

SKYE LOCH VILLAS OWNERS ASSOCIATION INC.

SPECIAL MEETING

JANUARY 25, 2023

LOCATION: COMMUNITY BUILDING

Board members present were Jed Lowry, Sal Arena, John McGilvary, Janice Burke and Dan Borba.

Jed Lowry called the meeting to order at 6:03p.m. And led those in attendance in the Pledge of Allegiance. The purpose of the meeting is an open forum to discuss three new Rules and one new By-Law. This is your opportunity for dialogue to discuss and understand the proposed changes. It is okay to disagree, just do so respectfully.

Dan Lajoie described the group of nine members as a pretty diverse group of villa owners who appreciated the opportunity to review the outdated rules and bring their recommendations for your consideration and approval. We are here to present three new rules: Pets, Enforcement and Parking. The new By-Law will be presented by Jed.

Pets: Technically, Skyloch is a no pet community with the exception of small quiet birds, fish or one inside cat. The reality is we have pets. The Committee is proposing that we become a pet friendly community, allowing 2 pets per household.

Dan Borba: suggested that we include the phrase, as required by law, after the word vaccination in 3.1.8.

Dan Lajoie continued with the new rules which include the following: pets cannot be left outside unattended; you can walk your dog on the common areas; must clean up after your pet; your pet cannot relieve themselves on other owner properties; pets are not permitted by the pool; pet cannot be a nuisance; owners must maintain a current license, vaccinations and these records must be available to Skye Loch villas upon request; guests/ visitors are not allowed to bring pets to Skyloch.

Pamela North: Visitor cannot bring dogs. If it is an emotional support pet, you must be able to provide required documentation.

Joanie Sloane: What is the definition of pet? Dan responded the Committee was referencing dogs. The current language also allows cats.

Jed Lowry: ESA requires that the resident produce a letter with the prescription that their emotional well being requires them to have a support animal.

Joanie Sloane: So, an ESA is different from a pet? The answer is yes.

Jane Neal: So if you produced the required documentation for your ESA, do you have to do it again. The answer is you do not have to produce the letter from the therapist, but need to provide proof of current license and vaccinations.

Theo Stone: Please define common area.

Jed Lowry: All villas have a width of 25 feet with varying length for their backyards. So each villa has a front and back yard. If you are an end unit, the green space between the villas is a common area. All the land around the community hall is a common area.

Judy Ferrante: We have specific requirements for owners of an ESA. What does a pet owner have to provide?

Dan Lajoie: A pet owner is expected to comply with licensing and maintain required vaccinations but does not have to provide to management unless requested.

Kevin Murphy: The new rules make the owner responsible for licensing and shots which they will have to produce if asked.

Jed Lowry: If the new rule passes, we go from a no dog to a dog friendly community.

Dan Lajoie: One of our goals was to eliminate the bureaucracy. Owners are responsible for maintaining current license and vaccinations, which they will have to produce upon request.

Kevin Murphy: So birds, fish and cats, what else? How do you control what pets you can have?

Dan Lajoie: The Committee looked at dogs, because that is the current situation we have.

Cynthia Herbst: Currently guests and visitors can bring a pet as long as they follow the community rules who stays with them at all times.

Dan Lajoie: If the new rule passes, guests and visitors will not be allowed to bring their pet, with the exception of an ESA.

WHY NOT??? – LOTS OF DISAPPROVING COMMENTS!!! It's just a pet!!!

Jed Lowry: Jed reminded the audience that it is difficult to hear the person who was recognized from the floor. A visitor's ESA with the required documentation or service dog are allowed on the property. If it is just a pet, the visitor's pet will not be allowed on the property if this rule passes.

Dan Lajoie: ESA is different. This is the purpose of this meeting to have this discussion. We appreciate your feedback. The Committee will meet again to review the comments and suggestions that were discussed

Jed Lowry: Yes everyone gets to vote on this proposed rule.

