

Duties of the Board of Directors



The Reef Homeowners Association

January 18, 2023

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Document Revision History

Publication Date	Changes
June 29 2012	Original document
December 14 2012	Added <i>Activities by Calendar Date</i>
February 14 2013	Added link to Martin County plats, insurance policy information, new attorney contact, reference to Papico Construction
June 4 2013	Updated list to be notified when gate code changes and landscaping company
October 2013	Added section <i>New in 2013</i>
January 2014	Added <i>Violation Letter Template</i> , updated list of outside resources
February 2015	Added reserve quotes
December 2015	Updated Martin County links
May 2017	Updated outside resources
December 2017	Added note regarding sprinkler drawings
October 2018	Updated outside resources
August 2019	Modified the Introduction to add section headers and information on The Reef Phase II PUD
November 2019	Updated tree trimming services
November 2020	Updated <i>Maintain Common Areas</i> section, deleted Bank United as a resource, updated sample budget numbers, deleted Sunshine Committee, added new violation template
February 2021	Clarified the requirement for a Fine Committee, moved <i>Violation Letter Templates</i> to the <i>Violation Policy</i>
November 2021	Updated the link for the Martin County Records Search
April 2022	Updated the list of <i>Outside Resources</i> , expanded information in the <i>Introduction</i> , <i>Enforce the Covenants</i> and <i>Perform Administrative Duties</i> sections
January 2023	Added Florida Statute 712 to list of applicable guidelines for HOAs

Introduction

The Reef Phase I and Phase II together make up The Reef Homeowners' Association, Inc., a nonprofit corporation. The Board of Directors (BOD) serve as officers of this corporation and are listed on the Florida Department of State Sunbiz website <https://dos.myflorida.com/sunbiz/>.

The purpose of this booklet is to summarize the responsibilities of the BOD for The Reef Homeowners Association (HOA). This booklet is not intended to replace recorded legal documents. In case information in this booklet contradicts information in recorded legal documents, information in those documents takes precedence.

The Reef HOA is governed by the following regulations, in precedence order:

- 1 Florida State Laws
- 2 Recorded Maps, Plans, and Plats
- 3 Declaration of Covenants
- 4 Articles of Incorporation
- 5 Bylaws
- 6 Rules and Regulations

In case of a conflict, Florida state laws always take precedence over all other HOA documents.

Florida State Laws

Florida state laws are contained in the Florida Statutes which are organized into chapters by subject matter. The Florida Statutes are available on the Florida Senate website <http://www.flsenate.gov/Laws/Statutes>. The chapter that governs The Reef is:

- Chapter 720 Homeowners' Associations

Other chapters that contain guidelines for homeowners' associations include:

- Chapter 163.04 Energy devices based on renewable resources
- Chapter 316.2 Operation of golf carts
- Chapter 373.185 Local Florida-friendly landscaping ordinances
- Chapter 619 Nonprofit Cooperative Associations
- Chapter 712 Marketable Record Titles to Real Property

The Reef Plats

A plat of The Reef is available in the Martin County Plat books.

- 1 Browse to the Martin County website <https://www.martinclerk.com/252/Official-Records-Search>.
- 2 Select *Martin County Plat Records*.
- 3 Select *Plat Images site*.
- 4 Select *Proceed to Site*.
- 5 Select the appropriate **Plat Book #** in the left column.
- 6 Select the page number(s) from the list at the top of the page.
 - Phase I: Plat Book 13 Page 27
 - Phase II: Plat Book 14 Pages 4 - 6

The Reef Phase II PUD

What is now The Reef Phase II was initially planned to be Seascape II, a PUD (planned unit development) that would share common resources and expenses with the existing Seascape Condominium Association. In 1994, Seascape of Martin County Development transferred its owner development rights for this PUD to Seafield Land Corporation. In 1996, Seafield Land Corporation, under the direction of Stephen Conway, developed this PUD as The Reef Phase II.

The current obligations between The Reef and Seascape have their basis in the original Seascape II PUD agreement. Documents describing the history and The Reef's current arrangements with Seascape can be found on the Martin County website. Some of the key documents are listed below.

