

# **BEAR ISLAND NEWS LETTER**

March 2011

## **President's Report**

I hope this newsletter finds you safe and sound. The purpose of this issue of the Gazette is a sort of "State of Bear Island."

### 1. Member's annual meeting

Enclosed with this Gazette are: a notice of the 2011 annual meeting of the members, an agenda of the meeting, "candidate's information sheets" for owners volunteering to serve as Directors, and proxies and ballots so you can cast your votes (in person or by ballots mailed or delivered prior to the meeting) for Directors, and on any other issues to be placed before the members.

Two directors will be up for election at the meeting. Some time ago you received a letter asking you to complete and return a candidate's information sheet if you intend to run for office. You may also announce your intention at the annual meeting, but waiting until then may prevent members voting by proxy from voting for you.

***Your participation in this meeting is crucial, whether in person or by proxy and ballot.***

We need 20% of the members (**46**) of our 227 members present in person or by proxy to hold a valid election. The two candidates receiving the highest total of votes will be elected.

### 2. "Water, Water Is Not Everywhere"

Over the past few years, we have had many new homeowners in Bear Island and I thought this would be a good opportunity to update our residents, long-term as well as new, about the water issues we face.

Since we do not receive a monthly water bill, some homeowners may not be aware of how

water is paid for. Our quarterly association fees have three main expenditures, of which water is the most expensive, followed by the gatehouse and then landscaping. Our potable water bills are about \$21,000 a month and \$252,000 per year. This amounts to \$93 per month per household. There is only one water meter which is read each month by the City. Right now it doesn't matter how many people live in your home or how many months a year you are here or whether or not you have a pool--you pay the same amount as everyone else. Our irrigation water is not included in the bill from the City since it comes from our lakes and is a separate budget item.

While the City provides potable water, we homeowners (and the Association) are responsible for maintaining and repairing the infrastructure (all the pipes, water mains, etc.) within the community. This means that if a water main or pipe breaks we pay to fix it. Repairs could run into thousands and thousands of dollars. Our homes do not have individual water meters, making it even more difficult to detect leaks. Your home or pool could have a leak, but in the absence of a meter measuring your home's usage, you may never notice that an extraordinary amount of water is being wasted! Several years ago, the Board looked into what it would take to have the City take over responsibility for maintaining and repairing our potable water system and metering each home. The City is simply unwilling to take on the financial risk!

To keep our water costs down, it is vital that all homeowners practice water conservation and take a "proactive" position with respect to detecting leaks. If you see or suspect a leak, please report it to our Property Manager. Due to the age of our homes and pools, there may be many undetected leaks. If you have to fill your pool frequently, you probably have a leak. Every home has a "shut off" valve near the garage that

turns the water on and off for your home. Please turn this valve on and off periodically to be sure it is in good working order. Please have the valve replaced by a plumber if it is broken or in a non-working condition.

Additional shut-off valves serving two adjacent homes are in the process of being located and checked for condition. Usually there is a green circular cover located on or near the property line.

Water conservation is a necessity for the whole state of Florida. Your conservation efforts benefit all of your neighbors by keeping our costs as low as possible.

3. Village Pools, Tennis Courts, and Recreational Facilities

Some of the newer homeowners may not be aware that we are allowed to use three pools, tennis courts, picnic areas and recreational facilities in the Villages. They are located on Saratoga Road, Shiloh Drive, and Cumberland Drive. You must get an application from any facility and fill out the information and give it to the manager of the facility. You will be provided with a resident card in a few days. The ID is good for any of the three locations and for the period shown on the card. There is no charge since you pay for these amenities through your association quarterly assessments.

4. Exterior lights.

Many residents have commented how dark certain areas are at night when people come home. Every year both the Association and the Police Department encourage homeowners to illuminate their lights on their garages and vestibules. You can buy low energy bulbs that really don't use that much extra electricity. You can also put your lights on a timer. The lights help to cut down on potential crime.

5. Repairing sidewalks and driveway aprons

Bear Island has been faced with a multitude of cracked and elevated sidewalks and aprons due to roots growing under them. Over a period of years, the areas deemed the most dangerous have been replaced with pavers, which makes repair due to root intrusion much quicker and cheaper. We continue to monitor our sidewalks and aprons and make repairs strictly from a safety standpoint. Your Board is considering a substantial repair and replacement program for 2011-2012.

6. Modernizing our irrigation system

Because of the volunteer work of one of our homeowners, we have been able to save money in the operation of our irrigation system. We are constantly monitoring the pumps and leaks in the system and the broken equipment.