Joyce Okema: Years ago, I had visitors who could not bring their dog.

Pamela North: It is a great rule. You can have dogs that are not ESA.

Jane Neal: Why not at least allow their guest to bring a cat that doesn't even go outside and stays with them at all times.

Jed Lowry: Think about the scenario where the resident has two dogs, friend brings in their dog along with three adults in the villa. Imagine what this could be like for your neighbors?

Pamela North: It is a liability for the Association to allow visitors to bring their pets. When we don't have records, it is a huge liability for the Board.

Dan Lajoie: If there are no other questions, let's move on to Enforcement.

ENFORCEMENT: Dan Lajoie: Article VII describes how we manage violations. The Committee thought we were not adequately handling violations. We needed to detail how the process should work. We came up with basically four steps. It starts with identifying the violation by observation from a Board member, resident or Management Company representative; secondly, reporting violation to Management Company who is responsible for responding to the accused and thirdly, verifying the violation. The final step of enforcement describes the various procedures that could be used to get to the resolution of the violation. If the violation is not resolved, the last part of step 4 details the CEC (Code Enforcement Covenant) function. The goal of the Committee was to define in detail how the process works for handling violations. By developing these steps, the goal was to hold the Management Company and Board accountable for resolving violations so there's communication and final resolution.

Scott: In Florida, once you report a violation, it becomes part of a public record.

Dan Lajoie: I am not sure how that is handled here.

Jed Lowry: Currently we handle violations internally. The resident who reports the violation is not part of the process once the violation is reported, affording anonymity. The City of Dunedin changed the rules from allowing anonymous reporting of violations to requiring the person reporting the violation to identify themselves. Article VII, if adopted, keeps the person reporting the violation involved from the start to resolution.

Darlene Shaffer: Where is the requirement that you do have the right to know the person who is accusing you of a violation?

Dan Lajoie: It may not be clear, but the person reporting the violation must identify them self. Everyone okay with that? A resounding yes!

Jed Lowry: We will clarify our language.

Jane Neal: The Board will make sure the accused resident knows who reported the violation.

Theo Stone: What if the person who reported the violation is not satisfied with the resolution?

Dan Lajoie: There is no further action required once the violation is corrected.

What is CEC? Code Enforcement Covenant. If after thirty days, the violation is still not resolved, the CEC meets with the violator and makes a recommendation to the Board.

Dan Lajoie: If there are no other questions, let's move on to Streets and Parking.

STREETS AND PARKING: This topic is covered in Article IV and has eleven rules. The Committee did a total rewrite and is proposing eight basic rules. We began by clarifying the six different parking areas: Owner Parking, Green Area Parking, Visitor Parking, Clubhouse Area Parking, Maintenance Garage Parking and Live Parking and from there how they are meant to be used.

All vehicles are required to be registered, licensed and insured. The type of vehicles that are acceptable include: cars, but can also include trucks, SUV's, scooters and golf carts. Owner Parking Space is meant for your vehicle. You can also have a living space there but only if you first have enough room for your vehicle. We also developed the Visitor Parking Pass program and had these tags available for pickup tonight. The Clubhouse Parking is not for owners or visitors parking but for clubhouse events.

You are allowed to have two vehicles per villa. The third vehicle can be a golf cart, motorcycle or scooter. This vehicle must be parked on the owner space along with your vehicle. We did a lot of clarification on handicapped parking which was not truly identified in the current rules. Finally, we included guidelines for vehicle maintenance in Visitor Parking. Are there any questions?

Pamela North: on 2.1.c, how do you plan on dealing with mowing in the Green Areas? We have two situations: have limited spaces and some short time parking and then we had some snowbirds that leave their cars for long periods of time?

Dan Lajoie: It is a challenge.

