



## DELRAY ESTUARY HOMEOWNERS ASSOCIATION, INC.

C/O Capital Realty Advisors, Inc.  
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# BOARD OF DIRECTORS MEETING

7:00 pm. Monday, April 4, 2016  
At Community Pool Cabana

## MINUTES

### CALL TO ORDER

Jeff Steiner called the meeting to order at 7:01 pm stating there was quorum. Board members present: Jeff Steiner, President; James Winn, Treasurer; Don Uselmann, Secretary and Director Bob Smith. Julie Hagnauer, VP was absent. Representing Capital Realty Advisors, Inc. (CRA) was Steve Polino, LCAM, and Community Association Manager.

### APPROVAL OF PREVIOUS MEETINGS MINUTES

After review, a motion was made, seconded and unanimously approved to accept the minutes from the Board Meeting held on March 7, 2016 as written.

### OFFICERS & COMMITTEE REPORTS

ALC COMMITTEE – Cynthia Brown, ALC Co-Chairman reported in Julie Hagnauer's absence, on the pending ALC Applications with the committee's recommendations. The Board reviewed and **the following were unanimously approved:** for Landscape changes at 1527 and for adding new pavers to enlarge the patio deck and the addition of an brick retaining wall at the south rear of the back yard, with the owner's agreement to correct any drainage problem that may occur as a result of this improvement.

**The following Roof AC Installation approvals were considered for Ratification:** 1580 was Ratified. The Ratification for the ALC Application from 826 was withheld due to problems with the installation, which were reviewed, discussed and will be addressed.

The Board considered and denied an ALC Application submitted by 1464 after the homeowner removed a Coconut Palm without the required prior approval by the City of Delray Beach. Florida Law required that all municipalities control the removal of trees by formal application is submitted to the city. It was noted that the City would likely have approved this owners application had it been submitted. The Association stipulated in the denial that the palm tree be replaced in the general area of the removed palm as required by Florida Law.

COMMUNICATION COMMITTEE REPORT – Bob Smith, chairman, reported that 10 email bulletins were sent out since the last meeting and owners signed up to receive Association Emails, is now up to 159. Also that the Association's 'Membership Directory' has just been updated and is posted on the Web Site.

There was discussion concerning the production of the 'New Resident Guidebook' that the newly formed Welcoming Committee is now handing out to new resident at the orientation meetings. The Welcoming Committee's recommendation is that the guidebook be made available to present owners in some format.

FINANCIAL REPORT – Treasurer James Winn reviewed the February Financial reports commenting on the line items expenditures that were Over Budget on the Expense Variance Report. The reasons for these overages were reviewed and discussed.

SOCIAL COMMITTEE – The upcoming event planned for April 15<sup>th</sup> was reviewed and discussed.

WELCOME COMMITTEE – Ingrid Hackenbruch, chairman, was absent and Mary Lynch, committee member reported that several 'Orientation Meetings' with the recent new residents had been held and were well received.

## MANAGEMENT REPORT

Steve Polino provided a written report on assigned projects, key issues and various events during March and invited directors to ask questions and to contact him if there were questions at a later date.

## LANDSCAPING

- Majestic Landscape mowed three times and will do the same in April as scheduled. The monthly trimming was completed and will be done towards the end of April as scheduled.
- Spring mulching will be completed mid-April after approval by the Board.
- Majestic and I toured the property to review specific plants for the **Annual 'Heavy Cut-Back' of plants that have become leggy due to age.** 80% of the Plants and overgrown Palms approved at the March Meeting have been completed.
- We have started taking bids for the Annual Tree Trimming for consideration by the Board's Executive Committee during May for a start date is targeted mid June.
- The Spring Planting normally scheduled to be done was not required this month and was postponed. The June (2<sup>nd</sup> annual planting) will be schedule in late June/early July.

