations of Convenance in addition to IWHOA Declarations of Convenance

# What are they responsible for?

They are responsible for:

- maintaining the property, preserves and lakes that it owns in Lely
- maintaining the area between the sidewalk and road, median and entrances into Lely as well as the local signage
- the drainage facilities within the community.

*The Master Association contracts with the LCDD to do the landscaping maintenance.*

For more on Lely Master POA please go to; <https://lelymasterpoa.com/>

# Recent changes and concerns

- On 15 March 2021 Stock turned over the Lely Master POA to the Owners and a new Board of Directors created
- Bylaws and Declarations are woefully out of date with regards to developer language, current law and desired requirements
- An amendment to change quorum needed to make changes to the Declaration and vote for officers failed last year due to lack of quorum even after extending the deadline 3 months for proxy submissions and multiple mailing and other prompting
- The governing documents did allow for (or with changes to the Bylaws) “Block voting” which is what the POA has now adopted

# Implications for Us

- Block voting means that instead of each of us voting via a proxy, your HOA votes the entire neighborhood. *(In other words, the HOA votes all 44 homes either for or against a measure.)*
- The Lely Master POA procedure allows for the HOA to adopt one of the following procedures to accomplish this:
  1. The local HOA president votes for the neighborhood
  2. The local HOA Board meets to make the decision and a designated person then votes for the neighbor (with the default person being the president of the HOA unless someone else is identified)
  3. The local HOA goes through the tortuous and costly task of going through the same process as it would if it were an vote for an amendment to the local HOA Declarations



# Hierarchy of Law

- Federal statutes
- State statutes
- Country Code
- Lely Master POA Declarations & Rules
- Indian Wells HOA Declarations
  - IWHOA rules

*We care about this because we are subservient to  
Lely Master POA Declarations and rules.*

# Recommendation

The option that best balances the potential concerns of the IWHOA Members against effort and cost associated with a formal proxy mailing and vote by the Indian Wells HOA is:

*Have the Board collect feedback from our Members after the Lely Master POA does their required notice(s) and then have the Board vote consistent their own opinions and Members' input*

# Current Block Vote

Recommendation:

**CHOOSE 4 CANDIDATES**

**Write the number of votes next to each candidate**

- 44 Timothy Allen
- Joel Budd
- 44 Gabriel J. Choquette
- Jack Frye
- 44 Jan Face Glassman
- Salvatore Mulia
- Michael Newkirk
- 44 Paul H. Snyder
- Joseph Worth

Association Name: Indian Wells

The number of votes for an individual candidate may not exceed the number of units your community has. The total number of votes must equal the number of units your community has multiplied by 4.

Rationale for recommendation:

*These are current Board members who have demonstrated good effort and decision-making even as a proactive committee before Stock turned over the community to the Owners*

# LELY RESORT MASTER PROPERTY OWNERS' ASSOCIATION, INC. ANNUAL MEETING OF PROPERTY OWNERS

DATE: Monday, March 27, 2023

TIME: 1:00 PM

PLACE: Olé at Lely Resort Condo Association, Celeste Dr. in Lely Resort

Zoom:

<https://cardinal.zoom.us/j/88139707265?pwd=aVJZZ0pCRUVxTVhldmd6UFR1ZkEyQT09>

Meeting ID: 881 3970 7265

Passcode: 131055

One tap mobile +17866351003,,88139707265# US (Miami)