

Springdale Lake D Condominium Association, Inc.

4701-4909 NW 82ND AVE | Lauderdale, Florida 33351

NOTICE OF BOARD MEETING AND AGENDA

DATE & TIME:	Thursday, July 28, 2022 at 6:30 p.m., local time
LOCATION:	Zoom.US // ID: 926 9306 5760 // PW: 9 3 9 9 4 5 // Phone: 1-929-205-6099 Link: https://zoom.us/j/92693065760?pwd=OG9Fby9UNU5XMXIQNW1oVY9HQzRBUT09
WHO CAN ATTEND:	Any Member of the Association
ADDENDA:	Available Online at SpringdaleLakeD.com > Meetings

AGENDA

1) Call to order at: 6:32 pm, local time

2) Quorum:

<i>President</i> S. Sharp X	<i>Vice-President</i> A. Coward X	<i>Secretary</i> K. Charlton X	<i>Treasurer</i> L. Joyce	<i>Director</i> J. Ferriero X
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3) Members Present: Anna Quintyne (4804)

4) **MOTION** to waive reading of, and accept into the official records of the Association, Meeting Minutes from Meetings held on **23 JUNE 2022***.

<i>MOTION</i> D	<i>SECOND</i> P	<i>OPPOSED</i> None	<i>MOTION IS:</i> Adopted
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5) **CURRENT BUSINESS:**

a. DOCUMENTS CHANGES — Count ballots

- i. APPROVE: 12
- ii. REJECT: 11
- iii. Meeting must be continued due to lack of quorum of votes (36 minimum.)
 1. Reschedule to 25 AUG 2022 at 6:30 pm.
 2. Notice to be mailed out; Notice to send via card.

iv. FENCES – Fronts & Backs // New vendors selected, scope of work sent.

b. WASTE SERVICES:

- i. One can has 5x/wk service (not TUE or SUN;) the other has 3x/wk service (MON, THU, FRI.)
- ii. Current pricing is about \$1,940.02 per month.
- iii. 5-day per week service is **\$1,189.01** per month per can; \$2,378.02 total.
- iv. 6-day per week service is \$1,426.81 per month per can; \$2,853.62 total.
- v. 7-day per week service is **\$1,664.60** per month per can; \$3,329.20 total.
- vi. Does the Association wish to change? (Increases \$475.59 per month.)

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vii. **MOTION** to increase service from five (5) to seven (7) days per week on the dumpster adjacent 4802 NW 82ND AVE, Lauderdale, FL 33351 authorizing an increase of \$475.59 per month for the additional pickups.

1. **Motion:** President
2. **Second:** Director
3. **Opposed:** None
4. **Motion:** Adopted

c. **VIOLATIONS:**

- i. Set for re-inspection are: 4704, 4707, 4708, 4709, 4714, 4719, 4721, 4739, 4703, 4805, 4820, 4827, 4901, 4909.
- ii. Certified Notices sent 18 JUL 2022: 4803, 4820, 4827, 4901, 4909
 1. 2022.08.19 — Final reinspection
 2. 2022.08.25 — Hearing

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d. REPUBLISHING OF MASTER DOCUMENTS

- i. As of now, the Master Association manages landscaping for all four (4) sub-associations.
- ii. The written Document(s) of the Master Association, however, delegate landscaping of each sub-association's property to the sub-association.
- iii. Does the "D" Association wish to demand republishing of the Documents of the Master Association so that it may pursue its own contract for landscaping / tree trimming service(s)?
- iv. Table to 28 JUL 2022. Decision required at that time.
- v. 2022.07.28 — Does the Association wish to have the documents republished?
 1. **MOTION** to send demand to Master Association to enforce Documents as written effective 01 JAN 2023 for Landscaping.
 - a. **Motion:** President
 - b. **Second:** Secretary
 - c. **Opposed:** Vice-President, Director
 - d. **Motion:** Denied
 - i. Denials subject to cost analysis.

6) NEW BUSINESS:

- i. Cleaning Service (Scott) — *Leaving too many things undone.*
- ii. Parking Decal for 4819 NW 82ND AVE. (DECAL# 2250756 // LIC# KZQ-G74 (FL) // White Toyota Camry) This is for a "caretaker" who is not on the lease.
 1. Driver of vehicle is driving recklessly; and
 2. Decal was not properly issued; and
 3. Send letter of Violation requiring fourteen (14) days to either (a) apply for residency; or (b) return the decal;

7) MEMBER CONCERNS:

- a. Architectural Alteration – 4804 – Quintyne – Request to paint the patio and walkway to vehicles.
 - i. Recommendation: Board select paint color and approve.
 1. Color: Light Rattan PFC-27;

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2. Material — To be determined

8) Next Meeting: **THU 25 AUG 2022 at 6:30 pm, local time**

9) MOTION to adjourn

<i>MOTION</i> P	<i>SECOND</i> D	<i>OPPOSED</i> None	<i>MEETING ADJOURNED:</i> 8:00 pm
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APPROVED: /s/ *Kim Charlton* *08/25/2022*
Kim Charlton Date
Secretary of the Board of Directors

Springdale Lake D Condominium Association, Inc.

