

Jupiter Bay Condominium Association Newsletter

May 2011

Tom Doyle – President
Ron Ferullo – Vice-President
Paul St.Clair – Treasurer
Spencer Bickel – Secretary
Frank Kania - Director

President's Message: After extensive resume review and interviews, the Board of Directors hired Charles (Chuck) Barone as Jupiter Bay Property Manager. He was introduced at the March 25, 2011 Annual Meeting.

Chuck is a native of the Buffalo area and is a U.S. Navy Veteran. He is a Jupiter resident and has an extensive background in construction management, real estate and property management. His previous assignment was as General Manager of a 1200 unit Homeowner Association west of Lake Worth. Chuck is well versed in condominium law and Florida Statue 718.

Owners are welcome to meet Chuck in the office or when he is out on the property. Also, welcome Mike Carter to our maintenance staff.

Property Managers Report: I would like to thank the Board of Directors and all of the homeowners who have made me feel welcome and part of this family here at Jupiter Bay.

I have had an opportunity to get around and see what challenges we have here and how we might work together to make Jupiter Bay a better place for all of us to live, work and play.

I would like to point out what I feel is the most pressing item at this time – **MOLD**. We have several units that have tested positive for high levels of mold. Mold can be controlled if we all follow a simple program, **RUN YOUR AIR CONDITONIER**.

Mold is part of the natural environment. Outdoors, mold plays a part in nature by breaking down dead organic material such as fallen leaves and dead trees, but indoors, mold growth should be avoided. Molds reproduce by means of tiny spores; the spores are invisible to the naked eye and float through outdoor and indoor air. There are many different types of Molds and none of them will grow without water or moisture. Molds are usually not a problem indoors, unless mold spores land on a wet or damp spot and begin growing.

Mold can be a major health concern, especially in children or adults over the age of 65 or anyone in poor health. It is impossible to get rid of all mold spores indoors; some will be found floating through the air and in house dust. Indoor mold growth can and should be prevented or controlled by controlling

moisture. To do this you need to run your air conditioner with the thermostat set between 74° and 78° anytime the outside humidity is above 60% or the temperature is above 74°. If there is mold growth in your unit, the water problem must be fixed first, and then a licensed mold company will clean up the mold according to the EPA standard. If you clean up the mold, but don't address the water problem, the mold problem will come back. The use of chemicals or biocides that kill organisms such as mold, chlorine bleach for example, is not recommended as a routine practice for mold cleanup. Mold will typically come back within 21 days, even at a larger scale than before.

Over the next several weeks we will be inspecting all units for signs of water intrusion from windows, pipes or even toilets above you. All owners will need to make sure they have their Insurance up to date and a copy in my office adding Jupiter Bay Condo Association as an additional insured. If an owner or tenant is not running their A/C system to help prevent mold, the association may be absolved of any and all responsibility for repairs caused by their negligence.

Election Results: The Annual Meeting of the Jupiter Bay Condo Association was held March 25, 2011 at the United Methodist Church of Jupiter – Tequesta. The Board of Directors is disappointed that only 174 (48%) of owners voted.

We'd like to thank all of those involved in the 2011 election:

- Ronnie McEnerney was the Election Supervisor, and Beverly Thompson was the Special Assistant.
- The Ballot Tally Counters were Deborah Bell, Carol Brown, Colleen Burns, Lee Buser, Gerald Dulski, Joan Dulski, Sy Lurie, Nina McDonald, Werner Mashig, Gary Miller and Polly Odegard.
- Millie Condon, Jean Hanna, Sylvia Hill and Thelma Whiteside were responsible for Door Check in & Proxy Tally.

The following owners were elected to the Board of Directors: **Spencer Bickel, Tom Doyle, Ron Ferullo, Frank Kania and Paul St.Clair.**

Treasurer's Report: Jupiter Bay's financials are on plan through the first quarter of this year. Our 2010 audit was completed (by Frederick Dulas, CPA), our federal taxes were filed, and our audited financial statements were published before March 31st. Please go to our website or call the Association Office if you'd like a copy.

