

Hammocks Community Association Inc.

Minutes of the Fining Committee Meeting

February 15th, 2024 – 7:00pm

1. Call to Order

The meeting of the Fining Committee was called to order by Anthony Serrone 7:05pm.

2. Determination of a quorum

Present: Mabelle O’Neal
Hector Meneses
Karen Wright

Corey Tickner, Anthony Serrone, Shirley Arteaga; First Service Residential.

3. Proof of Meeting Notice

Anthony Serrone advised that management posted the notice for the meeting on all bulletin boards throughout the community and on the Association’s website on February 9, 2024.

4. Approval of the previous meeting’s minutes

To approve the meeting minutes for the December 21, 2023, meeting of the Fining Committee.

Motioned By: Hector Meneses

Seconded By: Karen Wright

Hector Meneses and Karen Wright in favor, Mabelle O’Neal abstains since she was not present at the meeting on December 21, 2023.

Motion Carries

MOTION

5. Old Business

- No old business

6. New Business

A. Violations

- **Shirley Arteaga** – During the past month we have addressed trash cans, any trailers parked on the properties and anything that is easy to target at this point. We have sent friendly notices. Those notices have been closed. This is just to advise the homeowners of the rules and regulations.
- **Mabelle O’Neal** – Are these notices being sent by mail or email?
- **Shirley Arteaga** – They are only sent by mail.
- **Hector Meneses** – What are the times frames that they have to put the garbage cans back in the front.

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- **Shirley Arteaga** – I was looking for that in the rules and regulations and it does not state the times. I will have to get back to you on that.
- **Corey Tickner** - The trash removal should be immediate.
- **Anthony Serrone** – I think that the question is what time frame the garbage cans are allowed to be put out before and after trash day.
- **Shirley Arteaga** – The documents state that trash should only be placed in designated receptacles and should only be placed on the street only on trash pick up days. So it should only be on Tuesdays and Fridays. It shouldn't be there on Mondays or Thursdays.
- **Hector Meneses** – In this packet the reminders state that they were done on Friday.
- **Shirley Arteaga** – I think that is when the reports were created.
- **Anthony Serrone** – Just to clarify the dates on the violations are the dates that the violations were created. We will have to specify on the violations somewhere the date of the infraction.
- **Mabelle O'Neal** – Yes it would be helpful to clarify the date of the infraction and the date the violation was sent out. For timing purposes, I think it is just important to remind the residents what the rules are regarding trash violations. The other violations' timing is very important because they have 30 days to remedy. On the other violations the date of infraction and date of the issuance of the violation needs to be correct.
- **Shirley Arteaga** – There are three violations that are with the Judge. One has been approved to send to the homeowner and we are waiting on the other two.
- **Anthony Serrone** – There were a couple of violations that we sent to Judge Gersten for approval. Two of them were Architectural Modifications that were done without approval from the ACC. The third was an ATV that was riding around in Paseos II. Security spoke with them multiple times. We verified the home and the Judge approved of the violation being sent to the homeowner.
- **Karen Wright** – I think it would help to have a picture of the violation.
- **Anthony Serrone** – The violation is hard to take because it took place inside their home.
- **Shirley Arteaga** – Descriptions of the violation will be specified on the violations.
- **Karen Wright** – I had a question about violation with the windows and the doors. Do we know when they were installed.
- **Anthony Serrone** – We do have the dates per the Miami Dade permits. We are waiting for Judge Gersten to decide on that.
- **Hector Meneses** – Does this stay on the homeowners record?
- **Shirley Arteaga** – These are friendly reminders so they will stay on the record but there is no follow up action on these because they are not violation notices.
- **Karen Wright** – Is there a time that the violations go away from the system?
- **Anthony Serrone** – It does not drop off; it stays on there record.
- **Hector Meneses** – What if homeowners are busy and cannot bring their trash in because they will not be home to do so?
- **Anthony Serrone** – Corey, can the Violations Committee make a recommendation as to how the rule is applied?

