**Loma Del Sol Homeowners Association, Inc.**

Thursday,September 10, 2015, the Board Meeting was called to order at 7:00 P.M.

Everyone said the Pledge of Allegiance.

We had a quorum of Board members, as Frank Cardinale,

Lucille De Feo, Paul Gaffney, John Long, Marylu Mariniello and Frank Reynolds were present.

John motioned to waive the reading of the May Minutes since they were posted and Lucille seconded this.

**Treasury Report (Marylu)**

Center State Operating $ 3,617.08

Center State Money Market 50,077.70

Wells Fargo Money Market 28,518.35

Lucille motioned to accept the Treasury Report and John seconded it.

**ARB Report (Marylu)**

**Approved:**

Dish repositioned (1)

Driveway resurfaced (1)

Enclosed Screen (1)

Fence (6)

Front door painting (2)

Landscaping (2)

Painting (5)

Play Station (1)

Pool tiles replacement (1)

Roof replacement (9)

Tree removal (4)

Shed (1)

**Promulgated Rules (Lucille)**

**Note: All of the rules were written by our Attorney.**

**Temporary parking for Trailers, Boats and RVs**

Frank Reynolds motioned to discuss the rule and John seconded it. Frank Reynolds quoted the Restrictive Covenants and said that we could not pass this rule. He said that the streets were governed by the Board. John said that the original builder deeded the streets to the County, so they are public. Don said that the new rule clarifies the Restrictive Covenants and the term "parking" can mean parking or storing. Don also said the we are not trying to change or eliminate the Restrictive Covenants, but to encourage people to enjoy themselves by giving them a little time to pack, unpack or clean the vehicles.

The vote was passed 6-1, with Frank Reynolds against it.

**Submitting documentation to the ARB**

The rule was approved by everyone.

**Tenant Approval**

This rule asked for Tenant and lease information. John said that he was against the Owners submitting leases to the HOA. He said they contained FICO scores and sensitive information about finances. Marylu said that she manages properties and writes leases and they don't contain that type of information. Frank Reynolds motioned to remove the sentances with simpler verbiage and John seconded it. This rule was passed 5-2, with Lucille and Marylu opposing the vote.

**NOTE:** The wording sent by Frank was forwarded to our Attorney, who found grammatical errors, as well as inconsistancies. We will revisit this rule at the November meeting.

**Harassment Issues (Lucille)**

**Vile posting defaming the HOA & Lucille**

Marylu read the following posting sent by a Tenant to a Social media site when he didn't like Lucille's response to his ARB questions:

**I'm really trying to understand what the problem is with this rude, condescending, worthless example of a "human being" that answers to the name of Lucille with our "ridiculous" excuse for an HOA.**

**Not once has this filth even been remotely decent, helpful, or at the very least, professional.**

**In 50 years, I have never met a more horrible person, that as homeowners, we are expected to work with.**

**Is it possibly just us, or is she this miserable of a person to everyone?**

**Lucille should be the poster child for hateful and unpleasant!**

**No wonder everyone here HATES the people we have on the HOA!**

**How does this human excrement remain on the board!!!!**

**I see now why so many people are moving out of here.**

**Lucille, if you read this, grow a personality, and if you hate your job this much, and the people here; please QUIT, and PLEASE MOVE.**

Marylu then said that she wrote a three page letter to the Owner of the property, who is the Mother of the Tenant. A few days later, he sent an email of apology, which was also read:

**Good Evening,**

**I wanted to apologize for comments I made on an independent free application for a telephone, that came out not as I intended at all.**

**I am expecting that no one prefers to or will, possibly even read this based on the feedback I have received about a 3-page letter being sent to my 90-year old mother, but wanted to make the attempt nonetheless.**

**Again, I just wanted to apologize for comments I made in regards to someone named Lucille.**

**Just an FYI, that I my only intention of making initial contact to the HOA, was/is in hopes to adhere to the proper guidelines.**

**We have recently found out, that our roof is literally disintegrating, I assume due to the age, but with this being the beginning of the Hurricane season, I made the contact to HOA by telephone, only due to the urgency of needing to be protected.**

**There will be no further comments, rest assured, and am working to ensure we follow all policies, and as requested, any and all future contact will be thru an owner of this property.**

**In the future, if there is an issue with myself, I would prefer even contact to me thru the mail, rather than going to my mother; just a suggestion.**

**I am not expecting anything in return by this e-mail; but just felt my apology was necessary.**

**Explanation of our Mission Statement**

Marylu said that there was a property where a box truck was kept on the driveway. After our Letter of Concern and First and Second Notices, we referred this issue to our Attorney. After several letters, he suggested mediation and they accepted. Lucille, Marylu and our Attorney attended the Mediation, along with the Owners and their Attorney.

Their complaint was that someone was going near their property very late at night, taking pictures. The camera flash would scare the wife, who was often alone with small children. They thought the HOA was doing this, but we explained that there are a few people who drive around late at night (and still do this), who look for violations and take pictures. The Mediating Judge said that we had to create a Mission Statement against harrassment, which is posted on our website and on the Bulletin Boards.

**Board Member to sign the Mission Statement**

Everyone who was at the last Board Meeting signed the Mission Statement, except Frank Reynolds, who was in the hospital. Frank signed it at this meeting.

**Code of Conduct Document (Lucille & Don)**

Responsibilities of Board Members to the Community:

We asked our Attorney to write a list of common courtesy statements that all Board Members must adhere to. John read the document at the meeting. This will be posted on the website and the Bulletin Board. Everyone voted for thie. Paul motioned to accept it and Don seconded it.