During the first quarter we spent \$412,369, which is within \$10,000 of budget. This expense covered a number of one-time items, including: 2011 insurance deposit (\$16,189), West annual elevator maintenance (\$17,282), annual tree trimming, subterranean termite spraying, cleaning of our four wells, well pump repair/replacement, purchase of 10 chaise lounges for the East pool, East A dryer vent cleaning, and repair of a high-pressure water line leak. Our 2011 budget fully funds our new property manager and a fourth maintenance person. Our common reserves will provide a new and larger replacement spa (\$29,900 cost).

We have \$700,573 in our Reserve accounts, up \$25,186 from year-end 2010. Major reserve expenditures to date include concrete restoration for West F (\$21,003) and West D (\$2,596).

Delinquencies are running slightly above normal, with 31 owners (8.6%) late in paying their 2nd quarter maintenance fee. The overdue balances of four of our owners are being collected by our attorney.

Jupiter Bay Editorial: A few weeks ago, several complaints were filed with the Jupiter Police for noise violations at the Sugar Cane Restaurant during the following events: 1) Monday, Noel Kingston — Irish troubadour and 2) Wednesday, Jim Cole — Ballads singer.

Board members met with the Jupiter Police to review the incident reports which identify caller(s) and disposition information. None of the incidents were found to be in violation of the town ordinance. This is partly due to the fact that the restaurant's music and entertainment are now limited to indoors.

In reaction to these complaints, a petition, signed by a significant number of owners, was submitted with comments to the BOD requesting our intervention. In general, the petitioners view these as frivolous complaints meant to harass the restaurant owner. The complaints make it awkward for a majority of owners who frequent the restaurant/Tiki bar. Board members have received other personal feedback /support for the restaurant and entertainment by both owners and renters.

Two years ago, another petition was generated by a restaurant sub-committee of owners supporting the Sugar Cane and urging suspension of the litigation against Ted Workman. This was endorsed by 200+ owners.

We view Jupiter Bay as an attractive property and community with amenities that meet the needs of owners, investors and renters alike, including tennis courts, restaurant/Tiki bar, lake, bridge/walking trail and waterfall. We are a condominium association with resort accommodations. We encourage our community members to embrace the "Good Neighbor" policy that we established two years ago and to avoid nuisance complaints against the SCIB. We would like to avoid another major controversy and "backlash" between the parties' contrary positions.

Owners Financial Responsibility Committee: At the March 25th Annual Meeting, an Owners Financial Responsibility Committee was formed. This advisory committee will assist the Board of Directors by reviewing units in arrears on monies owed 90 days or more. Florida enacted condominium legislature in late 2010, which allows condominium associations to restrict unit owners or renters from common amenities such as pools or cable TV service. The committee will advise the Board of Directors of the facts in these cases, and the Board can restrict these privileges. The Owner Financial Responsibility Committee members are Werner Mashig, Gerard Rooney and Beverly Thompson. We thank them for their service.

Maintenance Updates: In mid March, new sand filters and new plumbing were installed at the West Pool. The new filters replace old cartridge filters which were expensive to replace and maintain. Owners and guests have already noticed the improvement in pool water quality.

In the summer, the East side driveways and parking lots will be repaired, resealed and restriped. Owners should park any cars left for the summer in the long term parking area at the north end of Jupiter Bay East.

The Property Manager is preparing specifications for sealing and painting our buildings at Jupiter Bay. This painting will be phased over time. We will inform owners as more details become available.

Pool Access Issues: The Association has received complaints about people using our pools who are not owners, renters or owner's guests. Jupiter Bay will institute spot checks to assure that only legitimate people are using the pools. Also, it should be noted that if owners are renting out their units, the renters are allowed to use the facilities but the owners and their families are not allowed use of common facilities during the rental period.

Owners should contact the Association office if they suspect that someone is not entitled to be at the pool.

South Florida Water Management District: Thirty years ago the Jupiter Bay Developer received a permit from South Florida Water Management District to drill wells on our property to replenish our lake, since we draw from the lake to irrigate our property. We have 86 zones of irrigation at Jupiter Bay. Each zone has 6 or more sprinkler heads, so we use a significant amount of water as we irrigate two times per week.

The original permit has expired, and we have applied for a new one. South Florida Water Management District has raised the permit fee, and wants Jupiter Bay to place meters in each of our wells and report water usage. Jupiter Bay is taking the position that we should monitor the water usage from the lake, since factors, such as evaporation from the lake, would cause well meters to overstate irrigation water use.

