

**MARGARET'S WALK
HOMEOWNERS ASSOCIATION
BOARD OF DIRECTORS MEETING
March 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 6:06 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 community message board and on the website.

III. OWNERS FORUM:

- Mr. Al Allen, 1776 Margaret's Walk Road requested an update on mailbox numbers.
 - Ms. Joyce reported that violation letters were sent to owners whose mailboxes were not in compliance instructing them on how to obtain the numbers and where to affix them. They received several responses and some compliances.
- Mr. Carl Karnuth, 1718 Margaret's Walk Road expressed concern about youths on motorcycles making noise in the neighborhood.
 - Mr. Kane noticed a lot of activity lately from unlicensed motorcycles. He was almost hit by one when the driver came off of the sidewalk, into the street and right in front of his car.
 - Mr. Christofoli reported that a motorcycle caused damage to the grass in the park.
 - Mr. Kane believes that all they can do is report them to the Sheriff's Office as the Association does not have jurisdiction.

IV. APPROVAL OF MINUTES

- On Page 1, under "*Call to Order and Certify a Quorum*", Mr. Korn was present.
- On Page 2, under the three bullet, Ms. Todd had ARC approval and installed the pergola wrap. She is scheduled to speak before the ARB.
 - Ms. Joyce verified that Ms. Todd was not scheduled. She was told by the ARB that the pergola wrap was not yet installed.

- A member of the ARB spoke to Ms. Todd and scheduled her to speak at the next ARB meeting.
- Ms. Joyce will email any upcoming violations to the ARB and the Board.
- On Page 4, Mr. Korn has keys to the boxes, not Mr. Johnson.
- On Page 5, “four horse power motor” should be “full one horse power”.
- On Page 1, Ms. Joyce added “Notice of the meeting was posted 48 hours in advance on the website and the community message board” under “Proof of Notice of the Meeting”.

The record will reflect that Mr. Johnson joined the meeting.

Mr. Christofoli reported that he met with Ms. Stonecipher from Austin Outdoor who said the grass to be replaced was not going to take an entire pallet and she would use the remainder of the pallet for the flower bed. They were also going to pressure wash the entire sidewalk by the bike path.

Mr. Kane reported that the base from the top of the column towards the bike path was broken off. Mr. Christofoli clarified that the pressure washer removed it and placed it on the ground so they could pressure wash the column. It is now back in place. The columns look nice.

Mr. Johnson noted that he did not make the comments about the landscaping on Pages 5 and 6. Mr. Kane recalls making these comments.

A motion was made by Bill Korn, seconded by Don Christofoli to approve the February 8, 2010 meeting minutes as amended; with all in favor, the motion carried.

V. MANAGER’S REPORT

A. Financials

Ms. Joyce emailed a copy of the financials to the BOD along with the reserves omitted from the January financials. She highlighted the following:

<u>For the Month of February 2010</u>		<u>Year to Date 2010</u>	
Total Income:	\$5,601.60	Total Income:	\$32,218.95
Total Expenses:	\$5,502.20	Total Expenses:	\$30,438.21
Net Income:	\$ <u>99.40</u>	Net Income:	\$ 1,780.74

B. Delinquencies

There are 21 delinquent accounts totaling \$10,707.70. All owners were sent a reminder notice. One foreclosure was dismissed and a lien was placed on a home. The Finance Department was monitoring all delinquencies.

Mr. Kane supported doing whatever was necessary regarding the Keene’s delinquency as they have not paid their fees in two years and now owe \$1,265.58. He questioned whether a lien could be placed on the property. Ms. Joyce noted if there was no lien, the property was in foreclosure. However, she believes that there was a lien because there were Attorney’s fees, but she will verify this with the Finance Department.

Mr. Johnson questioned what the next step was after placing a lien. Ms. Joyce indicated that the property could be foreclosed upon if they failed to pay within 45 days after the lien was placed and another 45 days after the notice to foreclose was issued. Ms. Joyce will find out the status of this delinquency.

Mr. Kane questioned whether any owners responded to the late fees. Ms. Joyce has not heard anything from the Finance Department. Mr. Kane also questioned at what point in time they stop issuing late fees in the first year and start noticing an intent to lien. Ms. Joyce explained that the BOD has to decide whether or not to issue the lien. She will find out from the Finance Department the status of the late fees and will come back to the next meeting with recommendations on which properties to lien. Mr. Kane requested a copy of a sample letter that is sent to the owners.

