

**BEAR ISLAND HOMEOWNERS ASSOCIATION, INC.**  
**MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS**  
**MONDAY, MAY 2, 2011**

**A. Call to Order, Notice, Roll Call, Determination of Quorum:** The regular meeting of the Board of Directors of Bear Island Homeowners Association, Inc., pursuant to posted notice, was held at 7:01 P.M., at Faircloth Meeting Room, West Palm Beach, Florida. Present were: Directors Howard Berman, Diana Kaufman, Gail Saunders, Karen Spina and Stephen Seftenberg. 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., Ronald Warnecke, 1100 Bear Island Drive, Rick Marciniak, 1065 Gator Trail, William Benson, 2750 White Wing Lane, Rita Hartman, 1220 Bear Island Drive, Joseph Kaufman, 1525 Bear Island Drive, Alex McConnell, 1030 Bear Island Drive, David McElroy, 1170 Gator Trail and Diana Rose, 1150 Bear Island Drive.

**B. Reports:**

**1. President's Report:**

(i) A resident's dog has attacked a human being and another dog. Mr. Welch reported that two violation letters have been sent to the resident. The resident by telephone stated that the dog belonged to his son, for whom he has "dog sat" for extended periods over the last three years without incident, and promised to take the dog to obedience school. After discussion, upon motion made and seconded, the Board voted 4 to 1 (Mr. Berman dissenting) to direct Mr. Welch to send written notice by Certified Mail, Return Receipt Requested, to the resident containing a copy of Paragraph 6B of Article IV of the Restated Declaration and advising the resident that unless the dog is permanently removed from the community within ten days after receiving notice, the Association will have the dog removed to an appropriate shelter at the resident's expense.

(ii) One resident sent him a letter opposing the community garden proposal.

(iii) One resident sent him a letter complaining that the new landscape company had done a "poor" job on the owner's back yard and had been terminated.

**2. Manager's Report.** The Manager's written report will be filed with the minutes.

(i) Irrigation Pumping Station - Two contractors have submitted bids on cleaning the irrigation intake, which will require a diver. Upon motion duly made and seconded, the Board unanimously approved the low bid of Sullivan Electric & Pump, Inc., for \$525.00.

(ii) Backflow Preventer Repair - Flamingo Plumbing, which has been retained for this job, will need to have the water turned off in the entire community for "about three hours." After discussion, the Chair directed Mr. Welch to advise Flamingo that the best time for this work would be between 11 AM and 2 PM on a Tuesday or Thursday, and to include the notice to the residents of this as an attachment to the letter advising them they can require the Association to mail them copies of the audited financial statement for 2010.

(iii) Irrigation Restrictions - South Florida Water Management District has reduced the days for watering to Thursdays and Saturdays between 12 AM and 10 AM and 4 PM to 11:59 PM. The irrigation timers have been adjusted to comply.

(iv) Sidewalk Repairs - We have received three bids, ranging from a low of \$29,645.00 to a high of \$48,975.00 for ostensibly the same work. Ms Saunders advised the Board that the 2011 budget has no provision for this item.

(v) Telephone Calling System - One Call Now, of Troy, Ohio, has acquired NTEc, of Macon, Georgia, by merger and has offered the Association a contract with added features at no extra cost. After discussion, on motion duly made and seconded, the Board unanimously approved execution of the new contract.

**3. Architectural Control Committee.** No report. Mr. Marciniak pointed out that the paint application forms on the web site were inconsistent and needed to be corrected.

**4. Irrigation and Water Committee Report.** Mr. McElroy submitted a written report, which will be filed with the minutes. Mr. McElroy, chair of this committee made the following comments:

(i) The backup pump has been out of service for some time. Replacing it should not cost over \$2,000 and will provide assurance that if one of the other pumps goes out, the lawns will not suffer. After discussion, upon motion duly made and seconded, the Board voted unanimously to request Mr. McElroy to obtain quotes for a new backup pump and to direct Mr. Welch to proceed with the purchase of a new backup pump, provided the cost does not exceed \$2,000. In addition, the Board requested Mr. McElroy to ask Florida Image to have one of its people check the pumphouse each day to see that all three pumps are in working order. To make this task easier, the Board also requested Mr. McElroy to get quotes on having an exterior "red light" installed that will flash if a pump goes down for any reason.

(2) A resident has been turning off the pump from time to time. Unless stopped, this could result in a severe loss of lawnscapeing.

(3) We need a zone chart in electronic format.