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MEETING MINUTES

June 23, 2022 @ 6:30 pm, local time via Zoom

10) Call to order at: 6:32 pm, local time

11) Quorum:

<i>President</i> <i>S. Sharp</i>	<i>Vice-President</i> <i>A. Coward</i>	<i>Secretary</i> <i>K. Charlton</i>	<i>Treasurer</i> <i>L. Joyce</i>	<i>Director</i> <i>J. Ferriero</i>
X	X	X		

12) **MOTION** to waive reading of, and accept into the official records of the Association,

Meeting Minutes from Meetings held on 26 MAY 2022*.

<i>MOTION</i>	<i>SECOND</i>	<i>OPPOSED</i>	<i>MOTION IS:</i>
P	VP	None	Adopted

13) **CURRENT BUSINESS:**

- a. Documents Changes — Submitted to Members
 - i. 2022.06.20 — Mailed
 - ii. 2022.07.28 — Response / Meeting
- b. Fences – Fronts & Backs
 - i. Working on proposals.
- c. Waste Management Issues
 - i. 2022.05.26 — Still ongoing issues; Not having any luck getting relief.
 - ii. 2022.06.23 — Missed pickup today (23 JUN 2022 THU)
- d. Violations: Set for re-inspection are: 4704, 4707, 4708, 4709, 4714, 4719, 4721, 4739, 4703, 4805, 4820, 4827, 4901, 4909.
 - i. Reinspected: 4909, 4901, 4827, 4820, 4805, 4803, 4801
 1. Certified Notices expected: 27 JUN 2022

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e. Republishing of Master Association Documents

- i. As of now, the Master Association manages landscaping for all four (4) sub-associations.
- ii. The written Document(s) of the Master Association, however, delegate landscaping of each sub-association's property to the sub-association.
- iii. Does the "D" Association wish to demand republishing of the Documents of the Master Association so that it may pursue its own contract for landscaping / tree trimming service(s)?
- iv. Table to 28 JUL 2022. Decision required at that time.

14) NEW BUSINESS:

- a. 2022 Election — Requires 60-day noticing period; Recommend a new election be called for 22 SEP 2022 concurrent with Budget Meeting.
 - i. Will require an entirely new notice and mailing.
 - ii. **Approved.**

15) MEMBER CONCERNS:

16) Next Meeting: **THU 28 JUL 2022 at 6:30 pm, local time**

17) MOTION to adjourn

<i>MOTION</i> P	<i>SECOND</i> S	<i>OPPOSED</i> None	<i>MEETING ADJOURNED:</i> 7:14 pm
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APPROVED:

Kim Charlton, Secretary

Date

Springdale Lake D Condominium Association, Inc.

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NOTICE OF BOARD MEETING AND AGENDA

DATE & TIME:	Thursday, May 26, 2022 at 6:30 p.m., local time
LOCATION:	Zoom.US // ID: 926 9306 5760 // PW: 9 3 9 9 4 5 // Phone: 1-929-205-6099 Link: https://zoom.us/j/92693065760?pwd=OG9Fby9UNU5XMXIQNW1oVY9HQzRBUT09
WHO CAN ATTEND:	Any Member of the Association
ADDENDA:	Available Online at SpringdaleLakeD.com > Meetings

Meeting Minutes

**Indicates an item with an addendum separately attached / published*

18) Call to order at: 6:33 pm, local time

19) Quorum:

	<i>President</i> S. Sharp	<i>Vice-President</i> A. Coward	<i>Secretary</i> K. Charlton	<i>Treasurer</i> L. Joyce	<i>Director</i> J. Ferriero
	X	X		X	X

20) **MOTION** to waive reading of, and accept into the official records of the Association,
Meeting Minutes from Meetings held on **28 APRIL 2022.**

	<i>MOTION</i>	<i>SECOND</i>	<i>OPPOSED</i>	<i>MOTION IS:</i>
	D	VP	None	Adopted

21) **CURRENT BUSINESS:**

- a. Wood Repairs — Completed
- b. Documents Changes — Submitted to Members
 - i. Re-send with 2nd notice of election and SASE for return of signature ballots.
 - ii. Management will send out at Management's cost.
- c. Fences – Fronts & Backs
 - i. Working on proposals.
- d. Waste Management Issues
 - i. Still some occasional issues is what it sounds like? Still outstanding.
- e. Bulk Trash / Recycling Area(s) – Had a general discussion on this, but no action item(s).
- f. Violations: Set for re-inspection are: 4704, 4707, 4708, 4709, 4714, 4719, 4721, 4739, 4703, 4805, 4820, 4827, 4901, 4909.

