

Homeowners Association
Newsletter

April 2022

Board of Directors

Bill Pidgeon, President,
Brian Teal, Vice President
Renee Landen, Treasurer

Bayside Property Management

Sara LaPointe
321-676-6446; Fax: 321-428-5700
sara.baysidemgmt@gmail.com

Committees and Chairpersons

ARC – Joyce Vass
Communications – Nancy Cartwright
Due Process – Robin Dennis
Entrance/Gate – Brian Teal
Grounds – Open
Finance – Renee Landen
POA – Bill Pidgeon
Pool – Brian Teal

Fairway Isles Website

[Fairway Isles at Bayside Lakes](http://FairwayIslesatBaysideLakes.com) | [HOA in Palm Bay, FL](http://HOAinPalmBay.com) (communitysite.com)

Bayside Lakes Clubhouse

Monday - Friday from 9 am to 5 pm
Phone: (321) 984-2201

Important Dates

April 1 – April Fool's Day
April 10 – Palm Sunday
April 15 – Good Friday, Passover Begins

April 17 – Easter
April 23 – Passover Ends



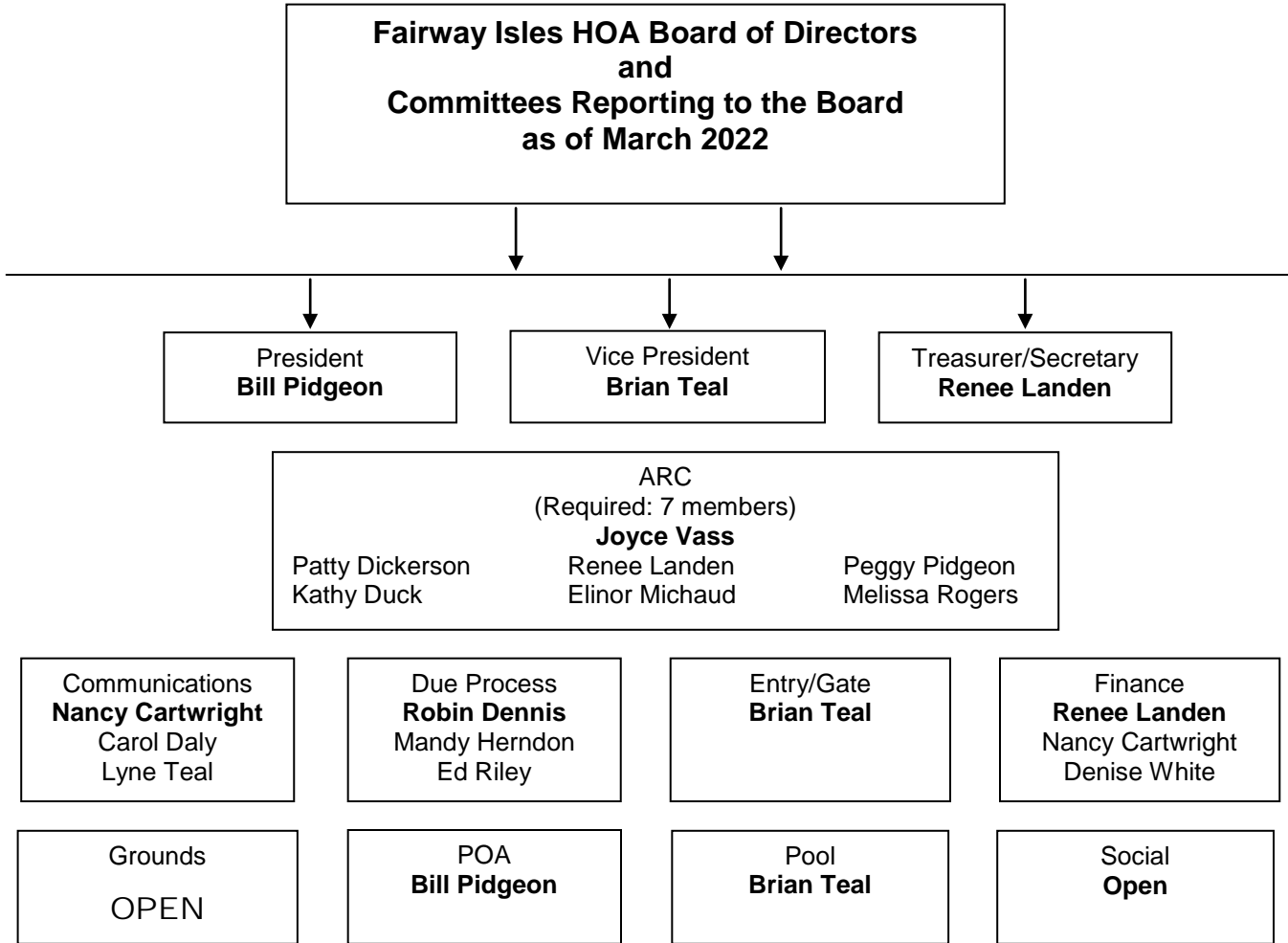
Happy Passover









Congratulations to Our 2022 Board of Directors



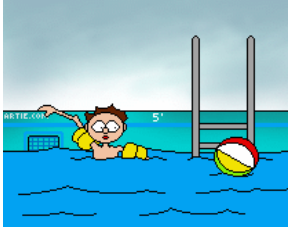
The current Board will continue serving for the 2022-2023 term.

Board and Committee positions were assigned at the Organizational Meeting held after the Annual Meeting was adjourned.



Committee	Committee Descriptions
<p>ARC</p> 	<p>Chairman — Joyce Vass</p> <p>The ARC (Architectural Review Committee) has the responsibility to approve all plans of changes to the exterior of a house and lot. All ARC requests should be sent to Sara. Welcome to Kathy Duck who was approved to be on the ARC, stepping in for Lyne Teal who resigned.</p> <p>The ARC shall consist of a minimum of seven (7) Committee members and shall be elected by a majority vote of the BOD at its annual meeting (Declaration, Section 1.b).</p> <p>A quorum of the Committee shall consist of a majority of its members. It shall take the affirmative vote of a majority of the members at the meeting at which a quorum is present to approve or perform any action. The Committee shall keep written records of its actions. The Committee shall meet from time to time</p>