(4) O'Hara failed to complete the second half of its promised survey to locate and uncover all water shutoff valves and their covers, for which they have been paid. The Chair requested Mr. Welch to contact Tom O'Hara about this<sup>1</sup>

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<sup>1</sup> Mr. Welch subsequently advised the Board via e-mail that O'Hara has agreed to return and complete the job at no additional cost.

(5) Florida Image has recommended that the Association open an account with Melrose or some other irrigation equipment supplier and invest \$500 to obtain an inventory in irrigation heads and other irrigation equipment that will be stored on-site and will be available immediately for Florida Image's workers when they come across an irrigation head that is clogged or broken. After a duly made and seconded motion it was approved to allow Florida Image Irrigation to open an account with Melrose.

(6) No progress has been made on the request to the new City administration to change the rules prohibiting submetering or installing individual meters for each residence.

**C. Old Business.**

**1. Water Shutoff Box Replacement.** See item (4) of the Irrigation and Water Committee report.

**2. Reserve Study Proposals.** After discussion, upon motion duly made and seconded, the Board unanimously approved the bid of Four Jays Consulting, Inc., to prepare a Reserve Study for a cost not to exceed \$3,000. [Note: the original Reserve Study for the developer was done by this company, which still has the original information in its files.] Ron Warnecke to call and discuss conclusion with Board.

**3. 2770 Wilderness Exterior Alteration.** After discussion, upon motion duly made and seconded, the Board authorized Mr. Welch (1) to send a letter to the owner advising him that his alteration would be deemed to be approved because the ACC failed to act within the time limit set in the Declaration and (2) to file a copy of the letter with these minutes.

**4. One Call Now.** See Manager's Report.

**5. Electronic Billboard.** The Chair noted that this subject would be deferred until we have more information of the cost of acquiring and maintaining such a system.

**6. Bear Island Circle Security.** A home owner reported via a letter to the Board that an intruder has crawled over the wall fronting Brandywine Avenue. Mrs. Kaufman suggested that the Association install cameras at various places that would show pictures in the Gate House. After discussion, the subject would be deferred until we have information of the cost of acquiring and operating such a system. A less expensive alternative might be to plant bougainvillea inside the wall. Ms Saunders pointed out that the 2011 budget has no room for this expense. The Chair suggested that Mr. Welch obtain a quote from Florida Image for planting bougainvillea.

**7. Raccoons in Common Areas.** For want of a motion, this subject could not be raised.

**8. Advertising Signs.** Mr. Welch reported that he has sent violation letters to several owners who have permitted contractors who put signs with their names in large print on the permit boxes. If the Association does not receive a satisfactory response within ten days, the signs may be removed, or the matter referred to the Fines Committee.

**D. New Business.**

**1. Survey of Statues in Front Yards.** Mr. Welch submitted a written list of residences with statues placed in their Front Yards without prior approval of the ACC. After discussion, upon motion duly made and seconded, the Board unanimously authorized Mr. Welch to send violation letters to each owner on the list, reciting the owners' right to file an application with the ACC.

**2. 1275 Gator Trail Association Lien Foreclosure.** Mr. Marciniak reported that this residence needs repairs. Ms Saunders questioned the financial risk to the Association of taking the unit over so it can be rented. Mr. Marciniak stated that he would assess the necessity and cost of repairing or replacing the roof.

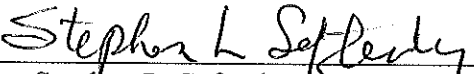
**3. Duck Crossing Sign.** Mr. McConnell has volunteered to pay up to \$95 toward the installation of a second sign at the exit. Ms Saunders pointed out that the total cost would be \$190. For want of a motion, this subject could not be raised.

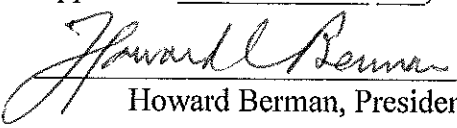
**4. 2705 Meadowlark Tree Replacement Request.** Mr. Welch reported that this was a very small tree between the sidewalk and the street that had died and that no real benefit would accrue from replacing it with a tree that might grow and injure the sidewalk. The Chair suggested that Mr. Welch notify the owner that the Association will not replace this tree.

**E. Communications to the Board.** There were none.

**F. Next Meeting; Adjournment:** The Chair set the next regular meeting of the Board for the Faircloth Meeting Room at 7 PM, Monday, June 6, 2011. There being no further business, the Chair adjourned the meeting at 9:45 P. M.

Respectfully submitted,

  
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Stephen L. Seftenberg, Secretary

Approved: 6/6/11, 2011  
  
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Howard Berman, President