## GROUNDS PEST CONTROL

- Please note there is NO BLANKET SPRAYING of pesticides in the Delray Estuary. The property is totally inspected monthly during the summer months (every other month during the winter) on Safe Planet's IPM [Intergraded Pest Management] program which is recommended by the University of Florida to kill bad insects and keep the good insects alive.
- WHEN SPRAYING IS DONE – signs put up can be removed after 3 hours by homeowners.
- **AFTER THE CHEMICAL SPRAYED IS DRY – approximately 30 minutes to an hour depending on weather conditions, once dry it is NO LONGER harmful to HUMANS OR PETS.** The same guidelines apply to herbicide spraying for weed control.
- There have been service calls to inspect specific locations brought to their attention by homeowners calling in to CRA reporting and areas seen by Majestic Landscape employees advising of a suspected problem area for treatment. Pest Control Spraying or treatment is done on an as needed basis, usually the day after reporting to Janson at CRA..

- **Homeowner are urged to contact Jason at 624.5888 to request a Work Order for any plant that appears to have damaging insects or is starting to look like it is dying.** Calling in to Jason for a work order will expedite service as I'm often out of the office. When I do get the message I have to forward it to Jason.

### IRRIGATION

- Work Orders are being addressed as problems are reported and the 'monthly wet-checks' to inspect all equipment (each sprinkler head is looked at while it is running to adjust to the correct spray) are being done on schedule. As sprinkler heads age, they will lose the ability to hold setting and they do get accidentally bumped from time to time.
- Watering Plants and Turf twice a week will result in healthier Plants and Turf that are more drought resistant as roots will be forced to grow deeper, which is a key aspect to strong healthy grass. Healthier turf will help keep weed seeds that the wind blows in from germinating and over time will result in fewer weeds in the grass with an improved appearance.
- Note that the 'Carpet Grass' weed has been browning due to the lack of rain in March. This browning is not due to lack of irrigation water. It is normal as this weed is affected during the cooler months, unfortunately it is not dead and will come back at the beginning of the growing season with rains.

### LAKES

- Lake Masters will be Treating the lake water weeds and will be doing another treatment on them early next month, the algae in the lake is minimal and were put on notice that the quarterly fertilization was recently completed, fortunately the lack of rains washing fertilizer into the lakes helped prevent algae bloom from forming.
- Aquatic Midge treatments being done are expected to keep them under control as they did last year, the Board will be considering fish stocking of the lakes again if it is found to be needed. None were recommended by Lake Masters last year.
- The Preserve where aquatic midges are allowed to grow unchecked without any treatments being allowed will increase the chances for the lake side patios to be affected with this insect.

### PRESERVE

- Spot weeding in the Buffer Zone (along the wood fence) will done the last week of this month and will be done again midway between this 2<sup>nd</sup> and 3<sup>rd</sup> quarterly contracted maintenance.
- Some of the native plants have been approved by South Florida Water Management for trimming as needed.

### SEAWALL CONSTRUCTION

- The final inspection of Building 6 & 11 were done by the Board, the General Manger of Murphy Construction and the independent engineer overseeing the construction project who approved the work completed at each step and each payment that was made.
- Murphy Construction has one small section in building 2 where the old seawall was not removed. The Association is withholding the final payment until this work is completed and may consider having the necessary work done a deducting the cost from the final payment.

**OLD BUSINESS**

Steve Polino updated the Board on Safe Planet’s progress on the Sod Replacement Project reporting that the second first ‘Weed & Feed’ fertilization done annually throughout the community was completed by Safe Planet approximately a month ago. It was noted that only a select few broad leaf weeds are affected by the weed control product added to the two fertilizations done during the cooler months.

The first ‘Herbicide Treatment’ planned for Phase One [Buildings 1, 2, 3, 4 and 5] of the ‘Sod Replacement Project’ was completed approximately two weeks ago. Another evaluation tour will be done in about 10 days to 2 weeks of the fronts of buildings 1, 2, 3, 4 and 5 to determine the areas that need to be re-sodded at this time due to being mostly weeds that were unaffected.

Running electric power lines for low accent lighting on the pier, which would barely visible from the homes on the lake, was investigated and found not to be feasible due FPL and Code regulations which require that the underground power lines must come off a transformer, closest to the pier are located at 1467 or 1369. This process would be very disruptive and expensive as these lines would have to go under paver driveways and/or the paver streets. An FPL Meter would need to be purchased and installed at an approximate cost of \$400 and an ongoing monthly charge of \$35. The issue was tabled. Solar power and alternatives would be investigated.

