



**RIVERWALK HOMEOWNERS'
ASSOCIATION, INC.
BOARD OF DIRECTORS MEETING
6285 Riverwalk Lane, Jupiter, FL 33458 at Pool #2
Thursday, September 01, 2022 at 7:00p.m.**

MEETING MINUTES

- I. Determination of Board Quorum:** Quorum achieved; Board members present at this meeting were President Ron Perholtz, Vice President Dave Huggins, Secretary Chris Abbott, Treasurer Thomas Curry and Director Sharon Orsini. Property Manager Valerie DeFalco was also in attendance.
- II. Call to Order:** The meeting was called to order with a quorum present by President Ron Perholtz at 7:02pm. Jeff Bartimus was introduced; he is the newest staff member working part time in The HOA Office.
- III. Approval of Agenda:** Adding traffic light, audit completed, receptacle pick up procedure. Motion to approve the agenda made by Thomas Curry; seconded by Dave Huggins. All in Favor.
- IV. Old Business**
 - a. Board of Directors Meeting Procedures: Formal procedure must be established to limit crosstalk and conduct business. Podium available for members to speak for 3 minutes on any agenda item. Rules are re The Governing Docs call for Robert's Rules of Order and they will be enforced. A handout is available that details the procedures of the meeting. Becoming out of order is a violation of Association Governing Documents, and there will be a fine imposed for violating the procedure. Thomas Curry discussed that intent is clear ... change the meeting style. Board will not interact with comments in the audience; must come to the podium to be heard in a formal means. There have been community complaints that members do not attend the Board Meetings due to the disorganization of the meetings and The Board is determined to change this. Sharon Orsini motioned to adopt the new meeting procedures; seconded by Thomas Curry. All in Favor.
 - b. Approval of Previous Board Meeting Minutes: Chris Abbott made a motion to approve the minutes; seconded by Sharon Orsini. All in favor.
 - c. 2022 Roofing Project: Have contract with a roofing contractor. 4-6 weeks to commence & 10 weeks from commencement to completion. Hoping to complete roofing project before Christmas. The cost of the roofing contract is in now cut in half from the bids received in June. This has changed the projections for the need to special assess and raise dues drastically. Ron is discussing the performance bond and explaining what it means. The company is highly rated, respectable, met with owner. Dave's concern is "what if our contractor underbid the job?" Much discussion. Comments from members. A new consultant for this project is a hired at a not to exceed \$10,000. Motion made by Thomas Curry made a motion to approve purchasing the performance bond (cost is 3% of project cost); seconded by Dave Huggins. Chris Abbott was also in favor. Ron Perholtz and Sharon Orsini opposed the motion.

- d. Underground Pipe/Box Repair at 6287-6: Have had three bids ranging from \$13,000 to \$45,000. Been extremely difficult to gather bids, vendors busy & this is small project for them. Discussion that the pipe was not installed properly many years ago. There is no immediate danger of flooding. The third proposal came in today for \$13,000, this particular vendor does a lot of county work. In an effort to cut the cost, Roberto will cut the concrete and re-pour the new concrete. Much discussion. This particular contractor will be repairing the problem on the inside AND the outside, which is not what the other 2 vendors proposed but this is what Town of Jupiter recommended and though Riverwalk does not need a permit Town of Jupiter will be closely monitoring the project. Motion made by Sharon to approve proposal by One Call (\$13,000 bid); seconded by Chris Abbott. All in Favor. Dave Huggins had questions about if the Town would be present when the area is filled; the answer is yes; the Town of Jupiter will be inspecting the project through completion.
- e. Patio Screens in Disrepair/Missing: Chris Abbott discussed there are many missing and ripped screens in the community, and they look terrible. This topic has been discussed in past, need to move forward. Ron discussed hurricane season is upon us. Thomas Curry emphasized that the appearance of the community is important, and this is part of The Association's Governing Documents. Much discussion amongst Board. This roofing contractor has said they will not be cutting the screens, they will be using a lull but this remains to be seen that owners will not sustain screen damage during the roofing project. Dave Huggins emphasized that screens missing/damaged prior to the roofing project commencement remain the responsibility of the owner. Begin sending letters to repair giving 90 days to correct with the exception of buildings directly involved in the nearing roofing project. Those units' screens will be inspected after the entire roofing project (including panting & gutters) is completed. Comments, questions from owners at the podium. Owner 6263-6 asked if she could video the condition of her home prior to roofing; answer is absolutely. Owner 6215-7 wanted clarification that he could repair minor tears without replacing the screen; answer is yes; as long as the repair is not unsightly. An Owner asked about roofing schedule. This is available on Riverwalk's website. The buildings being reroofed are years 2022 AND 2023; 11 buildings total.

