

**MARGARET'S WALK
HOMEOWNERS ASSOCIATION
BOARD OF DIRECTORS MEETING
February 8, 2010 @ 6:00 P.M.
FLEMING ISLAND PLANTATION AMENITY CENTER
2300 Town Center Blvd.**

I. CALL TO ORDER AND CERTIFY A QUORUM

Ms. Joyce called the meeting to order at 6:05 p.m.

Present:

Danny Kane, **President**

Bill Korn, **Vice President**

Don Christofoli, **Treasurer**

Keith Johnson, **Director**

Gwen Joyce, **Community Association Manager, Severn Trent Services**

Several Residents

Attendance was taken and a quorum was established.

II. PROOF OF NOTICE OF THE MEETING

Notice of the meeting was posted 48 hours in advance on the website and community message board.

III. OWNERS FORUM:

- Mr. Allen, Lot 005, reported that the north fence behind his property was never turned over to the homeowners; even though a letter dated May 18, 2001 from the HOA noted who was to share in the cost of the fence installation. The fence is outside of his property line.
 - Mr. Kane explained the following:
 - Any changes to the fence that can be seen from the street or adjoining property owners needs to be approved by the ARB.
 - Anyone can build a fence around someone's property and not formally dedicate it to the property owner, but that did not mean that the original installer of the fence owned it.
 - In the past other homeowners submitted ARB requests to maintain a portion of the north fence behind their properties.
 - If the fence is not on the homeowner's property or on HOA property, it is considered to on Clay County property and not the responsibility of the HOA.
 - Mr. Christofoli pointed out that an HOA cannot legally maintain a fence behind individual homes. The HOA only owns and maintains the portion of fence by the gas tank in the common area.
- Mrs. Debra Todd, Lot 137, reported that her patio cover was in violation of the ARB guidelines and she was fined \$1,000 by the REC. This issue has been ongoing for

three years and comes up every time there is a new Manager or BOD. Mr. Jim Ferguson, the previous manager, came out to her property several times to look at the cover. She went before the REC in February of 2009 and was not sent a follow-up letter. Mr. Kane said he would contact her, but never did. However, she received a letter in January of 2010 from Mr. Bob Koncar of STMS informing her of the \$1,000 fine. She was told by the BOD that the patio cover is still an outstanding issue that needs resolution even though other homeowners have patio covers like hers.

- Mr. Kane was unaware of the other patio covers Mrs. Todd mentioned so they most likely had not been approved by the ARB. He recalled that Mrs. Todd had been directed to change her patio cover to a pergola style [adding pergola wrap to the existing structure] and used the example of one at 1675 Cinnamon Fern.
- Mrs. Todd was not aware that she could add the pergola wrap to her existing structure and misunderstood the HOA Board and REC’s direction. She thought she was directed to remove the existing structure completely and build a pergola. She is willing to put the pergola wrap on the existing structure.
- *The BOD suggested that Mrs. Todd go before the REC to explain that she misunderstood their direction and bring proof that she has ARB approval and has installed the pergola wrap. It is up to the REC to reverse their decision to fine \$1,000. Ms. Joyce will send Mrs. Todd an ARB submission form and inform her of the date and time of the next REC meeting.*

IV. APPROVAL OF MINUTES FOR JANUARY 18, 2010 MEETING

- On Page 5, under Owner’s Concerns, Mr. Sam Giudice’s comments regarding the gas company billing will be stricken as it does not pertain to the HOA.
- On Page 6, under Committees, another arrow point should be inserted to indicate that Mr. McCarthy will provide a letter to the ARB from a licensed Arborist about his tree.
- On Page 7, in the third arrow, change “Ms. Kane” to “Mr. Kane”.
- On Page 7, in the last arrow point, remove “and envelopes should be available”.

A motion was made by Don Christofoli, seconded by Bill Korn to approve the January 18, 2010 meeting minutes as amended; with all in favor, the motion carried.

V. MANAGER’S REPORT

A. Financials

Ms. Joyce submitted her Property Manager’s Report and highlighted the following:

For the Month of January 2010

Total Income:	\$26,617.35
Total Expenses:	\$24,936.01
Net Income:	\$ <u>1,681.34</u>

The bank statement for the Reserves was not received in time to complete the Financial Report before the BOD meeting. It will be emailed to the BOD upon receipt from the Finance Department.

The Finance Department confirmed that the transfer of the 2009 surplus of \$8,550.60 from Operating to Reserves was completed. The 2010 Reserves of \$20,950 will be reflected in February's financials.

Mr. Korn's request for page numbers on the Financial Reports was not possible due to each report being generated separately.

The storage unit invoice of \$988.68 for 12 months was paid based on email approval from the BOD.

Mr. Christofoli confirmed that he received the latest batch of checks from STMS and they were in order to be signed and paid.