Committee	Committee Descriptions
	as necessary. (Declaration, Section 1.c)
<p>Communications</p>  	<p>Chairman — Nancy Cartwright</p> <ul style="list-style-type: none"> • Maintain a viable committee to provide and exchange information with HOA members. • Ensure that HOA documents, news, meeting minutes, and appropriate notices are provided on the web. • Ideas, proposals, or constructive criticisms are solicited from HOA members. • Maintain an email distribution list so that timely information can be conveyed to the HOA members. (If you would like to add your email address to our distribution list, send an email to nancycart@mindspring.com.) • Administer web site.
<p>Due Process/Fining</p> 	<p>Chairman — Robin Dennis</p> <p>A homeowner has an opportunity for a hearing before a committee of at least three members appointed by the BOD. If the committee, by majority vote, does not approve a proposed fine or suspension, it may not be imposed. The role of the committee is limited to determining whether to confirm or reject the fine or suspension levied by the BOD. (Florida Statutes, 720.305.2.b)</p>
<p>Finance</p> 	<p>Chairman – Renee Landen</p> <p>Carol Mathison resigned from the Finance Committee after serving many years on the committee after her numerous terms as Board Treasurer. Thank you, Carol, for all your hard work and dedication to our HOA's financial health. Welcome to Denise White who has volunteered to fill Carol's spot.</p> <ul style="list-style-type: none"> • Explain the financial information from monthly financial statements provided by the management company, and discuss as needed with the homeowners. • Assist in the creation of the annual budget.
<p>Entrance/Gate</p> 	<p>Chairman — Brian Teal</p> <ul style="list-style-type: none"> • Report problems with gate operation. • Report problems with the gate security panel. • When notified by the management company, turn off power on the power box in the event of a hurricane warning. • Ensure the lights are operating (for example, floodlights, street lights at entrance and along Cogan).