Jed Lowry: The green space on East has not been a problem for the landscaper or caused complaints from owners. If a snowbird doesn't arrange for someone to move their vehicle in the other spaces, we could end up with weeds and grass growing around and under the vehicle. In that case, it may result in a

friendly letter to snowbird. For others car owners, we would allow them to park in clubhouse area for the few hours while grass is mowed.

Kevin Murphy: It's not a problem year round.

Jed Lowry: That's true. For six months of the year, the grass is dormant and we cut the grass every other week. Starting May 1st, we cut every week and that's when the problem occurs.

Dan Lajoie: When the Committee was rewriting Article IV, we realized that we never considered the landscaper and mowing concerns.

CAPITAL IMPROVEMENT FUND: Jed Lowry introduced a brand new bylaw for our consideration. In simple terms, the purpose is to increase our capital reserves through the sale of villas. Upon the sale of a villa, the purchaser or seller of any villa shall pay an amount equal to twelve times the current maintenance fee for the purpose of capital improvements, like new roof for the community hall, asphalt repairs or sidewalk repairs to mention a few examples.

Villas are currently selling between \$239,000 and \$255,000. Using the current maintenance fee, it would be about 1% of the selling price.

Jane Neal: Is this legal?

Jed Lowry: Yes if approved by the majority of voters. This fee is not new in Florida in HOA or Condo communities.

Angela Johnson: There are about 10% of our clients that have some type of Capital Improvement Fund.

Pamela North: I have lived in several different HOA communities over the years and never came across this. Maintenance Fees should cover the expenditures you mentioned. I am not on board with this.

Janice Burke: As a buyer in Maine, we paid this when we purchased a home in a complex. It needs to come from the buyer or seller. Maintenance Fees do not cover extraordinary expenses.

Pamela North: It seems like a penalty for selling your villa.

Jed Lowry: We typically sell ten units. If this is approved, using our current monthly fee would raise \$30,000. Every budget year, none of our reserve items are fully funded. Without doing this, increasing our budget by \$30,000 would raise the monthly fee \$10 for each owner. Establishing the Capital Improvement Fund recognizes and preserves the equity that every owner has in their villa.

Theo Stone: I totally support this concept rather being stuck with the expense of covering a loan. I am curious, how many villas are sold in a typical year?

Jed Lowry: We typically sell ten villas per year. Since 2010, there has been an 80% turnover in villa ownership.

Kevin Murphy: Think about the recent condo collapse where the owners refused to increase fees to address serious building deficiencies. I totally support it.

Cynthia Herbst: I suggest that we change some of the wording to a charge to the buyer and let owners decide how to handle it as a negotiating tool.

Jed Lowry: That's a good point

Randy: We each pay the monthly fee; I suggest we just increase the fee.

Jed Lowry: It is a Capital Reserve issue, not an HOA issue. When the fees increased from \$230 to \$255 for 2024, there was positive feedback from the owners. If it would be necessary to raise the fees from \$255 to \$270, it is not likely to be well received.

Jed Lowry: We can change the verbiage and put the emphasis on the buyer.

There was concern on who is responsible for notifying the buyer of this fee. There are several ways this can happen: Real estate agent; the document we require the buyer to sign stating they have read all the rules and bylaws and agree to follow them; the estoppels letter the buyer receives prior to actual closing.

Kevin Murphy: There is no requirement that we specify who is required to pay this fee.

Jed Lowry: Your suggestions are noted and well received.

Joanie Sloane: Does this proposal replace the special assessment discussed at the November meeting.

Jed Lowry: It was a discussion and a decision has not been made.

We have some work to do to prepare the documents that will be mailed out for the February 8th meeting and vote on these changes to the rules and new bylaw. If these items are approved, they will be sent to Pinellas County Records Office for their approval and stamp before they actually go into effect.

Besides the vote on 2/8, we will be having our first business meeting for 2024. We may change the start time from 6 to 5:30 to deal with a rather long agenda.

Thank all of you for attending. The meeting ended at 7:04 p.m.