Martin County Clerk File #	Description
757317	Original agreement between Seascape Condominium Association and the proposed Seascape II PUD. This agreement gives Seascape Condominium Association the right to use the tennis court planned for the Seascape II PUD property. In return, Seascape Condominium Association agrees to pay 40% of the maintenance fees for the tennis court. The agreement also states that any change to the tennis court requires a majority vote by both associations. (1989)
1105257	Transfer of development rights for the Seascape II PUD to Seafield Land Corporation (1994)
1169235	Replat of the Seascape II PUD as The Colony of Rocky Point PUD. (1996)
1169238	Replat of The Colony of Rocky Point PUD as The Reef Phase II PUD. (1996)
1169241	Declaration of Protective Covenants and Restrictions for The Reef Phase II. Section 4.3 grants Seascape Condominium Association a pedestrian access easement to the recreational area and waterway. This easement is described in detail and mapped out in the Plat of The Reef Phase II, which can be found online in the Martin County Plat Books (see The Reef Plats). (1996)

The Reef Covenants

The Reef Homeowners Association Covenants describe the HOA's obligations and rights to its members and vice versa. They can be found on The Reef website: <http://www.thereefhoa.com/covenants.html>. The Covenants can also be accessed through the Martin County website.

Martin County Record Search

Clerk File # Option

- 1 Browse to the Martin County website <https://www.martinclerk.com/252/Official-Records-Search>
- 2 Select *Martin County Official Records Search*.
- 3 Select *Proceed to Site*.
- 4 Select the *clerk file #* option.
- 5 Accept the Disclaimer.
- 6 Enter the clerk file number for the document you are interested in. The numbers for The Reef Covenants are shown in the Covenants tab on The Reef website, <http://www.thereefhoa.com/covenants.html>
- 7 Select *Submit*.
- 8 View the document.

Name Option

- 1 Browse to the Martin County website <https://www.martinclerk.com/252/Official-Records-Search>.
- 2 Select *Martin County Official Records Search*.
- 3 Select *Proceed to Site*.
- 4 Select the *Name* option.
- 5 Accept the Disclaimer.
- 6 Select *Starts With* then type e.g., *Reef Home* or e.g., *Reef Phase* in the Name field.

Name *	Starts With ▼	Reef Home
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- 7 If required, increase the number of records to be retrieved beyond the default of 100.
- 8 Select *Submit*.
- 9 View the documents you are interested in.

Articles of Incorporation

Phase I was originally incorporated as The Reef Homeowners' Association, Inc. in 1991. What is now Phase II was originally incorporated as The Colony of Rocky Point Homeowners' Association, Inc. in 1995 before its name was changed to The Reef Phase II Homeowners' Association, Inc. in 1996.

The two associations merged in 1999 and the resulting corporation is named The Reef Homeowners' Association, Inc.

Articles of Incorporation, merger documents, annual reports, and the names of the officers of the corporation can be found on the Florida Sunbiz website <https://dos.myflorida.com/sunbiz/>.

Sunbiz Search

- 1 Browse to the Sunbiz website <https://dos.myflorida.com/sunbiz/>.
- 2 Select *Search Records*.
- 3 Select the *Name* option.
- 4 Type *Reef Home* in the *Entity Name* field then select *Search Now*.
- 5 Choose THE REEF HOMEOWNERS' ASSOCIATION, INC. documents N43294 and N95000001335.

Note: For additional details see [The Reef Phase II PUD](#).

The Reef Bylaws

The Reef Homeowners' Association, Inc. is a corporation under law and therefore requires Bylaws to govern day-to-day operations. When Phase I and Phase II merged, the Bylaws from Phase II became the Bylaws of the resulting corporation. These are available as an appendix to the original Phase II Covenants on The Reef website: <http://www.thereefhoa.com/covenants.html>.