Committee	Committee Descriptions
<p data-bbox="175 163 310 193">Grounds</p> 	<p data-bbox="418 163 927 193"><i>Chairman and volunteers needed</i></p> <p data-bbox="418 216 1507 321">Lyne Teal resigned from the Grounds Committee after being our liaison with the grounds contractors for many years. Thank you, Lyne, for all you've done to help keep our neighborhood looking good.</p> <p data-bbox="418 342 1433 407">NEEDED — volunteer(s) to assist in the oversight of irrigation, lawn and common area maintenance.</p> <p data-bbox="418 430 857 464">Landscape (common areas) —</p> <ul data-bbox="418 485 1498 667" style="list-style-type: none"> • Ensure the lawn service is weeding the mulched areas. • Ensure the plants are being watered and all sprinklers are working. • Ensure to plant and maintain perennials and annuals. • Ensure bushes are trimmed along Morning Cove Circle, Cogan, pool area and at entrance and exit. <p data-bbox="418 688 1503 758">Yards — Interact with contractors on a regular basis to determine issues and help resolve those issues.</p>
<p data-bbox="207 766 277 795">POA</p> 	<p data-bbox="418 766 850 800">Representative — Bill Pidgeon</p> <p data-bbox="418 821 1511 1066">The POA is the Master Association of Bayside Lakes. Its members consist of commercial businesses (for example, Publix, banks), institutional entities (for example, churches, schools), and HOAs (~16). It operates much the same as an HOA: (1) collects annual assessments based on maintenance costs of common property shared by its members, (2) elected Board of Directors (BOD). A member of the POA BOD must be a member of a neighborhood BOD.</p> <p data-bbox="418 1087 1528 1157">A neighborhood's representative can be any homeowner in that neighborhood. Each HOA is entitled to assign one representative to do the following:</p> <ul data-bbox="418 1178 979 1268" style="list-style-type: none"> • Attend monthly POA BOD meetings. • Report to the Board of Directors.
<p data-bbox="207 1291 277 1320">Pool</p> 	<p data-bbox="418 1291 753 1325">Chairman — Brian Teal</p> <ul data-bbox="418 1346 1528 1814" style="list-style-type: none"> • Ensure the contractors (pool service and cleaning service) are satisfactorily completing their contractual duties. For example, ensure the cabana has been cleaned (sinks, toilets, floors, tables and chairs (dirt and mold), bugs removed, garbage emptied.) • Spray for ants, when needed. • Check for and report broken items (straps on furniture, tables, pool tiles, and so forth) • Report if light bulbs need to be replaced. • Report if a plumber is needed. • Arrange to have the pool furniture moved under cover if a storm warning is issued.
<p data-bbox="196 1843 289 1873">Social</p>	<p data-bbox="418 1843 927 1873"><i>Chairman and volunteers needed</i></p> <p data-bbox="418 1894 1230 1927">Because of Covid, we are not actively seeking volunteers.</p>



BOARD MEETING

April 25 — Next Board of Directors Meeting

The next BOD meeting will be on April 25 via Zoom.

Details will be posted and emailed to you closer to the meeting date.

Golf Course Rezoning

We will keep you informed by email of any updates from the POA or from other confirmed, reliable sources.

As you know, the rezoning is the first step in the process of changing the golf course to a neighborhood.

The Planning & Zoning Board (P&Z) conducts hearings and makes recommendations to the City Council in regards to requests for rezoning.

The next P&Z meeting will be held on Wednesday, April 6, at 7 pm at City Hall Council Chambers, 120 Malabar Road, SE, Palm Bay.