7. Keeping our roofs in shape.

There may be no more telling sign of the health of a community than the state of its roofs. Dirty roofs and roofs out of repair are evidences of decay. Under the Declaration of Covenants and Restrictions of Bear Island, as amended and restated effective July 6, 2009 (the "Declaration"), the homeowner is responsible, when necessary, for cleaning, painting, repairing and replacing his roof. Over the past few years there have been an enormous number of roofs cleaned, painted, repaired and replaced, but there are always homes that fail to keep up their roofs (whether because of foreclosure or simply lack of attention). If these homeowners fail to respond to gentle prodding (including the imposition of fines), the Association has authority to hire a licensed contractor and do whatever work is needed, and bill the homeowner.

8. Architectural Control Committee.

The mission of the Architectural Control Committee ("ACC") is to maintain property values by protecting the environmental and architectural integrity of Bear Island in accordance with the provisions of Article VIII of the Declaration. The ACC is tasked with

reviewing proposed changes to the exterior of the homes and the landscaping in the front yards employing uniform standards. The ACC consists of five or more persons appointed by the Board and serving at the pleasure of the Board. Homeowners and members of the homeowners' family are eligible to serve.

The ACC can be considered as our "first line of defense" for our community's aesthetic and property values. A lot depends upon the willingness of its members to review proposed changes and form a consensus whether to approve, reject or suggest modifications. We have had trouble finding people willing to put in the time and effort on this good cause. If you would like to protect, preserve and improve our community, please submit your name to our Property Manager.

#### 9. Fines Committee.

Over the years, your Board and the ACC have been able to correct violations of our rules and regulations by diplomacy. However, there are always a few violators who think they are immune. The Legislature recognized this and passed a law recently authorizing the Association to impose fines (of not more than \$100 per violation of its governing documents, up to an aggregate of \$5,000) against an Owner "for failure of an Owner, his family, guests, invitees or employees, to comply with the Governing Documents," provided it follows procedures set forth in Section 14 of Article IV of the Declaration.

If the ACC is our "first line of defense" the Fines Committee is our "last line of defense" short of the courthouse. The Board has had trouble recruiting a Fines Committee consisting of three or more persons who must be homeowners to serve at the pleasure of the Board. Until then, the Fines Committee cannot carry out its duties. We are looking for people who can work together and who have a judicious temperament and no "ax to grind." The job does not involve a tremendous

amount of time but does require diplomacy and sound judgment. If you are interested, give your name to our Property Manager.

#### 10. Encouraging participation

Board, ACC and Fines Committee members are volunteers, each with our own lives to lead in addition to volunteering many hours to the common good. The Board welcomes the assistance of all homeowners in working on projects, responding to suggestions and solving problems. Currently, the ACC and the Fines Committee are in need of more members. The President is authorized to appoint *ad hoc* committees to assist the Association with specific problems or projects. **If you believe that our community can be improved, join us and become a part of the process!**

Your Board certainly does not "know it all" and welcomes "citizen participation," especially when Owners make constructive comments and suggestions, and ask intelligent questions. Please note, however, that the Board can only act (1) within its authority as provided in our governing documents and Florida law, (2) within the funds on hand as budgeted, and (3) as directed by resolutions adopted by the Board.

Also, without an opportunity to get all the facts and reach a considered decision, it is unlikely that action will be taken immediately on a suggestion raised for the first time at a meeting of the Board. If you have a suggestion requiring formal action, please present it in writing to the Board by mail, FAX or e-mail prior to a meeting.

To make information available to our members, we maintain a web-site, [www.bearisland.us](http://www.bearisland.us), at which forms can be downloaded and our governing documents and archives, etc., can be reviewed. Board and ACC meeting dates, times agendas and locations are posted on the Bear Island web-site and at the gate.

11. Maintaining our financial health

Our Treasurer, Gail Saunders, discusses budget and financial matters below. If you believe that the budget process can be improved, please attend our budget meetings and provide your constructive input.

12. Conclusion

Our community is over 23 years old. Your Board of Directors and other committee members volunteer many hours on projects intended to keep our community as beautiful as it is. On each project, the Board (and often the ACC) have considered and reached decisions only after consulting experts and holding a number of meetings. These meetings were (and will be) open to all members of the Association, who were (and will be) given a reasonable opportunity to speak.

I wish to express the appreciation of the Board and the members of Bear Island for the excellent services of our Property Manager, Bryan Welch, LCAM, and his staff at MMI of the Palm Beaches, Inc.