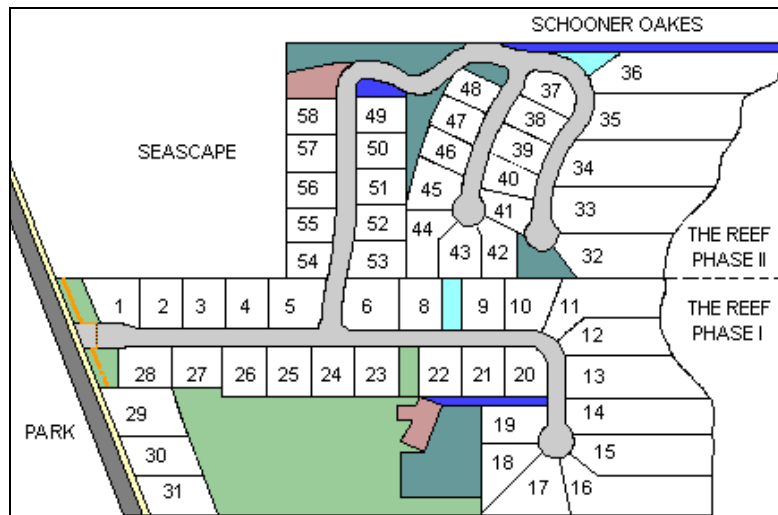
The Reef Rules

The Reef Rules are operating regulations that are not included within the HOA Bylaws or Covenants. These rules are easier to change and usually only require a vote from the board. The Reef Homeowners Association rules can be found on The Reef website: <http://www.thereefhoa.com/otherrules.html>

- Rules and Regulations
- Violation Policy
- Policy for Inspection and Copying of Records
- Policy For Use of Golf Carts
- Basis for the Collection of Assessments

Maintain Certain Areas and Equipment

The BOD is responsible for maintaining the front entrance, private streets, tennis courts, water management tract, common areas, certain preserve areas (private lots also contain preserve areas), and the utility area tract. These areas are color-coded in this map and explained in the corresponding sections below.



Note: This booklet does not contain a comprehensive description of The Reef layout and easement restrictions. A plat of The Reef can be obtained from the Martin County Clerk of Court's Plat Images; see [The Reef Plats](#) of this document for instructions.

Front Entrance

The front wall delineates the common area of The Reef along Kubin Avenue. There is a pedestrian gate towards the south end of the wall and a gate for vehicles access from Kubin Avenue. The BOD is responsible for ensuring the wall is washed and painted and that the gates are kept in working order.

The Vehicle Gate

The vehicle gate can be opened:

- Using a hand-held transmitter. A clicker can be obtained from the BOD for a small charge.
- By entering the residents' gate code into the keypad. This code works 24 hours a day, seven days a week.
- By entering the contractors' gate code into keypad. This code works from 7:00 am until 8:30 pm Monday through Saturday.
- By entering a particular resident's code into the keypad. This code rings the resident's phone number. The resident presses 9 on their telephone to open the gate.

The BOD periodically votes to change the gate codes and to update the residents' directory. All property owners must be notified well in advance when a change is to be made to either one of the gate codes. It is the property owner's responsibility to notify their contractors and service people when the contractor code changes.

When the residents' code changes, the BOD is responsible for notifying:

- Martin County Utilities
- Waste Management
- The Customer Service department at the Palm Beach Post
- The Customer Service department at Stuart News

Emergency personnel and mail carriers have a key to a lock on the side of the keypad box.

Residents may contact a board member to request that the gate be left in the open position for an open house or yard sale. Both gates open automatically in the event of a power outage. In an emergency, the gate can be manually opened.

Private Streets

There are three private streets in The Reef: SE Reef Way, SE Bowsprit Ct., and SE Forecastle Ct. These streets require periodic patching, crack sealing, and/or resurfacing. There are also circular planting areas in the cul-de-sac at the end of each street. The curbing and the planting areas in the cul-de-sacs must also be maintained.

Note: Reef Way and all three cul-de-sacs were milled and resurfaced in November 2021 for a total cost of approximately \$70K.

Tennis Courts

The Reef has two tennis courts. One is on Reef Way and one is on Bowsprit Ct. The Reef Way tennis court is regularly maintained by The Reef. The cost of maintenance for the Bowsprit Ct. tennis court is shared between The Reef (60%) and Seascope (40%) as outlined in [The Reef Phase II PUD](#).

Note: Negotiations are ongoing with Seascope to get their commitment to either pay their share of the cost to repair the court or to give up their access to recreational facilities in The Reef.