V. New Business

- a. Boat Yard Storage Space Termination for 2022-2023 Non-Renewal
 - i. 6151-1 Dyer: Emails received from owner and presented to board for discussion. An owner commented regarding communication. Much discussion amongst Board. Prior communication on July 31 indicated that a tune up and changing was needed and the boat renewal requirements would be completed by would be back August 4, believed the boat has been away since early June. Motion made by Sharon Orsini to contact repair facility and confirm the details given since the invoice provided to the office was blank, if all is correct, ok if not terminate the space; seconded by Dave Huggins. All in Favor. Owner 6215-7 agreed what podium with The Board's decision. Owner inquired if more than one letter was sent. Property manager confirmed that the first communication in June was sent via email and USPS mail and an August communication was sent via email and USPS mail. Very specific details and deadlines were provided to boat storage space occupants.

- ii. 6151-8 Lamar: Board commented that there was a tree growing out of this owner's boat. Email received from owner that a new boat was coming soon (old boat was removed by owner prior to this meeting) and board discussed. Much discussion amongst Board. Motion made by Dave Huggins that there must be a boat in that spot and all requirements for renewal met by September 30, 2022, if that does not happen this space will be terminated on October 01, 2022; seconded by Sharon Orsini. All in Favor. Owner 6230-1 questioned the new procedures that are now in place but were not prior. Thomas Curry explained that "operability" is already a requirement in the boat yard agreement that owners sign. Last year only the engine start was required. This year the boat must run and float. The wait list is very long and the Board does not want spaces taken by non-operable boats. Important community amenity. Owner from 6263-6 commented that she believes there are several boats near her that definitely will not float; however, that is inaccurate. Everyone with the exception of the two spots on this agenda, have passed the operability test and submitted all renewal requirements; The HOA Office has meticulously and diligently completed this project.
- b. *** ADDED ITEM: 2021 Audit: Has been completed. Ron Perholtz reiterated the language provided in the audit that Riverwalk does not require reserves (see below).

"The Association's governing documents and Florida statutes do not require that funds be accumulated for major repairs and replacements, except for the boat storage area. The Association membership has not adopted statutory reserves as defined under Florida State 720.303(6) of the Homeowners Association Act. As a result, any calculation or funding of reserves by The Association is recommended, but optional."

However, though not required, Riverwalk DOES have reserves, though NOT statutory, which is in place to protect Riverwalk from being forced to special assess the homeowners for capital expenditures. The Board's intent is to properly budget (estimate) for all future expenses to avoid special assessments. Riverwalk is not required to keep statutory reserves. Sharon Orsini clarified what a statutory reserve means: Simply put Riverwalk is not required to maintain statutory reserves or reserves of any kind. Statutory reserves are different from reserves. If Riverwalk had statutory reserves that would force reserve monies to be spent only on that single reserve item, i.e., Roofs. Riverwalk has reserves, though not statutory, because it allows flexibility in spending the reserve monies for reserve expenses. Sharon explained this item for the average person who isn't a CPA/doesn't typically understand budgets, etc. Owner 6270-3 agreed with Sharon Orsini but continued to reiterate that Statutory Reserves were created with Riverwalk's Governing Documents. Thomas Curry discussed that this same conversation has been occurring for a few years with Owner 6270-3. He feels this conversation "is so long gone, 8 years later, and this is such a distraction, it comes up every meeting and shameful that this continues. No need to continue this conversation at every meeting, statutory reserves are not on the agenda and his intent is to cut off anymore conversation on this topic. He and The Board are looking presently and forwards, not backwards. If Riverwalk members believe any of The Board is not contributing, they may attend the February annual meeting in which a vote for Board seats will occur provided a community quorum is present. Thomas stated "Is there a fundamental problem? Answer: No, there is not". An owner thanked Sharon Orsini for the clarification as she herself had been

confused regarding reserves/statutory reserves and now she understands. Ron Perholtz also clarified that a vote of the membership is required for a capital improvement (i.e. a clubhouse), not a capital expense (i.e. community roofs). The audit is available in the office or on the website. David Huggins added that he has reviewed ALL Association Governing Documents (Covenants, Articles, By-Laws); statutory reserves have never been established or existed. Period. Reserves have existed and initially they were separated by project (i.e. roofing, painting, etc) though those monies have been combined. Sharon added that what is interesting is that years ago The Board paid Ron Perholtz a consulting fee because they needed his help and guidance. If Ron was not trustworthy or capable why would he have been approached for his help years earlier? All this going back the past and rehashing it is not productive.