*Howard C. Berman, President*

**Treasurer’s Report**

As Howard Berman, our President, pointed out in his update we live in a community that is approximately 23 years old and with this comes normal aging issues that all communities face. With our 2011 budget we needed to address the repairs and maintenance issues that will undoubtedly surface in the next three to five years and be sure that we will be ready to meet the financial obligations associated with them. As we all know, the current economy has resulted in loss of home values and for many, loss of employment resulting in the inability to pay HOA fees. Our monthly obligations continue with or without the collection of all HOA fees. It is imperative that everyone pay their dues on time each and every quarter. We are fortunate that Bear Island has a relatively low percentage of residents that are unable to meet their HOA obligations. The Board has been diligent is staying on top of the situation and taking the appropriate actions when necessary.

Everyone should have received a copy of the 2011 budget in October of 2010 - if you don’t have one please ask MMI for a copy. I hope you took the time to review it and that you noticed the reserves we have set up for future repairs and improvements. Our total 2011 budget is \$ 927,144 which is an increase of \$ 24,884 (2.68%) over the 2010 budget. In 2008, our assessments were increased by \$25 per quarter per home and in 2010 they were increased by \$50 per home per quarter. Fortunately, we were successful in not raising our HOA fees this year and we are diligently working to reduce as many expenses as possible throughout the year. Our reserve fund goal is \$479,798 of which we currently have collected \$297,998 leaving us uncollected reserves of \$181,800. These reserves are extremely important as this community continues to age and we look at possible repairs to roads and water lines, irrigation lines, etc.

In April our current contract with O’Hara Landscaping is expiring and we have prepared a Request for Proposal that has gone out to three companies as well as O’Hara for bids. We will continue to get bids on all work that is necessary and will be prudent in our expenditures. As Howard pointed out, our water bill is our most expensive monthly obligation running approximately \$21,000 a month or \$252,000 annually. All of us need to be vigilant about our water usage and possible leaks. Is your toilet constantly running? If it is, you probably need to replace the parts inside the tank. Are you adding water to your pool two or three times a week? If you are, you’ve probably got a leak. Are your outside faucets dripping? If so, please have them repaired. All of these things can add up to a tremendous amount of water usage. Remember, it’s not just you or your house – there are 227 homes in this community and if we all have water leaks that is a lot of money going down the drain!

In closing we want you to know that we are constantly looking at our budget, trying to reduce our expenses and, build our reserves for the future of our community.

*Gail Saunders, Treasurer*

**Secretary’s Report**

To make information available to our members, we maintain a web-site, [www.bearisland.us](http://www.bearisland.us) at which forms can be downloaded and our governing documents and archives, etc. can be reviewed. Board and ACC meeting dates, times, agendas and locations are posted on the Bear Island web-site and at the gate house.

*Stephen L. Seftenberg, Secretary*

### **Architectural Control Committee**

The ACC continues to process applications for changes to the exterior of our homes and yards. If the ACC cannot respond to violations or process applications in a timely fashion because it lacks a quorum, serious violations may go unchallenged.

Bottom line: we need more people willing to spend a little time to preserve and protect our little "Paradise Island."

*Rick Marciniak, Chair*

### **Property Manager's Report**

A lot has been accomplished by your Board of Directors. It has been a pleasure to work for such a knowledgeable, energetic and dedicated Board of Directors.

#### **1. Exterior Modifications:**

Remember ANY exterior modification to your home requires the prior written approvals of the ACC. Forms are available at [Bwelch@miamimanagement.com](mailto:Bwelch@miamimanagement.com) or [www.bearisland.us](http://www.bearisland.us) or at the gate house.

#### **2. Selling or Leasing your Home?**

There is a new form to fill out should you desire to sell or lease your home. It grants specific permission to your real estate agent when showing or managing your home. The form is available at [Bwelch@miamimanagement.com](mailto:Bwelch@miamimanagement.com) or [www.bearisland.us](http://www.bearisland.us) or at the Gate House.

#### **3. Entry Transponders**

Transponders are not transferable between vehicles therefore owners purchasing a new vehicle and new homeowners need to apply for a new transponder and advise MMI of the old transponder that needs to be deactivated. New transponders are available at \$35.00. For those vehicles with metallic windshields, (600 series Mercedes and 700 series BMW's) a front remote license plate transponder is available for purchase at \$75.00. Forms are available at [www.bearisland.us](http://www.bearisland.us) or at the Gate House. If you wish to order a transponder over the phone, please contact my Administrative Assistant at 561-686-7818 ext 201.

#### **4. Gate Information Updates:**

Please keep the entry gate informed of changes to your information. You should add or remove vendors, permanent guests, and add, remove or change home phone numbers. Forms are available at [Bwelch@miamimanagement.com](mailto:Bwelch@miamimanagement.com) or [www.bearisland.us](http://www.bearisland.us) or at the Gate House.

