

News Flash For Fontana Estates Homeowners

October 2019

IMPORTANT-PLEASE READ BEFORE OCTOBER 29th ELECTIONS

President Dr. Telka diFate; Vice President Robbie Hollister; Secretary Mark Hudak; Treasurer George Kriss; BOD's Dr. Giselle Carnaby; Debbie Creore and Joe Rybarszyk.

Dear Fontana Estates Homeowners,

The Board of Directors has become weary of the attacks directed at us, both as a group and personal in nature. In the past we have tried to ignore these actions and proceed forward, letting our hard work speak for itself. That obviously hasn't worked. Therefore, part of this newsletter will be dedicated to our complaints and addressing the misconceptions that have been thrown out there.

Are you confused by information that has been put out there to the residents here at Fontana Estates? Are you wondering if Facebook and emails are giving you factual information? One thing you do know for sure is that it is making you really upset. Is your blood pressure rising? Well the Board of Directors feels the same way. Let's think about this.

There are people who are spreading false information that totally contradicts the professionals in their field that are hired to do their jobs for Fontana Estates. These homeowners say the engineers hired concerning the ponds are incorrect and we don't need them. They don't want to listen to the State of Florida water authority for the ponds either. These naysayers also contradict the advice given by the corporate attorney. **Does this make any sense?**

For example, if you are really sick wouldn't you rather go to a doctor who attended medical school or would you rather go to someone who says they know how to act like a doctor because he/she costs a lot less (with no training)? Wouldn't it be nice if all the doctors and specialists you needed didn't cost you a penny? Well let's be real. You have to pay for trained professionals. **You get what you pay for.**

We have conducted the business of this Board for the community in a very organized manner. **We have met with trained professionals in their fields to get the best information we can for the projects that need to be done for this community. However, we have some people trying to interfere with this process and they will not stop.** It is up to the other homeowners here to

let the Board conduct business on behalf of all the residents here, not just the ones that yell the loudest.

The Board members and committee members are homeowners just like you. We are volunteers who get no financial benefit by spending thousands of hours working on behalf of this community. Although we pay a management company we have learned that they do not complete all of necessary work in a timely manner and they frequently refer us to the attorney for answers. The community wants transparency. But that does not mean publishing the thousands of hours of meetings, conference calls, emails or interviews. That is impossible. We release as much information as we can when we get answers to our questions in a summary form.

HERE ARE THE FACTS TO HELP YOU UNDERSTAND:

For those who attended the meeting with the State of Florida agency called St. Johns Water Management Dept., (STJWMD), on August 24, 2019 you learned exactly what is going on with our ponds. This agency oversees and determines if your water management system is in compliance according to the permits. **It turns out that since the system we have was altered without permits prior to this Board we now have to make the necessary repairs to be recertified to be in compliance. This is not an option. Do not let anyone try to tell you otherwise. The longer the problem exists the worse it gets and the more costly.** Cammie Dewey, the engineer for STJWMD, has spent a tremendous amount of time working with our committee to help us get back to where we need to be.

This engineer absolutely said at our meeting that all of the studies we had conducted were necessary for her to determine the facts with the ponds. This includes the engineer and surveyor. If we hadn't done these studies before she came we would have had to be doing them now. STJWMD doesn't do them for us. We were ahead of the game by getting them done over the last year. **Anyone who says otherwise is giving false and misleading information.**

FACTS ABOUT THE PONDS:

In order to be as forthcoming as we can; we have been waiting for competitive bids for the ponds. **We even put up a survey on our official website so please complete it at: Fontana-Estates.com.** You all received a copy of the official letter from St Johns in the mail recently concerning the ponds and repairs. If you do not understand sections of the letter, since it is technical, please ask and one of us would be happy to discuss it with you.

Every step of repairs is being overseen by STJWMD since they are in charge of recertifying the ponds. Here are some recent cost estimates for the ponds. If you have questions ask the Pond Committee!

1. The exit system about \$2500 (This repair description has already been approved by STJWMD and must be done as soon as possible).

The following list of repairs have not yet been approved by STJWMD:

2. Sediment removal and bank re-stabilization with sod just in middle lobe area. Non-invasive aquatic plants need to be planted in the repaired areas to act as a buffer to the waves that erode the banks. The cost range for this is about \$20,000 or so. The repairs start the process but maintaining them is crucial. The long-term goal is that the plantings will alleviate the need for expensive monthly chemical algae control.

3. We are still negotiating the price to repair the pump and lake level control switch but it *could be at least* \$25,000. We do not have all the figures in but we have been working diligently to solve these problems in the most cost effective way possible. **If the pumps were never disconnected this would not be an issue.**

Just to put this rumor to rest: We are not spending \$400,000 on pond repairs and do not plan to do a special assessment.