Mr. Christofoli suggested authorizing the Attorney to issue liens if the owners do not pay by April 1.

A motion was made by Don Christofoli seconded by Danny Kane to authorize the District Attorney to lien delinquent accounts if they do not pay by April 1, with the exception of Keene, which should already have a lien; with all in favor, the motion carried.

Mr. Kane warned that if the \$10,707.70 was not collected, the amount set aside for reserves will be wiped out.

- **For Consideration**

Mr. Christofoli noted that he received a check for \$30,000 that was supposed to be transferred to Regions Bank to the operating account. He believed that the Compass account was closed.

Ms. Joyce explained that according to the Finance Department, there are accounts with both banks. The Association is being charged a \$15 monthly account maintenance fee and there is no interest being earned. If the Association moves their accounts from Compass and Regions Banks to Community Association Banc (a division of Mutual of Omaha), all accounts, even the operating account, will earn interest. The bank statements are available for reconciliation immediately without having to wait for paper statements to arrive in the mail. There are no monthly service charges and Board members can be set up with a password and view back accounts online at anytime.

Mr. Kane recalled that this was not done because the BOD gave control over the funds to the Management Company. Mr. Christofoli confirmed that \$80,000 was moved to Mutual of Omaha and there was \$751 in Compass Bank, which should be closed. Mr. Kane questioned whether the account was set up to require his signature or Mr. Christofoli's signature on checks. Ms. Joyce confirmed that she can sign checks if her name was on the signature card. She does not have a problem with BOD members signing checks. Mr. Kane supports having a Board member sign checks in order to have good checks and balance.

Don Christofoli MOVED to transfer the Associations money from Compass and Regions Banks to Community Association Bank and Bill Korn seconded the motion.

Mr. Kane noted that the reason why this was being done because they getting no interest and were incurring fees. He questioned whether there was any possibility that Regions Bank would offer interest and no fees. Mr. Christofoli pointed out that no banks were giving much interest.

Mr. Christofoli suggested transferring the funds from the CD at Third-Fifths Bank when it matures on May 24 as the interest was only 1% on \$80,000.

On VOICE VOTE with all in favor, the prior motion to transfer the Associations money from Compass and Regions Banks to Community Association Bank was amended to reflect that the process of having Board signatures for check writing purposes would remain in effect.

- **Inspections**

- Lot 86 – Appealing to the Board for dismissal of the \$1,000 fine imposed in February 2009 for a commercial vehicle. *Mr. Kane denied this request because the vehicle was parked in the drive for two days this week.*
- The REC meeting will be held on March 10, 2010. Lots 117 and 15 are being reviewed for needing mulch in their plant beds.
- Plant beds are being monitored for weeds. Lawns will be re-inspected around April 1, 2010.
- STMS has completed writing violation letters to owners who have not updated their mailboxes to the standard FIP requirement. A few have complied and the rest will be monitored.

A resident noted that at the last meeting, the REC scheduled to re-inspect dead lawns around March 15. Some lawns today look like they did five weeks ago. He felt that the inspection date should be realistic. Ms. Joyce confirmed that they were not expecting everyone to be in compliance by March 15, but wanted them to show signs of getting into compliance. She believed that it was going to be another month or six weeks before anything comes back.

There was consensus from the Board to give owners until April 1 to get their lawns in compliance for re-inspection.

Mr. Kane noted that Cataldo was told to show evidence that he was moving towards doing something, but one week prior to the inspection, he has not done anything. He also believes that Cataldo has moved his business to his house. Ms. Kane indicated that Cataldo removed the lettering from one vehicle, but he now has another larger commercial vehicle that he now covers. Ms. Joyce will send the Cataldo's a letter to remind them to submit a plan to repair their lawn by April 1.

Mr. Johnson questioned the opinion of the Board or Property Manager if someone was parking their commercial vehicle on their driveway and covering it. Ms. Joyce believes that covering it up was better than having it exposed. Other Associations were allowing it so long as the writing was covered.

- **Reserve Study**

Dreux Issac & Associates have scheduled the Reserve Study to begin in late April of 2010. In the meantime, STMS will gather the necessary information for the study so it is available when Dreux Issac requests it. It was advisable to have the study completed by the end of July so it can be compiled before the next budget year.