**NEW BUSINESS**

Quotes to add a shade over the south window of the gatehouse due to the glare and heat inside the gatehouse were reviewed. Sun blocking film will be investigated. The **Board unanimously approved the addition and an expenditure not to exceed \$750.00.**

A sign at the pier asking users to consider the noise level effects on the homeowners living close by the Pier was reviewed and discussed, and **after discussion there was unanimously approval by the Board for a tasteful sign to be made at a cost not to exceed \$200.00.**

**The following Majestic Landscape maintenance quotes were reviewed and discussed d and unanimously approved:**

- Removal of 2 Areca Palms & root ball found to have untreatable ‘Ganoderma’ pathogen.....\$480.00
- Annual spring Mulching of the fronts & ends of all buildings.....\$7,154.00
- Misc. plants to finish the north side of Gatehouse .....\$207.00

The annual Independent CPA Audit, required by the State of Florida, of the 2015 Financial Reports and related record was completed and forwarded to the Board for review and approval in March before making the Audit available to the Membership.

Jeff stated he would be contacting the CPA auditors next week concerning several issues he would like to have clarified in the report relating to the Seawall Construction for the homeowners to have better understanding of the Audits Final Statement.

## **INDIVIDUAL SPECIAL ASSESSMENT**

Steve Polino presented the notarized 'Proof of Notice' sent to the membership as required by Florida Statutes giving the required 14 day notice to the membership of the date, time and location of the Board Meeting where the Individual Special Assessment will be considered.

*See copy attached.*

The Board of Directors reviewed and discussed the 'Individual Special Assessment' of \$1,159.00 against unit 1324 Estuary Trail for two Work Orders completed by the Association for necessary maintenance to the owner's back yard that were completed by the Association after the homeowner failed to maintain the back yard area. The required legally Notices(s) were sent to the homeowner by Certified & Regular US Mail giving reasonable deadlines to complete the required maintenance, outlining exactly what was needed with no response from the homeowner.

After the Board review of the of the Notices sent to the homeowner, the contractors Invoices and the minutes of a Hearing, which the owner was given 14 day Notice by Certified Mail and Regular US Mail advising of the date, time and location, giving the homeowner an opportunity to attend, which the owner did not attend, **a motion was made, seconded and the Board unanimously approved the \$1,159.00 'Individual Special Assessment' against 1324 Estuary Trail to be paid within 30 days as provide by Florida Law.**

## **RESIDENTS FORUM**

Jeff opened the floor for homeowners to speak, ask questions and comments on any issues, on the agenda or not on the meeting agenda. The Board answered questions, discussed various issues and considered comments from the membership present.

All meetings are open and homeowners and residents are invited to attend.

If you are unable to attend the Board Meeting(s), homeowners wanting to raise issues or make comments on any subject are asked and encouraged to direct correspondence to the Association's Website or send to CRA addressed to the Delray Estuary Board of Directors. Each Board member will receive copies if sent to CRA and the issue(s) raised will be reviewed and discussed by the Board members at the next Meeting.

## **ADJOURNMENT**

The next Board of Directors Meeting is scheduled June 6, 2016. No other Association business being on the agenda, **a motion was made, seconded and approved unanimously to adjourn.** The meeting was adjourned at 9:16 pm.

Attachment: *Notarized 'Proof of Notice' concerning 'Individual Special Assessment'*



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## **NOTICE OF 'INDIVIDUAL' SPECIAL ASSESSMENT**

TO: Membership  
FROM: The Delray Estuary HOA, Inc.  
DATE: March 18, 2016

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Please be advised that pursuant to Florida Statutes and the Delray Estuary HOA, Inc. documents, the Board of Directors will consider approval of a '**Individual Special Assessment**' at a Board of Directors Meeting on April 4, 2016 against unit 1324 Estuary Trail in the amount of \$1,159.00 for charges incurred by the Association for maintenance on the home's rear patio and back yard, due to the homeowner's failure to complete the required maintenance after the required Certified Notices were sent to the homeowner.

If there are any questions, don't hesitate to contact me.

Thank you,

*Steve Polino*

Stephen R Polino, LCAM  
Community Association Manager  
On behalf of the Association  
For the Board of Directors