Note: The Reef Way tennis court was resurfaced, including a fiberglass overlay and new net, in November 2021 for a total cost of approximately \$10K.

Water Management Tract

There are several areas designated as water management tract areas. These areas provide storm drainage and contain catch basins that must be kept clear of debris. General landscaping is performed in the water management tract areas.

Note: Storm drains were inspected in November 2021. At that time there were no drainage issues on Reef Way. Sand was excavated in the drainage areas of Bowsprit and Forecastle and the dead-end drain under Bowsprit Ct. was closed up for a total cost of approximately \$16K.

Common Areas

There are three areas plotted as common areas. One area is located at the northeast corner of The Reef and provides a pathway to the Intracoastal. Seascape has access to this pathway. The second area is located just north of Lot 49. The third area is located between Lots 19 and 20 and provides a second access path to the Reef Way tennis court. General landscaping is performed in the two common areas in Phase II.

Preserve Areas

No construction, dumping of soil or other substances, removal or destruction of native trees or shrubs, or any activities detrimental to drainage, flood control, water conservation, erosion control, or fish and wildlife habitat conservation or preservation is allowed in the preserve areas.

Utility Area Tract

There are several utility easements and there are two utility area tracks that contain sewage lift stations. An alarm sounds if there is a problem at the lift station, e.g., after an extended power outage due to a hurricane. Martin County Utility and Solid Waste Department should be contacted in the event the alarm sounds. General landscaping is performed in utility area tracts.

Irrigation

Phase I

Sprinklers in Phase I are fed by wells, one located behind the incoming entrance wall, and one at the Reef Way tennis court. Sprinkler controllers are also located behind the entrance wall and at the Reef Way tennis court. The cul-de-sac at the end of Reef Way is not hooked up to the sprinkler system. Pole-mounted sprinklers are installed in the cul-de-sac and homeowners in that cul-de-sac attach their hose to these sprinklers to keep the vegetation watered.

Phase II

Sprinklers in Phase II are fed by Martin County Utilities. Sprinkler controls are located by the lift station at Forecastle and Bowsprit. In order to reduce the Martin County Utility bill, the area is monitored for the appropriate amount of watering needed. In case of a leak or broken line, the main shut off for Phase II irrigation is located diagonally across from the lift station.

Note: *The Reef website For Residents tab contains links to drawings that show the location of all sprinkler controllers and sprinkler heads.*

Backflow Inspection

The irrigation system in Phase II must have a backflow prevention device on the waterline feeding the system. The backflow prevention device stops water that could become contaminated from getting back into the domestic water system. This device requires an annual inspection.

Electrical

Street lights are controlled by ambient light sensors. The light poles and sensors must be maintained and light bulbs must be changed. Landscape lighting for the front entrance is controlled by a timer and an ambient light sensor. These fixtures must also be maintained and light bulbs changed.

Outside Resources

The following outside resources have been used by The Reef. This list is current at the time this booklet is published and is subject to change by the BOD and at the recommendation of the Property Manager.

Category	Company	Description/Responsibilities
Attorney	Jane Cornett / Becker & Poliakoff	Legal counsel
Bank	Truist Bank	Operating and reserve accounts
	Union Bank	Operating and reserve accounts
Electrical repairs	Arlington Electric	General repairs
Electrical service	Florida Power & Light	Electrical service for all lighting
Front Entrance	Morales Landscaping & Lawn Services (starting March 2022)	Power wash & paint the front wall as needed
	True Stone in Jensen Beach	Replacement for decorative spheres
Gate	Victory Access Control, LLC	General repair and directory maintenance Service:(561) 748-0088 / morgan@victoryaccess.com
	D & M Welding of Jensen Beach	Hinge repair
Grounds	Morales Landscaping & Lawn Services	Mow, fertilize, weed control, and trim bushes
Insurance	Stuart Insurance	Directors & Officers, Fidelity and General Liability
	Old Republic Surety Group	Bond
Locks	Advanced Safe and Lock	Install locks on gate and sprinkler controllers
Plumbing	Plumbing by Bishop	Annual backflow inspection
Property Management	C&M Property Services (starting March 2022)	Prepare the budget, mail assessment notices, collect assessments and fines, file taxes, review invoices and write checks, prepare estoppels letters, enforce the collection policy, attend meetings, store Reef documents
Sprinkler repair	George Mendoza (772)-919-2911	Irrigation
Storm Drains	Shenandoah	Keep clear of debris
Street Lights	Arlington Electric	Replace, repair and upgrade street lights
	http://www.superiorlighting.com/	Sells Acorn Plastic Globes & Halide ED17 Light Bulbs
	Home Depot	Sells Halide ED17 Light Bulbs
Streets	Sunshine Services	Mill & resurface streets (Reef Way & cul-de-sacs 11/2021)
Tennis Courts	Armor Courts	Repair & resurface (Phase I court 11/2021)
Tree Trimming	Morales Landscaping & Lawn Services Bernie's Tree Service Monty's Tree Service	Trim trees as needed, about every 18 months
Utilities	Martin County Utilities	Water for irrigation in Phase II Solid Waste Department handles the lift station
Wi-Fi	DoorKing	Gate connection