- **Gate Matters**

- Commercial Security Systems installed the battery backup as approved by the Board.
- Sunbelt will honor the warranty on the motor assembly less the cost of the labor, truck and fuel surcharge. STMS has not yet received an invoice with the adjusted total of \$347.50.

The following proposals were submitted:

- Frattle Stairs and Rails, Inc. will remove two existing 6' tall by 18' wide single swing gates, repair cracked welds, add gussets, sandblast prime, powder coat and reinstall per customer request for \$2,812. Additional options:
 - For an extra \$500, they will remove the existing 4' wide by 6' tall section between the gates and sandblast, prime, powder coat and reinstall. With this option, the total cost is \$3,312.
 - For an additional \$350 they will replace steel casting with aluminum scrollwork.
 - The total including all options is \$3662.
- Franco Enterprises submitted a proposal to sand and paint the gate hinges for \$210 or paint all hinges and gates for \$575.
- Rose & Barrett Painters submitted a proposal to sand and paint the main entry gates with direct to metal paint for \$975.

Mr. Christofoli believes that the gates were welded. Ms. Joyce recalled at the time they drafted the proposal, it needed to be welded so it was added. Mr. Christofoli feels that this is a lot of money to paint gates that are not even a year old. Mr. Kane noted that a new gate only costs \$3,500.

Don Christofoli MOVED to accept the proposal from Franco Enterprises, LLC. to paint all hinges and gates for \$575 and Bill Korn seconded the motion.

Mr. Johnson questioned the quality of Franco Enterprises work in other communities. Mr. Christofoli noted that they did work in Fleming Island Plantation. Ms. Joyce added that they performed work for Autumn Glen and Lake Ridge North.

On VOICE VOTE with all in favor, the prior motion to accept the proposal from Franco Enterprises to paint all hinges and gates for \$575 was approved.

A resident suggested installing red reflector strips on the gates as the small color dots could not be seen. Ms. Joyce will shop around and send an email to the Board on what she finds.

The “Keep Gate Closed” sign for the pedestrian gate arrived and is awaiting installation. Mr. Kane believes that they should have installed two signs. Ms. Joyce confirmed that this was a large white sign with blue lettering. There was Board consensus for Ms. Joyce to return the sign and purchase two small 4’x 12” black sign with gold lettering saying PLEASE KEEP GATE CLOSED.

- **Landscaping**

There were no billable repairs from Austin Outdoor for the month of February.

Austin Outdoor proposed \$180 to install one pallet of St. Augustine sod in the area between the sidewalk and the road on the first island behind the wall, along with the area where the Azaleas died. If approved by the Board at this meeting, the work will be done in the next two weeks.

Austin Outdoor will begin to treat and replace sod on the island inside the gate that was damaged by Cinch bugs. This will not be a billable charge.

A motion was made by Bill Korn seconded by Don Christofoli to accept the proposal from Austin Outdoor to install one pallet of St. Augustine sod in the island between the sidewalk and the road where the Azaleas died for \$180; with all in favor, the motion carried.

- **Keys**

Austin Outdoor has supplied a key to the irrigation clock box. If the box has to be accessed for any reason, please let STMS know as soon as possible so Austin Outdoor can be notified. Ms. Joyce provided the key to Mr. Korn.

- **Backflow Assembly Inspection**

Clay County notified the Association that the inspections are due for two backflow assemblies. STMS contacted H2O Backflow to inspect them before the March 23, 2010 deadline.

Mr. Kane reported that at the intersection of Sentry Oak Court West and Margaret’s Walk Drive all four storm drains are covered by 2x4s. Ms. Joyce indicated that she brought this matter up to other Managers and they believed that the CDD may have been doing some work out there. Mr. Kane believes that kids are playing hockey in the street. Ms. Joyce will send letters to the owners of lots 71 and 55 asking them to remove the 2x4s when not playing hockey.

Ms. Kane reported that a lot owner on Sentry Oak Court has stored mulch bags in front of their garage since last April. A resident explained that this lot owner used four bags. Ms. Kane believes that the owner should store the bags in their backyard. Ms. Joyce will send a letter to the owner.

VI. COMMITTEES

A. Architectural Review Board – Mary Kane

ARB Approvals:

- Lot 4 – *Replace shadow box fence in rear of property*; Approved February 11, 2010
- Lot 111- *House painting*; Approved February 11, 2010
- Lot 137 – *Pergola Wrap and house painting*; Approved March 1, 2010
- Lot 138 – *Tree replacement plan* - Pending
- Two applications were received tonight.