Does hearing this make you mad at the Board? Well these problems were inherited and we are working to solve them in a timely manner.

It is so unfortunate that some people are trying to discredit the very people that are helping to make this community what it was designed to be by Toll Brothers. In fact, Toll Brothers has been contacted about the pond issues and can't believe the before/after pictures that they have seen. It showed a lack of maintenance since they left.

The corporate attorney has assured us that we are doing things correctly. **The individuals giving you bad advice are negatively affecting our community.** They don't have the facts or expert advice. If you want to know the facts please speak to Robbie Hollister, Vice President; George Kriss, Treasurer; Joe Rybarczyk covers landscaping; and Dr. Giselle Carnaby covers the gates.

OCTOBER 29, 2019 ANNUAL HOMEOWNERS MEEETING:

You may also have been told that the Annual Meeting on October 29, 2019 is illegal. Attorney Patryk Ozim clarified this on October 19, 2018 prior to the last Annual Meeting and elections. He was paid for his consult and his email is quoted here, **“regarding case law for nominations from the floor. A technical violation regarding nominations committee is cured through nominations from the floor, deeming the election valid.”** For anyone not present at the 2018 election this is how the election was conducted and how it will be conducted in 2019.

Legal counsel has said that recording of any meetings is not any type of official record. Only the approved minutes are. Just remember recordings can be altered to give homeowners a false view. Attending meetings is the only way to hear the facts first hand or obtain a copy of **approved** minutes. Speaking to Board officers is always welcome.

The Board hopes that this puts to rest some of the false information and clarifies others. If you have questions, want to learn facts please contact us.

Robbie Hollister’s email: roberthollister@hotmail.com

Dr. Telka diFate’s email: MYWC2016@gmail.com

NEIGHBORHOOD WATCH PROGRAM AND SAFETY:

Do you like to walk down our streets or ride your bike? The homes are kept up so beautifully and the landscaping so colorful and well manicured. Don’t you also want to live in a friendly environment? Isn’t that one reason why you bought here? **We have been asked why an individual constantly walks the neighborhood doing audio and video recording?** This person has more than one camera seen in hand, around his neck or on his cap. Does this make you feel uncomfortable? Is it okay for women and children to be video taped in this manner? Are you consenting to it? Do you also think about recent break-ins in the community? This is happening to me and other Board members. Is it meant to harass? Intimidate? What is being done certainly isn’t normal. What do you think? If this were a non-resident doing these things he would probably be arrested or worse. **What can you do about any suspicious activities?** If you attended the Neighborhood Watch program then you know that the **Sheriff said call the police and report any suspicious people, activities or cars.**

Any questions please contact Sheriff Lewis’s email: Sherri.Lewis@ocfl.net

FINANCIALS

The present BOD started out the year without a budget or the documents to

even get one organized. This had everything to do with the last management company, Towers, not releasing records or financial reports.

Don Asher to the rescue... or not? Therefore, the experienced manager we were assigned, Lisa K. put together the entire budget. She made mistakes but then never attended any of the BOD meetings to apologize or to admit fault.

In the past year financial reports have always been given at Board meetings. As stated in your covenants/bylaws you may obtain this information from the management company. These documents are totally done by the business office at Don Asher, not the BOD. They are in good shape considering we have had to pay thousands of dollars in bills left behind from the previous board that was not anticipated in the 2019 budget. This has been stated in numerous newsletters over the last year.

The 2014 Reserve Study reported that HOA fees should go up about 3% per year. This was never done. Just like the Reserve Study that should have been conducted in 2018 and wasn't. We unexpectedly had to have this study completed for a fee of \$2250.00 in 2019 and it once again stated that fees should have gone up about 3% per year.

Read the frequently updated website at Fontana-Estates.com

Some of us spend a significant amount of time to try and bring our community together rather than create walls and discontent. See some of the good things that have been done on your behalf. Without our wonderful volunteers we would have spent thousands of dollars more out of all of our pockets!

When attending Board meetings please leave attitudes at home and follow the appropriate conduct as an adult. The Board has read these policies at the beginning of each meeting for all to follow.

WHY CAN'T WE MOVE FORWARD?

THE PRESENT BOARD WANTS TO!

Are you watching a Facebook group or getting emails filled with accusations rather than data? **This social media toxicity is part of the problem. The Board chooses to be part of the solution rather than part of the problem. Ask yourself: why is all this misleading information been put out there to our community? Is it to help bring the community together or drive us apart? Are the people doing this dealing with information obtained from experts in the field or is it based on assumptions?**

Some Board members have been cursed at, threatened, harassed and stalked. The rumors that have been started are outrageous. **Do you feel this acceptable behavior? Do you think Board members and homeowners here should have to tolerate this? This is what is happening.**