Enforce the Covenants

The BOD is responsible for enforcing the use restrictions in the *Declaration of Protective Covenants Conditions and Restrictions*.

Note: *Phase I and Phase II each have their own set of Covenants.*

Covenant enforcement is the most unpleasant task performed by the BOD. No one on the BOD wants to tell their neighbor it is time to mow the lawn. However, it is the duty of the BOD to uniformly and fairly enforce the Covenants. The most common violations are:



- Illegal parking of recreational and commercial vehicles
- Failure to store refuse containers
- Failure to maintain landscaping (see also [Vacant Lot Mowing](#))
- Speeding: the BOD enforces the 15 MPH speed limit through general mailings and residents' cooperation. Local authorities will not enforce speed limits below 25 MPH.

When a Violation Occurs

Covenant violations can be reported by homeowners, a board member, or the Property Manager. A violation that is reported by another homeowner is verified by a board member or the Property Manager.

Note: *The Reef website contains a Report Form to facilitate reporting violations (see [Disseminate Information – Website](#)).*

When a violation is confirmed, the BOD notifies the Fine Committee of the proposed fine and requests the Property Manager to send a violation letter in accordance with *The Reef Homeowners Association Covenant, Rules and Regulations Violation Policy*. In summary, a resident who violates the Covenants is sent a courtesy notice requesting that the violation be corrected. If the violation is not corrected a fine is assessed. If the violation continues additional fines are assessed, up to a maximum of \$1,000 per event. The Reef Violation Policy is consistent with regulations outlined in the *Florida Statute 720.305*.

Note: *Fine letter templates are available in The Reef Homeowners Association Covenant, Rules and Regulations Violation Policy (on The Reef website).*

Note: *No fines can be imposed unless there is an appointed Fine Committee and homeowners are given the opportunity for a hearing before the Fine Committee (see [Fine Committee](#)).*

Note: *The association can take legal action against a homeowner who fails to correct a violation or to pay any assessed fines (see [Collection Policy](#)).*

Changing the Covenants

Instructions in Florida Statute 720.306, the Reef Bylaws, and the Reef Covenants and Amendments (Phase I Amendments 3 and 5 and Phase II Amendments 2 and 3) describe the procedure for changing the Reef Covenants. These procedures are summarized below.

An amendment to the Covenants may be proposed by the majority of the BOD or by 25% of the owners. Upon adoption of a resolution proposing an amendment, the BOD must call a special meeting to vote on the change, unless the amendment is to be considered at the annual meeting. Residents must be notified in writing of the proposed amendment change not less than 15 days or more than 60 days before the meeting.

The proposed change must contain the full text of the provision to be amended. Proposed new language must be underlined, and proposed deleted language must be stricken. If the proposed change is so extensive that underlining and striking through language would hinder, rather than assist, the understanding of the proposed amendment, a notation must be inserted immediately preceding the proposed amendment in substantially the following form: "Substantial rewording. See governing documents for current text."

A quorum, 30 percent of the total voting interests (count one per lot) in both Phase I and Phase II, must be represented at the meeting either in person or by proxy in order for a vote to be held. The amendment passes if it is approved by a majority of the parcels represented in person or by proxy in both Phase I and Phase II. The amendment must pass in both Phase I and Phase II for it to become valid.