We feel that the Water Management District is setting Jupiter Bay up for a water tax which would be quite expensive as we strive to maintain our landscaping. We will keep owners advised in this matter.

Dog Complaints: Jupiter Bay has seen an increase in complaints about dogs on the property. No dog over 20 pounds is allowed, owners must clean up after the dog, and the Jupiter leash law must be obeyed. The best way to prevent dogs in rental units is for the owner to write to the rental agent (copy to the Jupiter Bay Condo Association) instructing the agent not to allow any dog or other pet in the unit. The Association can then have the dog removed from the property. Please write to your agent to mitigate this problem.

Illegal Patio Enclosure Update: In late April the Jupiter Town Magistrate approved an agreement by an owner to correct an illegal enclosure issue. Also, the Magistrate approved a stipulation that the unit owner, not the Jupiter Bay Condominium Association, was responsible for correcting any illegal enclosure violations. The Town is working with another owner to correct his issue. It should be noted that owners can be fined from \$100 to \$500 per day for this code violation.

Spa/Jacuzzi Update: At our April 6, 2011 meeting, the Board of Directors voted to award a contract to Streamline Pool Company Inc. to replace our current spa with a larger unit that will conform to the Federal Virginia Graham Baker Act which requires a holding tank and no suction at the bottom of the spa. The engineering and permitting process are underway, and we expect completion in the June – July timeframe. The construction will require that the sidewalk around the lake near the spa be fenced off.

Landscaping Update: S & S Landscaping is continuing to maintain and improve the grounds at Jupiter Bay. In late March the tree trimming and pruning was completed so that we will be ready for hurricane season. New sod has been placed in areas around the property. In several areas where it is difficult to keep grass, mulch and new bushes were installed. Palm tree replacement will be done over the next few months. Also, we are replacing dying shrubs to improve the aesthetics.

Unit Keys in Management Office: We thank owners for their response to our recent request to assure that we have working keys to each unit in the office. We are missing keys for about six units and are working to secure these keys.

Florida Statute 718.111 provides that the Association has the irrevocable right of access to each unit. Jupiter Bay By-Laws also state that a key to each unit shall be available in the office. To further safeguard owner keys, we recently installed a Lock Box container in the Association office.

Fire Sprinkler Inspection: On April 27 a fire sprinkler inspection was completed at Jupiter Bay East. This inspection is required by our Insurance Carrier and the Fire Marshall. Several problems were discovered, including units where owners had removed sprinkler heads. This is in violation of Fire Code and Florida Law. Owners will be contacted to replace any missing heads at their expense. Several instances were corrected where items were stored too close to heads, which could damage them. The inspection will be an annual event.

Smoking at Pools: The Board of Directors has been asked to ban smoking at the East and West side pools. The Board feels that common sense and courtesy should prevail. If you are affected by someone smoking near you, ask them to move away so that you are not bothered. The Board will review this issue in the next season.

Storage Rooms: Owners are reminded that lamps, furniture, appliances, paint, etc. are not allowed in the storage area. Allowed items include beach gear, luggage, sports gear, bicycles, tools, holiday decorations and pet carriers. Storage area inspections will get underway shortly and all furniture, lamps, appliances and paint should be removed.

Closing Up Units for Summer: Following is a checklist for summer closings:

- ✓ Shut off main water valve (usually located near water heater).
- ✓ Shut off hot water heater breaker (in electric panel box).
- ✓ If refrigerator is empty, turn breaker off (or unplug) and leave open.
- ✓ Leave A/C set at 78 and humidistat at 0 (or ON position).
- ✓ Unplug appliances, especially TV, microwave, computer and other electronic devices.
- ✓ Cover toilets with plastic wrap.
- ✓ Remove all furniture from your patio and close hurricane shutters.
- ✓ Lock all doors and windows.
- ✓ If you are leaving a vehicle on property, park in a spot away from a building.
- ✓ Notify office of your leaving and the name and phone number of person looking after your unit. The person looking after your unit should periodically inspect the unit to determine whether any mold, moisture, water leaks or other damage has occurred; and if so, they should notify the Association immediately.
- ✓ Make sure the office has a key to your unit.

As summer approaches, we wish you a healthy and happy season.

If you have any questions, please call the office at 561-746-5857 or email us at JupiterBayCondo@comcast.net.