C. Delinquencies

There are 31 delinquent accounts totaling \$17,966.35. All owners were sent a reminder notice. One foreclosure was dismissed and a lien was placed on the home. The Finance Department was monitoring all delinquencies.

B. Violations

The new REC members Ms. Fran Eisert, Mr. Doug Lloyd and Ms. Bonnie Helm met for orientation 30 minutes prior to the January 28, 2010 meeting as requested by the BOD. At this meeting, the REC decided that all fines for dead lawns were to be waived and will be re-inspected around March 15. STMS drafted a letter to be sent to all homeowners with yard violations informing them that by mid-March they must bring their yard into compliance and, if applicable, show proof of treatment or service to STMS. If they fail to comply by the deadline, the violation process will proceed.

Ms. Joyce is drafting a fining schedule for the REC to be modeled after the one for the Master HOA. Upon completion, she will provide to the BOD.

The BOD questioned whether it was necessary for a member to be present at REC meetings. Ms. Joyce explained that the MWHOA documents state that a non-voting BOD member was required to attend the REC meetings.

Upon discussion by the BOD, it was decided that each BOD member would attend on a rotating basis. Since Mr. Kane attended the January meeting, Mr. Korn volunteered to attend the next REC meeting. Ms. Joyce will confirm the next meeting date and time of the next REC meeting and contact Mr. Korn.

It was reported that the owners of lot 153 removed trees in their backyard. Ms. Joyce indicated that a letter will be sent to the owner (Lot 153) because they removed several pine trees without prior approval of the ARB.

Mr. McCarthy was provided a copy of the FIP tree restriction as requested by the BOD at the last meeting.

STMS started writing violation letters to owners who have not updated their mailboxes to the standard FIP requirement.

A resident complained about outbuildings on Lot 145-146a. Mr. Kane reported that a homeowner was planning to build a 6,700 square foot house, but there was no house there currently. Mr. Johnson recalled the homeowner going through the ARB process and a lot of effort being put forth to assist the homeowner. A structure was also noticed on Lot 158. Mr. Kane requested that letters be sent to the homeowners, if this has not already been done.

- **Reserve Study**

Ms. Joyce emailed Reserve Study proposals from Reserve Advisors and Dreux Isaac & Associates to the BOD. It was advised to have the study completed by the end of July so it can be compiled before the next budget year.

Mr. Christofoli noted that Dreux Isaac & Associates performed the Reserve Study for the CDD and they did a thorough job. Dreux Isaac & Associates was \$200 less than Reserve Advisors.

A motion was made by Danny Kane seconded by Don Christofoli to authorize Dreux Isaac & Associates to perform the HOA Reserve Study; with all in favor, the motion carried.

- **Gate Matters**

Mr. Korn reported that he and Mr. Christofoli met with Mr. John Wachter and two representatives from Commercial Security Services two weeks ago. Mr. Korn has keys to the boxes, but they were not necessary because all they needed to do was to trip the circuit breaker. They found out there was no battery backup. Commercial Security Services will install a 20 volt motor and battery for both gates used circuit boards that they can guarantee for a year for a total cost of \$1,350 or \$2,600 with new circuit boards. Mr. Korn did not believe they needed new circuit boards as long as there was a warranty.

Mr. Kane believes that it would be disastrous to have someone else come in to do work on the motors purchased from Commercial Security Services. Mr. Korn agreed. Mr. Korn was told by Mr. Wachter that in the event of a hurricane, they would open the gates and tie them back to a wall until the storm passes. He suspects that the high winds on Saturday caused the gates to break. If the power goes out, the batteries will emit enough power to open the gate. Mr. Kane observed the gates swaying.

Mr. Kane questioned whether there were two motors because the proposal states “Install 20 volt motor”. Mr. Johnson clarified that the proposal offered a DC convenience open option, which includes two 12 volt batteries and a DC charger for entrance and exit gate. Mr. Christofoli explained that the purpose of the battery was to open the gate one time and will not open and close.

Mr. Christofoli noted that a full one horse power motor was not necessary. Mr. Johnson recalled discussion by the BOD about abating the wear and tear on the gates.

Mr. Kane questioned what the warranty will cover if they purchased new parts and whether it covered parts and labor. He believes they were misled by omission on the original quote. Ms. Joyce will find out what the warranty covers if the BOD decides to go with new parts and what the difference was between the warranties for old or new parts.

A motion was made by Don Christofoli seconded by Keith Johnson to approve the proposal submitted by Commercial Security Services for the installation of a 20 volt motor and battery for both gates and used circuit boards that they can guarantee for a year for a total cost of \$1,350, subject to a clarification on the warranty information and whether it covers parts and labor; with all in favor, the motion carried.

Ms. Joyce received a proposal from Rose & Barrett Painting to sand and paint the main entry gates with direct to metal paint for \$975. Ms. Donahue is currently obtaining bids for the painting of the River Hills Reserve gates, with the possibility that by requesting two gates there would be a lower price. She was also looked at an estimate to have the gates powder coated. Ms. Joyce believed that painting with gates with a brush or sprayer would make the gates look unsightly with the possibility of flaking and peeling in the future.