Note: See meeting minutes dated 02/17/2022 for a discussion on separate voting by Phase.

Covenants are filed with Martin County and available on the Martin County Public Records website. They are also available on the Reef website (www.thereefhoa.com).

Outside Resources

- Property Manager sends violation letters and invoices for fines and collects fines for violations.
- The Reef attorney represents The Reef in legal matters arising as a result of covenant violations.

Perform Financial Duties

Florida Statute 720.303 (6) has strict rules on how budgets are prepared, how reserve funds are handled, how fees are collected, and how members are notified of the annual budget and annual financial report.



Budget

An annual budget is prepared by examining current and any future charges like tree trimming, increase or decrease in landscaping costs, attorney's fees, and the long range reserve plan.

The following major categories make up a typical budget:

Category	Cost	Comment
Administrative	21,000	Property management, attorney's fees, mailings, insurance, picnic
Utilities	5,000	Electric, water, Wi-Fi (gate)
Building & Equipment	6,000	General maintenance to gate, lighting, irrigation, tennis courts
Grounds	26,000	Mowing, tree trimming, fertilizing, weeding, mulch
Reserves	5,000	
TOTAL	63,000	

Reserves

The BOD voted to pool reserves in 2013. Reserves are set aside for major gate, tennis court, and road repairs. In 2009 it was estimated that the cost for these major repairs would be approximately \$125K.

Assessments

Based on the annual budget, the BOD collects an assessment from each lot owner. The bills for the assessment are mailed in December and due January 15th.

Note: See Phase I, Amendment 7, item 5 and Phase II Amendment 5, item 2 and Florida Statute 720.

Notices are mailed and a twenty-five dollar (\$25.00) administrative late fee is charged if an assessment is not paid in full within 30 days of the due date. A second notice is mailed if an assessment is 50 or more days late. An account is turned over to the attorney's office for collections or lien proceedings if not paid in full after 60 days. On the advice of legal counsel, payment plans are not accepted.

Any payments made are applied to late fees, interest, lien fees, etc. before being applied to the principal. If a property is lien, the BOD should receive a *Release of Lien* from the attorney's office when the account is satisfied.

Vacant Lot Mowing

Vacant lot owners are responsible for proper maintenance of their lots. Owners may choose to mow the property themselves or they can contract with the HOA to maintain their vacant property. The HOA monitors vacant lots for an appropriate level of care. In the event the owner fails to maintain his lot, the HOA has the right to mow and clear debris and vegetation. The costs of such work are assessed against the particular owner as an individual assessment.

Reports

A financial report is reviewed at each BOD meeting. A year-end annual financial statement listing all income and expenditures must be prepared and made available at the annual meeting. Financial reports are also published on The Reef website.

Note: See *The Reef Bylaws and Florida Statute 720.303* for additional requirements.

State and Federal Taxes and Fees

The Reef Homeowners' Association, Inc. files an annual report with the Florida Department of State Division of Corporations at <http://sunbiz.org/>. This report is filed no later than May 1st. Officer's names and addresses must be listed in the report.

The Reef Homeowners' Association, Inc. files Federal Tax form 1120-H every year. Assessments and fees paid by members are not taxable but interest income is taxable.

Banking

A BOD member must be listed in Sunbiz in order to be added to a Reef bank account. CDs are renewed when they mature at the best rate available (usually for not more than one year while rates are low).

The treasurer (or alternate check signer) reviews invoices and signs checks. The Property Manager does not have check signing privileges,

Insurance

The BOD maintains directors' and officers', fidelity, and general liability insurance.

Estoppel Letters

A seller's agent asks The Reef for an estoppel letter (an official certificate stating the annual maintenance fees and any assessments or fees that are outstanding) when a lot is pending sale in the Reef. It is customary for the seller to pay outstanding fees before or at closing.

Collection Policy

Delinquent accounts are handled according to *The Reef Basis for the Collection of Assessments*, which is available on the Reef website: <http://www.thereefhoa.com/otherrules.html>.

Fines

Once a fine is imposed (either because the lot owner did not request a fine hearing, or as an outcome of a fine hearing), an invoice is mailed to the lot owner.

