

AVALON BEACH ESTATES
RULES ENFORCEMENT COMMITTEE MEETING
Monday, February 17, 2025
6:00 P.M. CST, Leeward Key Conference Room

MINUTES

Committee Members' Present:	Rick Shelley, Chair
	Karen Sella
	Diana Seerey (via Zoom)
Owners Present:	Ted Kleist, President, Avalon Beach Estates Homeowners Association (HOA)
	Mark Beldon, Chair, Avalon Beach Estates Architecture Review Board (ARB)
	Bob Faber
	Al Appling
	Jeff Tanner

Avalon Beach Estates Rules Enforcement Committee (AREC), a committee of the Avalon Beach Estates Homeowners Association, held a Committee Meeting on Monday, February 17, 2025, at 6:00 PM CST in the Leeward Key Conference Room located at 2936 Scenic Gulf Dr, Miramar Beach, FL 32550 and virtually via Zoom.com.

CALL TO ORDER

The meeting was called to order at 6:00 PM CST by Rick Shelley, Chair.

ROLL CALL/ ESTABLISH QUORUM

A quorum was established with three (3) out of three (3) board members in attendance

PROOF OF NOTICE

Ted Kleist, President of Avalon Beach Estates HOA, confirmed that the notice was executed in accordance with Florida Statute 718.

DISPOSITION OF PREVIOUS MINUTES: None. This was the inaugural meeting of the AREC.

NEW BUSINESS:

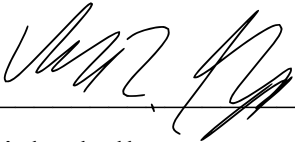
1. The Chair welcomed all owners to the AREC meeting, and reminded all assembled that the AREC was not meeting to establish guilt or innocence on any matter at hand, but to review the Avalon Beach Estates HOA Board's recommendations for fine or suspension of amenity access for properly determined violations, and determine the extent of the recommended fine or suspension up to the amounts determined by the HOA Board.
2. The Committee then considered the matter of a violation that occurred at 20 Paginet Way with respect to the color and siding of the mailbox at that residence:
 - a. The Chair recognized Ted Kleist, President of the Avalon Estates HOA. Mr. Kleist summarized the HOA Board's actions taken to notify and remedy a violation at 20 Paginet Way, Miramar Beach Florida. The violation noted was that the mailbox did not comply with the provisions of Rules and Regulations, Article I – Architectural Procedures and Guidelines, Section I, Item 6, which states that the mailbox must match the house siding in type and color. He stated that all notices were carried out according to Florida Statute and HOA Declarations. Mr. Kleist added that this violation was pursued after the HOA Board received a complaint from a homeowner that the mailbox did not comply with the aforementioned Association requirements, after the preceding mailbox had been damaged and replaced. Kleist then introduced Mr. Mark Beldon, who provided a detailed history of the ARB, and the HOA Board's attempt since 2023 to get the homeowner to comply with this requirement. He stated the mailbox in question was stuccoed very recently, but still had not been painted to conform to the aforementioned requirement.
 - b. The Chair then recognized Mr. Tanner, the homeowner at 20 Paginet Way, Miramar Beach Florida, who claimed that the HOA was practicing selective enforcement. He cited numerous examples throughout Avalon Beach Estates which he claimed also violated the Declarations and/or Rules and Regulations, but the HOA had failed to enforce them. The Chair asked Mr. Tanner if he had filed a complaint with the HOA, and to cite proof of those filings. Mr. Tanner had no such evidence. The Chair also reminded Mr. Tanner that the presence of other violations does not mitigate an owner's responsibility to follow the Declarations and/or Rules and Regulations. After allowing the homeowner ample time to state any mitigating factors with evidence for approximately 15 minutes, and heard none. Mr. Tanner did admit the mailbox in question did not conform, but never stated he would complete the effort to bring the mailbox into compliance. Ms. Sella reminded Mr. Tanner that our Board members are volunteers who are trying their best to maintain our neighborhood to high standards, and that his conduct at the meeting was unbecoming to that effect.

- c. The Chair then recognized Mr. Kleist for any final remarks. Mr. Kleist reiterated the extreme restraint the HOA had shown in attempting to have the matter resolved; it still was not resolved to conform to requirements.
- d. The AREC Committee voted unanimously to uphold the full amount of the fine levied by the HOA Board as recommended.

ADJOURNMENT:

Motion by Karen Sella to adjourn the meeting. Diana Seerey seconded the motion and with all in favor, the motion passed. The meeting was adjourned at 6:32 PM CST.

Respectfully Submitted,



Rick Shelley
Chair, Avalon Beach Estates
Rules Enforcement Committee