Note: The P&Z consists of seven (7) members appointed by Council for a term of 3 years. Each Council seat appoints one (1) member. The remaining two (2) members' positions shall be considered at-large.



What is the POA?

“Property Owners Association” (POA) refers to “Bayside Lakes Commercial Center Property Owners Association, Inc”., a not-for-profit corporation organized under the laws of the State of Florida.

The POA provides common services to the Lot Owners of Bayside Lakes; owning and maintaining landscaping and lighting on the common areas; maintaining the drainage easements, conservation easement areas, common areas, surface water and/or stormwater management systems; providing enforcement of these covenants and restrictions; and engaging in activities for the mutual benefit of the Owners.

For more information, the POA’s documents are on our website:

[Fairway Isles at Bayside Lakes | HOA in Palm Bay, FL](http://FairwayIslesatBaysideLakes.com)
communitysite.com



Bayside Lakes
Commercial Center
Property Owners
Association, Inc.

April 23 — Bayside Lakes Yard Sale

Gates Open: 8 am–2 pm

Twice a year the Bayside Lakes Property Owners Association (POA) sponsors a yard sale. Any neighborhood in Bayside Lakes may participate. Mark your calendars and remember —

“What is useless to some is worth a lot to others.”



Tips



Misplaced your payment coupons and need replacements? Want to do some work on your house and need ARC approval? Go to the website: [Fairway Isles at Bayside Lakes | HOA in Palm Bay, FL \(communitysite.com\)](http://FairwayIslesatBaysideLakes.com)



A bit of weed killer gets rid of those pesky weeds in sidewalk and driveway cracks. You can also spray weed killer around the sprinkler heads to keep grass from growing over and preventing irrigation.



If you plan to be away for awhile, give a key to a neighbor in case of an emergency, such as an alarm being tripped (either security or fire). Also, consider letting Sara know your departure/return dates and the name of the neighbor who has a key to your house. Be sure to leave your full name, address, phone number, and email address when contacting Sara.



If a neighbor's house is unoccupied and an alarm goes off, call the police.



If you have any issues or concerns with your lawn or irrigation, contact Sara, who will then contact the appropriate contractor. Be sure to leave your full name, address, phone number, and email address when contacting Sara.



If you're planning an outside project on your property, check with the ARC to ensure you provide all the information to get ARC approval, or refer to the ARC Request form from our website: [Fairway Isles at Bayside Lakes | HOA in Palm Bay, FL \(communitysite.com\)](http://FairwayIslesatBaysideLakes.com)



Golf carts should have their headlights on when driving in the early morning hours.



Walk on the sidewalk (not the street).



Remember to lock your house and car, remove valuables from your car, and keep your garage door closed.

Our Declaration states under *Article II — Architectural and Aesthetic Requirements, Section 8. Garages:*

... All garage doors must be closed during nighttime hours for security. Garage doors, when possible, shall be closed during daytime hours for security purposes. ...



A motion was made and approved by the Board that the pool cannot be used to hold classes of any sort whether paid, free or by donation. Insurance liabilities and the Americans with Disabilities Act (ADA) are key in this decision about use of our private pool.



The pool hours are dawn to dusk.

No one should be in the pool area after dusk.



Radios or other audio devices are permitted only outside the pool area. Also, remember that radios or other audio devices are to be played at low levels so as not to disturb those in the pool/cabana area, as well as nearby residents.



If you have news, announcements or anything you would like to see in the newsletter, let us know.

Nancy Cartwright (nancycart@mindspring.com)

Carol Daly (carol.0630@yahoo.com)

Lyne Teal (lyneteal@hotmail.com)



It's MRTA Time Again (Florida Marketable Record Titles Act)

Fairway Isles' Covenants were recorded on July 18, 2000. Therefore, the BOD must vote to extend our documents prior to July 18, 2030.