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- **Corey Tickner** – They can make a recommendation, but the rule would have to be changed in the documents to be enforceable. This is something that the Governing Documents Committee would undertake.
- **Karen Wright** – There are people that work shifts that would not allow them to bring in their trash cans immediately. Are there times that we can suggest?
- **Shirley Arteaga** – What would your recommendations be?
- **Karen Wright** – I think that they should be able to be out overnight before the pickup day and sometime after the pickup day.
- **Hector Meneses** – I think about 6pm the day before, the day of, and until lunch time the next day.
- **Corey Tickner** – A time should be specified instead of saying lunch time.
- **Hector Meneses** – Ok then I would recommend 6pm the day before, all day on the day of pick up, and then 11am on the day after pick up for the times that should be allowed to have your trash cans out.
- **Karen Wright** – I think on the day before it needs to be earlier, because sometimes I go to work around 3pm.
- **Anthony Serrone** – It should be kept in mind that we're saying that these cans will be able to be out for four days per week.
- **Mabelle O'Neal** – I don't think that there should be a reason that the garbage cans should be able to be outside for 24 hours at a time. I put mine out the night before and bring mine back after I get home.
- **Hector Meneses** - I think we just need to be flexible.
- **Karen Wright** - I agree.
- **Hector Meneses** - I was not even aware that we were not allowed to put our trash cans out the day before. Also, I think that the violations should drop off after a certain period.
- **Anthony Serrone** – As I mentioned earlier, it is not going to drop out of the system automatically, there is no way for us to designate our system to do that. What will happen is that the records will be made available to you. From those records, you can all vote on whether to levy a fine. If there have been significant time in between repeat violations, you can take that into consideration in how you vote. If someone gets a trash violation a couple of times per year, you can all use your judgement to determine that that is not a recurring issue. They are just one-off incidents.
- **Mabelle O'Neal** - This is for the homeowners that are continuously violating the rules and regulations.
- **Anthony Serrone** – Again the intention of this is for people to observe the rules and regulations, not to fine people for infractions against the rules.
- **Hector Meneses** - I agree but I am just saying that if it is not a recurring violation that they should fall off and not stay on the record.
- **Anthony Serrone** – It is going to have to be something that we monitor. If there is a habitual problem, then you can vote to bring the homeowner to a hearing to levy a fine. If the violations are not habitual, that is factored into the decision as well amongst the violations committee. These violations are not automatically sent out by our system. We have to do that manually.

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- **Mabelle O’Neal** – We have not enforced the rules and regulations for so long that we have to make the residents aware.
- **Hector Meneses** – What if for example, someone is leaving for the weekend, and they have a lot of trash do we have to contact someone to let them know that the trash is going to be put out early because we will not be home.
- **Shirley Arteaga** - Yes you could notify us so that we don’t give a violation for that resident.

MOTION

To recommend that the times stay the same as outlined in the documents. Also, If there is a time period of 30 in between a trash violation for a homeowner that they will not be called to a hearing or have a fine levied against them.

Motioned By: Hector Meneses

Seconded By: Mabelle O’Neal

Motion Carries Unanimously

- **Mabelle O’Neal** – So I see that there are others for improperly parked vehicles, trailers, etc. what is going on with those?
- **Shirley Arteaga** – Those are the same, they are friendly reminders.
- **Hector Meneses** - So for parking, is that parking on the grass on their property or elsewhere?
- **Karen Wright** – What about the places where there is a shortage of parking, Paseos II for example has that.
- **Shirley Arteaga** – There is no parking allowed on the grass or anywhere besides the driveways per the rules and regulations.
- **Mabelle O’Neal** – The rules are the rules, and they are very specific. The rules say that you must park on the driveway. That’s what is involved in living in an association.
- **Karen Wright** – There is absolutely zero parking in Paseos. There is no guest parking.
- **Hector Meneses** – We have the same problem in my community. I would say when it comes to parking on the grass there should be a time frame.
- **Corey Tickner** - Again, that would be a rule and regulation that needs to be changed in the documents.
- **Mabelle O’Neal** – We are here to enforce the rules of the community.
- **Karen Wright** – If you don’t have parking, though, where are you supposed to park?
- **Mabelle O’Neal** – What was happening before? Again, we would have to modify the documents and that is not the committee that we are on. We must implement the rules that we have unless they are changed. I do have a question about what if someone is working at your house or having a party at their house.
- **Shirley Arteaga**- In my experience, which would still have to be approved, would be to inform FirstService Residential and security.
- **Karen Wright** – That is what we did in the past, as well.
- **Anthony Serrone** – I think we need to bring this to the Advisory Board and the Receiver on how to go about these issues.

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7. Owner Comments on Agenda Items

- No homeowner comments

8. Adjournment

Motioned By: Hector Meneses

Seconded By: Mabelle O'Neal

Meeting adjourned at 8:02pm