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22) NEW BUSINESS:

- a. Republishing of Master Association Documents
 - i. As of now, the Master Association manages landscaping for all four (4) sub-associations.
 - ii. The written Document(s) of the Master Association, however, delegate landscaping of each sub-association's property to the sub-association.
 - iii. Does the "D" Association wish to demand republishing of the Documents of the Master Association so that it may pursue its own contract for landscaping / tree trimming service(s)?
- b. Hole made by AT&T (Scott) — Irrigation tech stated that AT&T installed a new box months ago by the Pool. In doing so, they penetrated an irrigation line and never repaired it. Manager to contact AT&T and get reimbursement for repair of irrigation and replacement of landscape. (DEFER TO MASTER ASSOCIATION.)

23) MEMBER CONCERNS:

- a. Architectural Review — 4701 NW 82ND AVE wishes to install Solar Panels. Attorney for the Association has provided the attached legal letter of opinion for the Association's review. Manager seeks a motion either approving or denying the Member's request for architectural approval of the solar panel installation.
 - i. Motion to deny request (P); Second by: (T); Opposed: None
- ~~b. Application — 4707 NW 82ND AVE (Purchaser) — Manager seeks a motion either approving or denying. If denying, please provide rationale as it is required under Broward County Ordinance.~~

24) Next Meeting: **THU 30 JUN 2022 at 6:30 pm, local time**

25) MOTION to adjourn

<i>MOTION</i> P	<i>SECOND</i> T	<i>OPPOSED</i> None	<i>MEETING ADJOURNED:</i> 6:57 pm
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APPROVED:

Kim Charlton, Secretary

Date

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Member Concerns Solar Panel Installation Legal Letter of Opinion

David W. Black
Stephanie Deutsch
Steven W. Deutsch
Steven C. Elkin
Daniel T. Fleischer**
Neil G. Frank*
Leorah G. Greenman
Michael A. Kammer
Michael R. Kassower
Joshua R. Landsman
Andrew D. Levy
Steven W. Marcus
*Retired
**Of Counsel



Joel M. McTague
Constantina A. Mirabile
Harry P. Mirabile
Randy J. Nathan
Jamie A.B. Rodriguez
John S. Schank
Marc A. Silverman
Robert T. Slatoff
Maria P. Spiliopoulos
David Neal Stern
Ashley R. Tulloch
Leanne B. Wagner
Steven A. Weinberg

April 28, 2022

VIA E-MAIL ONLY

Board of Directors
Springdale Lake D Condominium Association, Inc.
2436 N. Federal Highway, Suite 205
Lighthouse Point, FL 33064

**RE: SPRINGDALE LAKE D CONDOMINIUM ASSOCIATION, INC.
INQUIRY AS TO SOLAR PANEL INSTALLATIONS
OUR FILE NO. 16257.000**

Dear Members of the Board:

You have inquired whether the Springdale Lake D Condominium Association, Inc. (the "Association") can prevent a unit owner from installing solar panels on a common roof.

We refer you to Section 163.04 of the Florida Statutes, which pertains to energy devices of renewable resources. On one hand, subsection (2) states, "A deed restriction, covenant, declaration, or similar binding agreement may not prohibit or have the effect of prohibiting solar collectors, clotheslines, or other energy devices based on renewable resources from being installed on buildings erected on the lots or parcels covered by the deed restriction, covenant, declaration, or binding agreement." Although this language initially sounds like the Association cannot prohibit solar panels, we would next look to the second sentence of the statute where the Florida Legislature added condominium-specific language in 2008.¹ It provides:

"A property owner may not be denied permission to install solar collectors or other energy devices by any entity granted the power or right in any deed restriction,

¹ It appears that the change in statutory language is a result of a case called *Sorrentino v. River Run Condo. Ass'n*, 925 So. 2d 1060 (Fla. 5th DCA 2006). There the Court said a unit owner had the right to put skylights (which it deemed the equivalent of solar panels) through a common element roof. Following this case, the Legislature amended the statute to limit a unit owner's ability to install energy saving devices on common elements.

**140 South Beach Street • Suite 310 • Daytona Beach, FL 32114
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covenant, declaration, or similar binding agreement to approve, forbid, control, or direct alteration of property with respect to residential dwellings and within the boundaries of a condominium unit."

It is the Firm's opinion that, relative to a condominium association, the second sentence implies that an Association **can** restrict solar panels on a common element such as a roof. It is our belief that because the language of the statute strictly states "within the boundaries of" the condo unit that this is where an Association cannot deny a unit owner's request to install solar panels.

We trust this addresses your concerns, but please advise if you have any additional questions or want to discuss this matter further.

Sincerely,

FRANK, WEINBERG & BLACK, P.L.



JAMIE A. B. RODRIGUEZ, ESQUIRE
For the Firm