

BEAR ISLAND HOMEOWNERS ASSOCIATION, INC.
MINUTES OF THE REGULAR MEETING OF THE BOARD OF
DIRECTORS
Monday, October 3, 2011

A. Call to Order, Notice, Roll Call, Determination of Quorum, Approval of Prior Minutes: The regular meeting of the Board of Directors of Bear Island Homeowners Association, Inc., pursuant to posted notice, was held at 7:00 P.M., Monday, October 3, 2011, at Faircloth Meeting Room, West Palm Beach, Florida. Present were: Directors Howard Berman, Diana Kaufman, Gail Saunders, Stephen Seftenberg and Karen Spina . Mr. Berman acted as Chair and Mr. Seftenberg as Secretary. The Chair declared that a quorum was present. Also present were Bryan Welch, the Property Manager on behalf of MMI of Palm Beaches, Inc., Joseph Kaufman, 1525 Bear Island Drive, Chair of the Architectural Control Committee, Ron Warnecke, 1100 Bear island Drive, Gate Liaison and President of the Villages Property Owners' Association, Jyotsna A. and Leina A. Ajinkya, 1130 Bear Island Drive, John Kaywell, 1650 Wilderness Road, Patricia Miclean, 1055 Gator Trail, Diana Rose, 1150 Bear Island Drive, and Howard Solomon, 1140 Bear Island Drive. Minutes for the August 29, 2011 special meeting, September 6, 2011 regular meeting and the September 16, 2011 special meeting were approved with minor corrections.

B. Reports:

- 1. President's Report.** No report.
- 2. Manager's Report.** The Manager's written report will be filed with the minutes.
- 3. Communications Committee.** Mrs. Kaufman gave an oral report, noting that the Fall e-newsletter had been placed on our web-site and that 50 copies of the print newsletter had ben left at the Gate House. She requested that all contributions to the Winter newsletter be in her hands by December 1st.
- 4. Irrigation and Water Committee.** No report.
- 5. Architectural Control Committee.** Mr. Kaufman gave an oral report of the initial meeting earlier in the evening at which only three homeowners (Santo Lumina, Mrs. Miclean and Mr. Solomon) appeared, outlining his goals and objectives for the committee.
- 6. Property Owners Association Report.** Mr. Warnecke reported that for the fifth year in a row the POA would not increase Bear Island's assessment of \$53,346. He said that the POA was in negotiations with the City of West Palm Beach with respect to renewal of the expired contract under which the POA agreed to maintain and the City agreed to provide the irrigation water for the median of northbound and southbound Village Boulevard within the boundaries of the POA. In response to a question from an owner, he described the services provided by the POA to Bear Island and other members of the POA, which include maintenance of three swimming pools, several tennis courts, basketball courts, picnic areas and maintenance of the grass and trees along Village Boulevard. Mr. Warnecke stated he would brief our City Commissioner, Ike Robinson, on the following issues: (1) the excessive demand charge for the master water meter, (2) the possibility that the City would permit Bear Island to submeter water

and (3) why when a garbage pickup occurs on a holiday, Bear Island skips a pickup while homeowners not living in associations get their garbage picked up the next day, which amounts to charging us for doing nothing.

7. Gatehouse Report. Mr. Warnecke reported that the AlliedBarton proposal for 2012 had a small increase due to a proposed increase in the compensation of Gate House personnel (see Property Manager's Report for details). He also noted that MMI had submitted a proposal for 2012 slightly below the AlliedBarton proposal. He affirmed that if the HOA switched, the present personnel would have no legal barrier to switching.

C. Unfinished Business:

1. 2012 Budget: Upon motion duly made and seconded, and after discussion and questions from the owners, the 2012 budget was unanimously approved. In response to a question from an owner, Ms Saunders noted that the City is planning a substantial increase in its water rates, which would have an adverse effect on the HOA's efforts to build up its reserves.

2. MMI Management Review: This review was deferred until all directors have submitted their written reviews, which should be sent to the Chair in time for the December meeting.

3. Mr. and Mrs. Richard Kontos, 1315 Bear Island Drive. The Chair stated that the HOA attorney had sent a letter outlining a settlement agreement to Mr. and Mrs. Kontos' attorney, but had received no response, except that neither Mr. and Mrs. Kontos nor their attorney planned to attend the mediation session, now scheduled for Friday, October 7, 2011, at 1 P. M., at the law offices of Michael Gelfand, Esq., the mediator, 1555 Palm Beach Lakes Blvd., Suite 1220, West Palm Beach, Florida 33401. The Chair stated that if our attorney appeared but their attorney does not, the mediator has stated that the only charge to the HOA will be \$50 for filing a one-page report reflecting the nonappearance of the homeowners. He urged as many members of the Board to attend as possible, just in case the homeowners' attorney showed up. The Chair also reported that the HOA's attorney has a notarized statement by another person bitten by the homeowners' dog.

4. Rules and Regulations and Architectural Standards and Procedures. At the request of Joseph Kaufman, chair of the Architectural Control Committee, consideration of the draft Architectural Standards and Procedures, which has been reviewed by all of the Directors, will be deferred to provide an opportunity for the members of the Committee to read and comment on the draft.