**Deed for the parcel from Lot 68 (Marylu)**

The deed from Lennar has been signed over to Loma Del Sol as of July 2. This parcel is now part of our common areas.

**Violations (Don)**

102 envelopes were mailed, which included both Homeowners and Tenants. There were 50 Letters of concern, 20 First Notices and nine Second Notices. The areas cited were for trash containers, trees, landscaping, a playset, vehicles, exterior issues and two miscellaneous. Note: many of the notices mailed to Tenants were returned.

**Unpaid Assessments for 2015 (Lucille)**

Our Attorney has managed to collect all past due fees and fines. Only seven properties are outstanding. One very bad property was recently sold at auction, with the Buyer payng $6,042 for outstanding assessment fees. This was recently done, so the new number will be six.

**Landscaping (Frank Cardinale & Don)**

The number one well pump motor went bad two weeks ago. New pump, motor and wiring were installed. Right after that, the clock on well number two quit working, due to lightning. Don is working with Randy to install upgraded wiring and a clock for well number two.

Replacement of fungus infected plants. We have lost many bushes, especially in Phase 1. New plantings will be done in stages.

**Miscellaneous:**

**Waste Management Issues (Lucille)**

The County will no longer pick up tree stumps with other vegitation on Thursdays. Call 863.284.4319 for pick up of bulk items and tree stumps.

**Light Poles painting status and Board Fiduciary Responsibilities**

**(Frank Reynolds)**

Frank said that he spoke with two people at Duke Energy, one of whom was an Engineer. He said that they are looking into when they can schedule the painting of the poles and would let Frank know. Frank also said that sometimes street lights are on during the day, which we are paying for due to the Street Light District on our tax bills. He asked if anyone sees this, to call Duke Energy and give them the pole number, which starts with a "B". Don said to give them the address of the home closest to the pole. This same procedure is done if a street light goes out.

Frank did not speak about the Board Responsibilites.

**Housing Statistics (Marylu)**

Listings:

Active (6)

**225 SUNWARD RUN Regular sale 179,900**

**120 VIA DEL SOL DRIVE Regular sale 195,000**

**223 VIA DEL SOL DRIVE Regular sale 199,900**

**824 VIA DEL SOL DRIVE Regular sale 199,500**

**119 DORADO Regular sale 210,000**

**711 VIA DEL SOL Regular sale 222,900**

Pending (4)

**323 WESTWIND Foreclosure 134,900**

**137 VERANO CT Foreclosure 153,500**

**155 ADRIANA CT Regular sale 207,500**

**824 VIA BIANCA DR Regular sale 219,000**

Sold (12) (Last 60 days)

**217 WESTWIND DRIVE Regular sale 140,000**

**111 PABLO CT Short Sale 159,000**

**207 WESTWIND DRIVE Foreclosure 171,000**

**111 VIA MARIEL EAST DRIVE Regular sale 182.100**

**140 PABLO COURT Regular sale 191,000**

**104 HENUE COURT Regular sale 195,800**

**131 VIA DEL SOL DRIVE Regular Sale 195,000**

**527 WESTWIND DRIVE Regular sale 198,000**

**112 MARIEL CT Regular sale 207,500**

**854 VIA BIANCA DRIVE Regular sale 210,000**

**143 SUNWARD RUN Regular sale 210,000**

**139 MANUEL CT Regular sale 223,000**

Several Homeowners chose to speak after the meeting was concluded:

Mr. Ruth would like 48 hours for preparing his camper. John said that Mr. Ruth can bring this up at the Annual Meeting.

Mr. Watson said that he was never given a copy of the Bylaws. Marylu said that he should have been given a copy from his Realtor or the Title Company.

Sal said that he gave out copies of the Bylaws when he was on the Board. He also asked if the County is mowing the property on CR 54 and discussed a broken mail box.

Sonia Ely asked which fund paid for the entryways and said that the entryways do not look good at this time. Lucille told her that we set up a reserve fund for the building entryways and since the pump had broken, no water was available for the plants, which died. We will be planting new flowers.

Mr. Lundegren said that he has quads and a trailer and wants to bring them in the Community every week.

Ginny Reynolds spoke of her opposition to having campers and boats in the Community. She said that everyone who moved here knew that this is a Deed Restricted Community and should follow the rules.

Rita Insogna said that when she and her Husband moved here, they had a U-Haul trailer on their driveway to unpack. Frank Reynolds was President at the time and told them that they had to remove the trailer. But Rita and Mark never received a copy of the Bylaws and complained. The Bylaws were delivered to them three days later. She also said that times change and people have different needs. She cited visitors who come in campers.

Tania Ashe said that the Board was wrong to pass the new rule and cited her past experience as President when she had the same problems. She said that the streets, although public, were monitored by the HOA.

Tania also mentioned a judgement against a Homeowner who consistanly parked his work trailer on the street. He also kept his boat in the back yard.

Our Attorney did offer mediation for the trailer and boat and also for the non payment of assessments. The Owners declined mediation and opted to pay the fees associated, which were $1,916 for attorney fees and court costs. The trailer and boat were both eventually removed off the property and the Owners have since moved.

However, Tania was comparing the Promulgated Rule of giving Homeowners who have boats and campers an eight hour limit to pack and unpack or clean versus a repeat offender who brought in a trailer every night and kept his boat in the yard.

Regarding speaking, everyone was given three minutes to speak.

All respected this except Tania, who continued to speak, often over the voices of others.

At this point John motioned to end the meeting and Paul seconded it.

The meeting was adjourned at 8:45 PM.

**The next meeting is our Annual Meeting scheduled for Saturday, November 10 at 10:00 A.M at the *Polk County Sheriff’s Facility, 1100******Dunson Road.***