Mr. Kane addressed the following in response to an email he received from Ms. Joyce about the Architectural Review Committee not be in compliance with the Florida Statutes:

- In an effort to be more responsive to the owners, they decided not to have regular meetings. However, they agreed to schedule a meeting if they received an application. This has worked well, however homeowners have now come to expect an answer right away instead of waiting 30 days.
- In order to comply with the Florida Statutes, they need to post their meetings. He believes that they should come into compliance before something happens.
- He suggested that the ARB Committee to meet once a month before or after the Association meetings and record minutes.
 - Mr. Christofoli suggests meeting twice a month.
 - Ms. Kane noted that a meeting may last for two minutes. Immediately after the meeting, she provides a list of the approvals.
 - Ms. Joyce suggested having a synopsis of the meeting with the date and start/end times.
- Cyndi DeHart admitted that it was hard for her to get to these meetings, but no one else in the community wants to serve. They are putting in their time to help this community. They would like to have a schedule, but the Committee needs to decide whether or not they want to do this.
 - Ms. Joyce suggested having conference calls.
- Mr. Kane admitted that they do the best they can and this year's ARB Committee has been more responsive than any other ARB Committee.
- Ms. Joyce acknowledged that she only mentioned this because of the State Statute and she would be remiss in her duties as a Licensed Manager not to caution the Committee about this. She has no problem with the way the ARB Committee is being responsive, but believes that the Association may be at risk. She admitted that she was not trying to keep the Committee from doing this job or to disband, but they must follow the statute.

- Mr. Kane noted that the Association's documents are written in such a way that the Master Board cannot serve on the ARB.
- Mr. Kane recommends waiting for a month in order to come up with a feasible plan to work with a schedule.
- Mr. Johnson noted that they planned to solicit the neighborhood for ARB volunteers while they were putting a new procedure in place. He did not believe that anyone wanted to hold the meetings at their house. If they cannot get anyone to serve on the ARB, they will have to change their covenants, which requires two-thirds vote from the owners.
 - Mr. Christofoli admitted that they will have to change the requirement for a quorum for the annual meeting from 30% to 10%.
 - Ms. Joyce will review the governing documents.
 - Mr. Johnson suggested confirming whether or not this would be an issue with the Master BAR.
 - Mr. Kane admitted that he does not want someone who lives in another community to make an ARB decision for MW.
- Ms. Kane wants a designated Chairman/Chairperson as there currently is not one.
- Mr. Kane will prepare an email blast to be sent to all owners to appeal to the community in order to solicit members to serve on the ARB as there were currently only two members, which Mr. Korn will send.

B. REC Committee

The next REC meeting is scheduled for March 10, 2010.

VII. OLD BUSINESS

Ms. Joyce presented the sod proposal to the President for signature.

Marco Electric submitted a proposal of \$489 to replace 30 13 watt compact fluorescent lamps and 1 250 watt metal halide lamp and \$556 to replace eight broken flood lights; for a total of \$1,045.

A motion was made by Bill Korn seconded by Don Christofoli to accept the proposal from Marco Electric to replace 30 13 watt compact fluorescent lamps, a 250 watt metal halide lamp and eight broken flood lights for \$1,045; with all in favor, the motion carried.

A resident questioned whether the broken lights were located and how they were broken. Mr. Christofoli indicated that the lights along the front wall were vandalized.

VIII. NEW BUSINESS

Ms. Joyce provided the Corporate Report from the State of Florida Division of Corporations to the Board. This is just a formality. They just need the signatures of two Board members. It needs to be changed because Andrea Pressley resigned. The rest of the report is accurate.

IX. NEXT BOARD MEETING

The next annual BOD meeting is scheduled for April 19, 2010 at 6:00 P.M. A notice will be posted will be on the website and at the message center. Immediately following the annual meeting, the BOD of directors will convene. The meetings scheduled for April 12, 2010 and December will be cancelled.

X. ADJOURNMENT

Mr. Kane expressed his appreciation to the other Board members as he believes they work well together and accomplished more business than in the past. Mr. Korn thanked Mr. Kane and Mr. Johnson for everything they have accomplished and wished them well.

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

<p>A motion was made by Bill Korn seconded by Don Christofoli to adjourn the meeting at 7:49 P.M.; with all in favor, the motion carried.</p>
--

Gwen Joyce, LCAM
Severn Trent Property Management
For Margaret's Walk HOA