Upon motion duly made and seconded, the Rules, Regulations and Reminders of Courtesy were unanimously approved, with an effective date of January 1, 2012.

The Property Manager said that including the Rules and the Standards with the mailing containing the 2012 budget and 2012 coupons creates a problem since that package has to be

mailed from Miami. Mr. Seftenberg recommended that the Rules and the Standards be mailed together when finally approved to be received by the end of the year.

5. Charles Land, 1415 Bear Island Drive. The Chair reported that Mr. Land has not yet executed the proposed settlement agreement. In the absence of progress, the HOA will continue to push foreclosure forward.

6. John C. Uzniz, 1100 Gator Trail. Mr. Seftenberg reported that Mr. Rossin, our attorney, advised that the HOA cannot seek a receivership unless and until the lender renews its mortgage foreclosure action. Mr. Rossin advised the HOA to balance the possible profit from taking over the title (subject to the first mortgage) against the loss of the claim (now in excess of \$12,300) if and when the property is sold by the lender.

7. Water Shutoff Valves. As reported in last month's minutes, Engenuity Group, Inc., has submitted a proposal (1) to locate all domestic water shutoff valves, (2) create a Google Earth KMZ file so the valves can be seen on laptops, etc., and (3) produce a wall map on which the valves would be marked, for \$4,400. The Chair stated that Mr. McElroy has proposed to produce "a report for \$2,600." The Chair requested the Property Manager (1) to obtain at least two additional proposals that are identical to the Engenuity proposal and (2) obtain a written proposal from Mr. McElroy identical to the Engenuity proposal, with any deletions or additions Mr. McElroy may see fit to do.

D. New Business:

1. Landscape Replacement Proposal. Florida Image has submitted a proposal to replace listed plant material totaling \$1,238.00. Mr. Kaywell, 1650 Wilderness Road, has requested that certain trees be removed from his Front Yard and complained about the job being done by Florida Image. Upon motion duly made and seconded, after discussion, the Board unanimously approved the following resolution:

(a) The proposal costing \$1,238.00 is approved; and

(b) The Property Manager is requested to report to the Board what, if any, work is needed at 1650 Wilderness Road and its proposed cost.

2. Corporate Renewal. Upon motion duly made and seconded, after discussion, the Board approved retaining its law firm to prepare, have executed and file the required document to extend the life of Bear Island HOA. The Chair requested Mr. Seftenberg to talk to our attorney about this.

3. Pressure Cleaning. The Property Manager stated that Jeff Manuel has submitted a proposal to pressure clean our sidewalks, gutters, driveway aprons and entrance sidewalks and pavers, at a total cost of \$9,250. Upon motion duly made and seconded, after discussion, the

proposal was unanimously approved. Ms Saunders stated that this expense would come out of the 2012 budget.

4. **Electric service at Entrance.** The Property Manager stated that Higgens Electric has submitted two proposals affecting electric service at the Entrance.

(a) As noted in last month's minutes, the proposal by Holiday Lighting Designs, Inc., to install Holiday lighting per the proposal at a cost of \$1,444.00 was deferred to see if Ms Kaufman could raise this money through donations. The Property Manager noted that if the proposed Holiday lighting were installed, the existing service is inadequate and the circuit breakers would close frequently. To solve this problem, Higgens Electric proposes to pull a new 20 amp circuit to the existing conduit to the Gate House and other work required to provide adequate service for holiday lights, at a total cost of \$1,200. Upon motion duly made and seconded, following discussion, this proposal was tabled. The Chair suggested that this expense be added to the donation requests, since the lights depend upon the enhanced power.

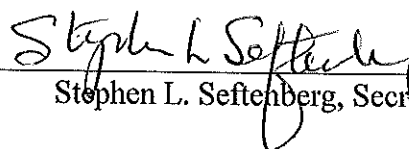
(b) Higgens Electric proposes to replace existing 50 watt Metal Halide fixtures with 21 new LED up-lights on existing perma posts along Bear Island Drive near the Entrance, at a total cost of \$2,800.00. Upon motion duly made and seconded, after discussion, this proposal was tabled since this work is not in the 2012 budget.

E. Communications to the Board. Mrs. Miclean noted that several owners have complained about persons climbing over the fence running along Brandywine and suggested that the HOA plant bougainvilleas along this fence. The Property Manager reported that he had obtained estimates of the cost of doing this of \$6,000 to \$7,000. The 2012 budget has no provision for this expense. In the absence of a motion, the Chair said the proposal would be deferred. The Chair requested the Property Manager to see if there were other, less expensive, methods of discouraging intrusions from Brandywine.

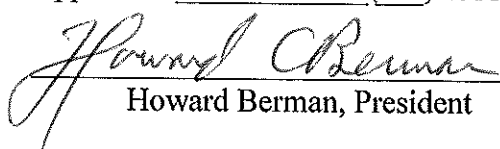
F. Next Meetings; Adjournment: The Chair set the next regular meeting of the Board for the Faircloth Meeting Room for Monday, November 1, 2011, at 7:00 P. M..

There being no further business, the Chair adjourned the meeting at 8:55 P. M.

Respectfully submitted,


Stephen L. Seftenberg, Secretary

Approved: 16 November, 2011


Howard Berman, President