

# LakeRidge Falls

4200 LakeRidge Blvd.  
Sarasota, FL 34243

02-23-2024

Here are the more important stories we had this past and upcoming weeks:

**Decisions** - In a recent communication with concerned residents, some frustration was expressed regarding some of the decisions made by the Board of Directors regarding the various committees. While such concerns are not unique to LakeRidge Falls, it would be best if this issue was explained in length.

If there is one thing learned from many years in this profession is that members and residents of this community have good intentions and the community's best interest in mind. They wish to contribute and assist as much as they can for the common good of the community. With this in mind, one must accept the notion that these intentions are based on subjective points of view, which is only normal and quite understandable. Unfortunately, subjective points of view at times can clash with the objective needs of the community. Here is a made-up example to emphasize the above.

Let's say there is a community called ABC Homeowner Association and they have a very active Amenities Committee. One of the members of the committee is a retired architect. During one of the committee meetings, the architect/member suggested installing window planter boxes with annuals on all the windows at the back of the clubhouse building. The former interior designer, who is also a member of the community, rationalized this suggestion by saying he can see the back of the clubhouse from his lanai, and to his opinion, this section of the building looks dull and unattractive because it is lacking significant architectural features.

The committee reviewed the issue, agreed with the opinion, and thereafter suggested to the Board of Directors to accept a recommendation to invest \$5,000 in this project. While reviewing the recommendation by the Amenities Committee, the Board of Directors raised the following questions:

- How would this recommendation benefit the Association as a whole?
- Why is the recommendation made just for the clubhouse building and not for the other amenities buildings?
- Were there any other alternatives considered for this project?
- Where do the funds for this project come from, Reserves or Operations?
  - Assuming they would come from the Operations, what services does the committee suggest "cutting" to finance this project?
  - Assuming the funds would come from Reserves, how many years does the committee suggest collecting the required funds?

After hearing the answers and reviewing the matter, the Board of Directors agreed with the notion that this section of the building looks dull and unattractive but decided to table the recommendation explaining:

- the financial impact on membership dues and the maintenance concerns related to this project are unwarranted.
- only a handful of the community members would benefit from it, i.e. those with a view to the clubhouse.
- the proposed funds for the project would better serve the community if invested in replacing the clubhouse air conditioning unit.

While the above is an oversimplified example, the moral of it is that recommendations made by committees are made at times within the sphere of interest of the committee or the members of the committee. Of course, some would argue, rightly so, that the members of any Board of Directors are also individuals who have subjective points of view. However, the main difference is that Boards of Directors' decisions are driven by their duty to objectively examine recommendations while considering the bigger picture and the best interest of the community as a whole. A duty that is often referred to as a **fiduciary duty** or **responsibility**.

Florida State Statute 720.3033, Officers and Directors, (1)(a), direct any association member who is elected or appointed to serve on a Board of Directors to "... certify in writing to the secretary of the association that he or she has read the association's declaration of covenants, articles of incorporation, bylaws, and current written rules and policies; that he or she will work to uphold such documents and policies to the best of his or her ability; and that he or she will faithfully discharge his or her fiduciary responsibility to the association's members." In other words, the main difference between decisions made by Boards of Directors and Committees is the ultimate responsibility for such decision-making. Boards of Directors have a legal responsibility to act solely in the best interest of the Association's members while committees' main goal is to assist the Board of Directors in making such decisions.

It is not uncommon, therefore, that Boards of Directors are forced to make unpopular decisions such as increasing quarterly dues, enforcing the governing documents, adopting strict policies, etc. A real-life example of this notion can be found in the recent decision made by the Board of Directors regarding appointing members to the various committees. For those who may not be aware, the newly elected Board of Directors chose to appoint a limited number of members, i.e. no more than 9, for each committee and decided all committees would be composed of a mix of new and old members. It was only natural that some members/residents were unhappy and/or frustrated with this decision.

However, consider the rationale behind this decision. Last year, the Board of Directors faced some challenges with some of the committees. One committee met only once because the vast majority of its members were snowbirds. Another committee had 11 members which made it hard for it to obtain a quorum or reach a consensus. Then there was a committee composed of new members who had to go through what some believed to be an agonizing learning curve. As a result, those committees didn't operate efficiently which had an impact on the execution of some of the projects the Board wanted to promote. To avoid it, the newly elected Board of Directors decided to make what some may feel to be an unpopular decision. There is no question, however, that the decision was based on what the Board perceived to be in the best interest of the community. After all, having functional committees that work efficiently is a major component in the success of any Association.


In conclusion, members are encouraged to examine any decision made by a Board of Directors based on the bigger picture and the impact it has on the community as a whole. While at times such decisions may be unpopular and/or in contradiction to one's subjective wants and needs, please remember that a Board of Directors has a fiduciary duty to the entire membership. Hope this information is useful in explaining the subject matter and thank all in advance for their understanding.

**Computers** – A few days ago, a long-time member of the community brought to our attention a very important issue. This member asked that we remind residents who use the Association computers, which are located in the Club Room (i.e., Annex Buildings), to make sure to delete the records they download to the computers and to make sure to sign out of their personal accounts, such as mailing and banking.

Based on the member's account, "apparently, others have printed (downloaded) documents and aren't aware the records they have downloaded are stored in the "Downloads" folder... Finding these records, I immediately deleted them so they couldn't be accessed by others." If someone needs yet another example of why the members of this community are second to none, the members shared with us instructions on how to delete such files with the hope they could be shared with those residents who may need assistance.

Acting on this generous gesture, we posted these instructions in the Club Room, next to the computers, of course, and wish to take a moment to share with all using this communication outlet. Please take a moment to read this important information.

To delete records that are downloaded or printed using the Club Room computers:

1. Click on the Microsoft Windows icon (multi-colored circle)  in the far lower left corner of the screen
2. Find the "Downloads" folder
3. Double-click on the "Downloads" folder to open it
4. Right-click (right button on the mouse), click "Select all" and push the "Delete" key on the keyboard.  
NOTE: You are NOT done!
5. Go to the computer desktop (computer main screen). Find and open the "Trash" (Trash can icon/image) by double-clicking on it
6. Right-click (right button on the mouse) and "select all"
7. Click "Empty Trash" or push the "Delete" key on the keyboard. The records have now been deleted from the computer.

This is an opportunity to thank the member, who asked to remain anonymous, and are sure all will join us in doing so.

Have a healthy and safe weekend.

Sincerely,

Oded Neeman - CAM

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