The BOD can take a lot owner to Small Claims Court or pursue other legal action if the violation is not corrected or fines are not paid. If a judgment is awarded, The Reef receives a copy of the court's judgment stating the amount of money the losing party must pay. If the losing party does not pay the judgment, The Reef can follow policies outlined in *How to Collect a Judgment In Florida* (available online).

A fine of less than \$1,000 for a single event may not become a lien against a parcel, *Florida Statute 720.305 (2)*.

Outside Resources

- The Property Manager prepares the budget, mails assessment notices and collects assessments and fees, writes reports, files taxes, reviews invoices, prepares checks, prepares estoppels letters, and enforces the collection policy. The Property Manager does not have check signing privileges. Two BOD members have check signing privileges.
- The Reef attorney represents The Reef in collection and lien proceedings.

Perform Administrative Duties

BOD Meetings

The BOD is responsible for conducting regular board meetings, annual meetings, and if necessary, special meetings (see *Florida Statutes 720.303* for information). The Bylaws require that a BOD meeting be held every three months unless waived.



A meeting of the BOD occurs whenever a majority of the board members gather to conduct association business. All meetings of the BOD must be open to all members except for meetings where the contents of the discussion would be governed by the attorney-client privilege. Notices of all board meetings must be posted at the front gate at least 48 hours in advance of a meeting.

Minutes of all BOD meetings must record a vote or abstention from voting on each matter voted upon for each director present at a board meeting. Meeting minutes are available on The Reef website.

The Bylaws allow the BOD to take action without a meeting by obtaining the written approval of the majority of directors. Members of the board may also use e-mail as a means of communication but may not cast a vote on an association matter via e-mail.

Annual Meeting

The association must hold a meeting of its members annually. Notice of the annual meeting must be mailed, delivered, or electronically transmitted to the members not less than 15 days or more than 60 days prior to the meeting. A quorum, 30 percent of the lots in The Reef, must be represented in person or by proxy to conduct the annual meeting.

Financial Report

A printed copy of the year-end financial report must be available the annual meeting. See [Reports](#) for additional information.

Elections

The Reef Bylaws require a minimum of three directors. The Reef typically has five: President, Vice President, Treasurer, Secretary, and Member-at-Large. Elections are held at the annual meeting,

Approximately 30 days prior to the annual meeting a *Call for Candidates* for the Board of Directors notice is sent to all homeowners. Those who wish to run for the BOD return the form with their name and (optional) description of who they are, why they qualify, and what they intend to accomplish.

A ballot listing the candidates and the candidates' descriptions, if provided, are sent to all residents not less than 15 days before the meeting. All residents also receive two pre-addressed envelopes, and instructions on how to return the ballot. The voter fills out the ballot, leaving it unsigned, and inserts it into the first sealed envelope. The first envelope is inserted into the second envelope, which the voter labels with their lot number, name, and signature. This envelope is sent to the Property Manager or handed in at the annual meeting.

If there are an equal number or more qualified candidates than board positions, write-ins and nominations from the floor do not need to be accepted. The five candidates receiving the highest number of votes are appointed to the board. An organizational meeting of the directors, where board positions are assigned, follows the annual meeting.

Note: An election is not required if there are either an equal number or fewer candidates than vacancies.

Special Meetings

The BOD or homeowners can request a special meeting (see *Florida Statutes 720.306*).

Owner Assistance

The BOD is responsible for responding to owners' requests for information, understanding the Covenants and rules and regulations, and to follow-up on reported covenant violations.

Outside Resources

The Property Manager attends all meetings.

Maintain Records

Florida Statute 720.303 (4) requires that HOA maintain the following records:

- Copies of any plans, specifications, permits, and warranties related to improvements constructed on the common areas or other property that the association is obligated to maintain, repair, or replace.
- A copy of the Bylaws of the association and of each amendment.
- A copy of the Articles of Incorporation of the association and of each amendment.
- A copy of the declaration of Covenants and a copy of each amendment.
- A copy of the current rules and regulations.
- Meeting minutes, which must be retained for at least 7 years.
- A current roster of all members and their mailing addresses.
- A copy of insurance policies, which must be retained for at least 7 years.
- A copy of all contracts to which the association is a party, including, without limitation, any management agreement, lease, or other contract under which the association has any obligation or responsibility. Bids received by the association for work to be performed must also be considered official records and must be kept for a period of 1 year.
- The financial and accounting records of the association, which must be maintained for a period of at least 7 years.
- A copy of the disclosure summary described in Florida Statute 720.401(1).
- All other written records of the association not specifically included in the foregoing which are related to the operation of the association.