Mr. Kane did not know if they could powder coat the gates without removing them. Ms. Joyce believes they will have to remove the gates to have them powder coated.

There was BOD consensus to table his item until Ms Joyce and Ms Donahue receive further estimates.

STMS was still working with vendors regarding the warranty on the motor. No invoices have been paid to date.

Sunbelt provided a proposal for \$1,970 for one battery backup.

- **Landscaping**

There were no billable charges from Austin Outdoor for the month of January. Austin proposed \$180 for the installation of one pallet of St. Augustine sod in the area between the sidewalk and the road on the first island. Mr. Kane acknowledged that this was a large amount for a small area. Ms. Joyce indicated that the \$180 included labor, treatment, preparing the area and the sod.

Mr. Kane noticed that only part of the strip was gone. Mr. Kane indicated that weeds took over and killed the St. Augustine.

Mr. Christofoli spoke to Mr. Wachter who pointed out an area behind the wall next to the sidewalk where they had some Azaleas. Ms. Joyce did not know if they wanted a proposal for this area. She will obtain a proposal.

Mr. Kane noticed that there was no proposal to replace sod on the island inside of the gate that was damaged. Ms. Joyce noted that this was not a billable charge and was the island inside of the gate. They will probably treat this area for Cinch Bugs and add sod in March. This will not be billed to the Association.

Mr. Korn does not believe that Austin understands the request for replacing the sod on the island. Ms. Joyce pointed out that Ms. Ashley Stonecipher from Austin Outdoor offered to meet with the BOD. Mr. Christofoli volunteered to meet with Ms. Stonecipher. Ms. Joyce will have Ms. Stonecipher call Mr. Christofoli.

- **Keys**

A gate key has been provided to the BOD as requested. A post office box key is available. However, postal regulations require that the person who opens the box has to be the one to obtain the key. Mr. Kane's name is on the application and he can get a key by showing his ID. ST requested that only ARB submissions be removed and the remaining mail remains in the P.O. Box so the financial information can go to STMS' Financial Department.

The key to the irrigation clock box that Austin Outdoor was supposed to supply is forthcoming. They asked if the box has to be accessed for any reason to please let STMS know as soon as possible so Austin Outdoor can be notified and address changes to the system.

VI. COMMITTEES

A. Architectural Review Board – Mary Kane

- Lot 152 – *Approval to build a house.*

Mr. Kane requested that the owner of lot 37 submit copies of the dock permits to the ARB for recording purposes and not for review.

VII. OLD BUSINESS

Mr. Christofoli reported 13 cracked light fixtures on the front wall due to vandalism. Ferguson provided an estimate at one time to replace all of the light fixtures and the wiring for \$10,000. He suggested obtaining a proposal and recommendation from Marco Electric to replace every other light instead of all 13.

Mr. Kane noted that the scrolls on top of the exit gate were falling over. Mr. Wachter contacted a welder and was told that they cannot weld iron to aluminum and was looking at other options. Mr. Kane requested that it temporarily be aired with cap screws until a permanent repair could be made. Ms. Joyce will speak to Mr. Wachter about the repair.

VIII. NEW BUSINESS

A. Election of Directors

Mr. Kane requested that a letter be sent to the residents asking them to consider serving or nominate someone to serve on the BOD. He offered to draft the letter and email to the BOD for review.

Ms. Joyce recalled that the last election was held on April 26, 2009. The notice needs to be placed sixty days prior to the election, which is on February 25, 2010.

Mr. Korn asked Mr. Kane and Mr. Johnson to reconsider serving on the BOD as he believed they were an asset to the homeowners and Mr. Kane has done a great job as President.

Mr. Kane agreed that this BOD has worked together better than any prior BOD.

Mr. Johnson acknowledged that he has not been able to put forth the same effort as he has previously and expressed concern that there would not be enough participation from the homeowners.

Mr. Christofoli did not support holding the annual picnic due to the low turnout and suggested holding an evening annual meeting.

There was BOD consensus to not hold the annual picnic this year and holding the annual meeting on Monday, April 19, 2010 at 6:00 P.M. at the Fleming Island Amenity Center. Notices will be mailed to the homeowners on February 19.

IX. NEXT BOARD MEETING

The next BOD meeting is scheduled for March 8, 2010 at 6:00 P.M. A notice will be posted will be on the website and at the message center.

X. ADJOURNMENT

With there being no further business to come before the Board;

<p>A motion was made by Keith Johnson seconded by Danny Kane to adjourn the meeting at 8:04 P.M.; with all in favor, the motion carried.</p>

Gwen Joyce, L-CAM
Severn Trent Property Management
For Margaret's Walk HOA