So that HOAs do not lose track of this process and end date, Florida Statute, 720.303(2)(e), now requires that "each year, at its first board meeting (excluding an organizational meeting to select officers) following the homeowners' annual meeting, the board of directors "shall consider the desirability of filing notices to preserve the covenants or restrictions affecting the community or association from extinguishment. ..."

Florida Marketable Record Titles Act ("MRTA") — Under the MRTA, encumbrances on real property, including a homeowners association's covenants and restrictions (such as those that allow it to control aesthetics, issue violations and levy assessments), may be rendered unenforceable and extinguished 30 years after their date of recordation if not properly preserved or reaffirmed by the association beforehand.

While MRTA is relatively complicated, in simple terms, the key date to be aware of is the date the declaration of covenants is recorded in the public records of the county where the property is located. In order to ensure that the integrity of the declaration is retained, which allows the board to continue to strictly and uniformly enforce all provisions therein, including the collection of assessments, it is necessary to take the required steps to preserve the declaration within thirty (30) years of the date of its original recording.

Sources: <https://kbrlegal.com/homeowner-associations-be-aware-and-wary-of-the-marketable-record-title-act/>

<https://www.bosdun.com/2019/08/14/hoas-beware-the-marketable-record-title-act-mrta/>

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0700-0799/0720/0720.html

The good news is that there is a streamlined and relatively simple four-step process by which the association can ensure that its covenants and restrictions are not extinguished by the MRTA, and in doing so, avoid the possibility of homeowners later contending that the provisions of the community's governing documents are inapplicable as to their property.

1. The association must properly notice a meeting of the board of directors.
2. The association must hold the meeting, at which the approval of at least 2/3 of the BOD will be necessary to properly authorize the preservation of the association's covenants and restrictions.
3. Once authorized, the association must have its attorney prepare and record a *Notice of Preservation of Covenants and Restrictions* in the public records of Brevard County.
4. The association must either arrange and pay for the clerk of court to mail a copy of the notice to all owners (by registered or certified mail) or alternatively have the notice, including the recording book and page number, published once a week, for 2 weeks in a local newspaper.

CLICK HERE to Unsubscribe

Before You Click "Unsubscribe" on Unwanted Emails ...

Editor's Note: I've noticed that when I unsubscribe from a company's email, I get emails from other unknown companies that I would never subscribe to, such as "*enlarged prostate issues*." I found the following information from Reader's Digest (www.rd.com) very interesting and thought you would too. If the link looks suspicious, I mark the email as spam and delete it. ... Nancy

Beware of what you click

Think twice before hitting the "unsubscribe" button in that pesky spam email. Cyber security experts say. "Just like any business, spammers want a high return on investment," according to Charles Henderson, IBM Global Managing Partner and Head of IBM's X-Force Red.



- It could direct you to a spam website

Cybercriminals often use phony "unsubscribe" links to bring users to malicious web pages. Even links with seemingly familiar URLs are not always safe, according to Henderson. "Spammers can create custom URLs, or use a popular URL with a slight typo to trick the user it's a trusted site." He suggests hovering over the link with your mouse before clicking. If the URL looks strange or is misspelled, mark the email as spam or junk through your email's interface instead.



- It could confirm your email address is active

By clicking on a fake link in a spam email, you might be confirming to the spammer that your email address is correct, active, and checked on a regular basis. From there, they could sell your contact information to other cybercriminals, gain access to more of your personal data, or any of these other alarming things a hacker can do when they have your email address. Once cybercriminals know that your email address is active, they are more likely to continue contacting you and plaguing your inbox with emails.



- Hackers can download malware

On top of compromising your email account, hitting the "unsubscribe" button in a spam email could also compromise your computer. Hackers might take the opportunity to download a virus to your PC or Mac instead of removing your email from their mailing list.



- Hackers can spy on and impersonate you

A virus or other malware on your computer can spell serious trouble for your digital privacy. "If malware is deployed, the spammers can often see everything you're doing on your computer, including capturing keystrokes for your passwords and banking information," according to Henderson. Then they can use that information to impersonate you online, he says.