Copying of Records

The Reef *Policy for Inspection and Copying of Records* is available under *Rules and Regulations* on The Reef website. This policy is consistent with Florida Statute 720.303 (5).

Outside Resources

- All records are stored at the Property Manager's office.

Oversee Committees

Architectural Review Board (ARB)

The ARB is a permanent committee appointed by the BOD to enforce criteria for construction and improvements within The Reef with regards to size, type, location, or appearance of any structure, or to enforce standards for the external appearance of any lot. The ARB operates under the rules outlined in The Reef Covenants and Florida Statutes.



Fine Committee

The Reef fine policy (see [Enforce the Covenants](#)) and Florida Statutes require having an appointed Fine Committee before any fines can be assessed. Florida Statutes 720.305 states:

A fine or suspension may not be imposed without at least 14 days' notice to the person sought to be fined or suspended and an opportunity for a hearing before a committee of at least three members appointed by the board who are not officers, directors, or employees of the association, or the spouse, parent, child, brother, or sister of an officer, director, or employee.

Picnic Committee

Traditionally the BOD has asked for volunteers to organize a picnic in early spring. The HOA provides beverages, barbecue, and paper goods. Residents bring appetizers, side dishes, and desserts.

Welcome Committee

Another tradition in The Reef is for an appointed committee member to deliver a welcome basket to new residents.

Disseminate Information – Website

The BOD maintains a website (<http://www.thereefhoa.com/>) to provide general information about The Reef and to provide access to the Covenants and rules and regulations. Lot owners can also access meeting minutes and financial reports by logging in to the website using a secure login ID.



In addition, the website includes a *Report Form* to allow residents to provide observations and complaints and to report violations to the BOD. All reports are automatically sent to The Reef e-mail address.

E-mail

Communication with the BOD is through The Reef e-mail address, theboard@thereefhoa.com. Mail sent to this account can be retrieved through [webmail](#). Contact the Reef Web designer, currently Helen Runck, for the account password.

This e-mail account is configured to:

- Forward all e-mails to board members personal e-mail accounts
- Retain all e-mails on the server for three years as a record of the reports received

Residents must consent in writing to receiving notices from the board by electronic transmission.

Outside Resources

Network Solutions (<http://www.networksolutions.com/>) hosts The Reef website. The hosting package includes (a) one e-mail address, (b) 25 FTP sites, and (c) site statistics. The Reef web domain name and web hosting service are renewed annually.

The login information for configuring the website and e-mail account can be obtained from The Reef Web designer, currently Helen Runck.

Additional Florida Requirements

Registration with DBPR

TALLAHASSEE, Fla. – In September 2013, The Florida Department of Business and Professional Regulation (DBPR) launched the website where homeowners associations (HOA) and Community Association Managers (CAM) are now required to register. The website was created as part of recently passed state legislation (Chapter 720, FS), which requires community association managers, community association management firms or HOAs, in the absence of a CAM, to report information about the associations before the deadline of November 22, 2013.

More information about DBPR is available online at www.myfloridalicense.com

HOA Board Member Certification

Florida requires that all new board members attend a certification class. This class is provided free of charge by our attorneys, Becker & Poliakoff.

Activities by Calendar Date

Some activities are performed at approximately the same time every year.

January	A minimum of 14 days prior to the annual meeting a mailing is sent to all residents which includes a cover letter, meeting agenda, proxy form, list of candidates, any covenant changes to be voted on
February	Annual meeting to include BOD election and year-end financial statement
March	Picnic (at the discretion of the BOD) Federal Tax form 1120-H (15th day of the 3rd month after the end of its tax year)
May	Annual report by May 1st (http://sunbiz.org/), insurance policies renewed
August	Backflow inspection
December	Mailing to all residents which includes a cover letter, next year's budget, assessments, call for candidates