- c. ***ADDED ITEM: Traffic Light: Ron Perholtz spent 2 hours with Town of Jupiter today regarding the installation of an additional light for safety and the amount of traffic on Central Blvd. The intersection at the Riverwalk Entrance has 3 competing left turns. Many school buses drop children on and off there. Even the fire station a battalion chief spoke that he would like the light on. Can someone send a video of residents/children crossing the road to show the risk of crossing that intersection. Owner 6271-4 asked what is The Town's response? Traffic Chief says there is not enough traffic coming out of Riverwalk. Thomas Curry suggested that we discuss adding a hard median in the road if the town is resistant to a turning on the light; however, that will not help with a Crosswalk for kids and residents crossing into the plaza. Comments/questions from owners. Owner
- d. Property Manager's Update:
 - i. Electrostatic Paint "Sample" at Pool 2 Main Gate: Through a manager's group luncheon meeting Valerie learned about electrostatic paint, similar to powder coating, which looks nicer and lasts longer on metal. It is estimated to cost almost double than regular paint but will last twice as long. The company offered to electrostatically paint, complimentary, the gate at Pool 2 as a sample for all to see. The company will give a proposal to paint additional gates electrostatically in Riverwalk to present to The Board.
 - ii. Concrete Repair Continues: The Maintenance Team is continuing to remove and repour sections of the road that are in disrepair. Roberto suggested we purchase the concrete mixer in lieu of renting it, which was a great and it will pay itself off shortly.
 - iii. ***ADDED ITEM: Receptacles (garbage cans & recycling bins): Change in pick up of receptacles by The HOA. Previously, The HOA was picking up 12:00am Thursdays and 12:00am Saturdays. (WM picks up Tuesday & Friday mornings). Waste Management was finishing pick up very late on Tuesdays, usually 7:00ish, Riverwalk Code Enforcement was picking up Tuesday receptacles after midnight on Thursdays. Now, with the change in Waste Management's schedule, the garbage cans will be picked up after 12:00am Wednesdays and Saturday 12:00am pick up continues. Much discussion amongst The Board. The rules & regs currently require receptacle pick up by 8pm the same day Waste Management picks up. The HOA is giving somewhat of a grace period. The Board discussed may want to edit rules & regulations

VI. Violations

- a. 6167-4 Brightberg – Trash Bags Not in Trash Can: Motion made by Chris Abbott to send to the fining committee; seconded by Sharon Orsini. All in favor.
- b. 6182-6 Lines - Trash Bags Not in Trash Can: Owner present to discuss with Board. Owner does not use nor want a garbage can; she usually takes her garbage and disposes of it at work. Owner asked if she could put a bag out not in a can if it does not contain food; Board agreed they could not allow as this is against the rules & regs. Sharon Orsini made a motion to dismiss; seconded by Dave Huggins. All in Favor.
- c. ***ADDED ITEM: 6183-7 Zaccagnini – Unapproved Resident: Owner present; discussed amongst Board and property manager. Much discussion over guest vs. occupant & rules & regs. Riverwalk requires all persons living in the community to complete and application and a background check run prior to approval. Motion by Thomas Curry dismiss the fine & to word the approval after application received this as “Approved Guest”; seconded by Sharon Orsini. All in Favor.
- d. 6198-3 Downs – No Decal/Visitor Pass Displayed: Motion made by Chris Abbott to send to the fining committee; seconded by Sharon Orsini. All in favor.
- e. 6215-7 Chase -Unleashed Dogs: Owner here to discuss with Board. Sharon Orsini made a motion to dismiss, next time there will be a fine; seconded by Dave Huggins. All in Favor except Thomas Curry.
- f. 6246-3 Henriksen - Trash Bags Not in Trash Can: Motion made by Chris Abbott to send to the fining committee; seconded by Sharon Orsini. All in favor.
- g. 6247-5 Credit Card Management Service - No Decal/Visitor Pass Displayed: Lessee here to discuss with Board. Motion made by Thomas Curry to dismiss violation; seconded by Chris Abbott. All in favor.
- h. 6383-2 Gitto – Damage to Association Property: Owner paid for replacement with exception of \$100 fine; he was unaware of damage caused. Motion made by Chris Abbott to waive the \$100 violation fine; seconded by Sharon Orsini. All in favor.

VII. Open Discussion: Owner 6343-6 here to discuss speeding near her building which is close the front entrance. Dave Huggins suggested reviewing the video footage of drivers running the front stop sign. The speedbump near her building was one recently removed. May need to be revisited in the future.

VIII. Adjournment: Dave Huggins motioned to adjourn at 9:23pm; seconded by Sharon Orsini. All in favor.

APPROVED CHRIS ABBOTT SECRETARY 10/6/22