#### **5. Gate House**

AlliedBarton Security Services have now been handling our entrance for over three years. Reports from home owners are nearly unanimous in agreement with this company's professional and courteous service towards Bear Island's owners, their guests, visitors and contractors. Did you know there was not one single report of a crime in Bear Island for 2010! There are not many Associations who can make that claim. Let's hope 2011 and beyond bode as well.

#### **6. Finances.**

As good as things are there is also a negative area to report. As we all know the economy has taken a turn for the worse. Bear Island has been saddled with five ongoing foreclosures. Although this is considerably less than other communities' percentage wise, it still is a drain on the budget. We may have to write off in excess of \$50,000 in HOA dues in arrears because the foreclosed homes are eventually sold for less than is owed to

the first mortgagee. It is remarkable that your Board of Directors have managed to effect all the upgrades in the Community yet increase your HOA dues by only \$75 per home per quarter since 2007. The Board has authorized cleaning of aprons, driveways and roofs and clean-up of back yards of several of the unkempt units in foreclosure. The cost of maintaining appearances will be charged to the units and ultimately we hope to recoup the funds when the lending institution takes possession or ultimately sells the home to a third party.

7. Landscaping.

Despite mandatory County water restrictions and non-paying foreclosed units, in 2010, Bear Island has been able to replace \$8,414 in landscape material throughout our Community.

8. It Takes a Village.

Please remember to abide by your Declaration and Rules and Regulations: Submit the appropriate forms should you wish to sell or lease your home, replace your roof, modify or paint your home (there are many new colors available to choose from), or make other changes to the exterior of your home. Please don't put trash out at the curb too early or on wrong days. Let's keep Bear Island the crown jewel it is.

*Items of interest*

1. Trash removal schedule

**Garbage only is scheduled to be picked up each MONDAY morning.** According to our Rules, you should not put out your garbage can(s) until after 6 PM Sunday evening. This also a City of West Palm Beach Code of Ordinances, Chapter 74, Article II, Section 74-35.

**Garbage, paper and cans and other trash is scheduled to be picked up each THURSDAY morning.** You should not put out your garbage can(s) or the blue and yellow recycle bins and plant materials, etc., until **after 6 PM Wednesday evening** as per **West Palm Beach City**

**Ordinance, Chapter 74, Article II, Section 74-35.**

If you put things out too early or on any other day, things can get messy. The Association will attempt to contact you to put your garbage and bins back in your garage and plant material and other trash in your back yard until the appropriate time for pickup.

If you ignore such notices, the Association has the right and obligation to have the mess cleaned up at your expense. Repeated offenses may result in fines. No one wants to have to go through this procedure, which should be unnecessary.

2. Do you need a new recycling bin?

If your blue or yellow bin is in bad shape, call 1-866-NEW BINS (639-2467) to have one delivered to your door.

3. Cleaning your driveway and walks

By the time you read this, Jeff Manuel will have completed pressure cleaning of our sidewalks and driveway aprons. If you want your driveways (and sidewalks within your lot) pressure cleaned, call Jeff at 561 373-0241 or a contractor of your choice for a bid.

This year we have noticed increased stains on the driveways and sidewalks from the oak trees dropping acorns. There is a concrete sealant that you can apply after cleaning that will make future cleaning much easier. Please contact Bryan Welch at MMI for information on this product.

4. Renewing your alarm permits

Each home in our community is equipped with an ADT Group One intrusion alarm system which we pay for through our assessments *whether we use it or not*. If you have an active alarm system, you may be entitled to a reduction in your homeowner insurance premium. If you wish to activate your system, call Penny Bronson with ADT at 561-712-5429 or her cell 954-553-8848

The City of West Palm Beach requires each of us to apply for and pay for a \$25.00 Alarm Permit each year, *whether you use it or not*. Call the City at (561) 653-3507 or down-load the form at [www.wpbpolice.org/alarms.php](http://www.wpbpolice.org/alarms.php).

5. Want to Contact Us?

Mail, phone, FAX or e-mail comments and suggestions to: Bear Island Homeowners Association, Inc., c/o MMI of the Palm Beaches, Attn Bryan Welch, 1201 U.S. Highway One, Suite 330, North Palm Beach, FL 33408 (Tel: (561) 686-7818 ext 203, FAX: (561) 686-7284, e-mail: [BWelch@miamimanagement.com](mailto:BWelch@miamimanagement.com).)

6. Snail mail or e-mail?

Printing and mailing the Newsletter and notices are costly, while e-mailing them is faster and cheaper. If you want to receive communications by e-mail, please drop a note with your e-mail address off at the gate or e-mail it to us at [BWelch@miamimanagement.com](mailto:BWelch@miamimanagement.com)

***Bryan Welch, L.C.A.M., Property Manager***