

Thursday, September 5, 2019, the Board Meeting was called to order at 7:00 PM.

We had a quorum of Board members, as Sheila Brazina, Frank Cardinale, Lucille De Feo, Arthur Kastner, John Long, Marylu Mariniello and Frank Reynolds were present.

Rita Insognia was present as the Sergeant-of Arms.

Everyone said the Pledge of Allegiance

Marylu read the May Minutes

**Treasury Report (Marylu)**

Center State Operating	\$15,776.71
Center State Money Market	30,244.61
Wells Fargo Money Market	14,747.83

**ARB Report (Frank De Feo)**

Approved:

Fence (4)

Front door replacement (1)

Gutters (2)

Landscaping (5)

Painting (7)

Roof (3)

Screened enclosure (2)

Shed (1)

Sliding glass door replacement (1)

Solar panels (2)

Tree removal (3)

Window replacement (1)

**Denied:**

Painting (1)

John asked Frank De Feo about ARB request denials and said that Homeowners could ask for an appeal from the Board. This was news to the ARB members, who never were told this.

All ARB denials are addressed by a special form, phone calls and emails. At times, Frank

goes to the property for clarification.

**Remove the Secretary & the Attorney** (John, Frank Cardinale & Frank Reynolds)

There was a lengthy discussion regarding three issues - Attorney involvement for a tree taken down without ARB permission, forgiveness of interest and fees for a property with a lien and our Attorney working for the Association.

John feels that our Attorney, Robert Chilton makes all of the decisions for the HOA and charges too much money. He did not like the fact that Robert wrote to a Homeowner who had the leaves and branches removed from a tree, without ARB approval, leaving a large stump. He also felt that a large fee should be removed from Homeowners who did not pay their assessment last November.

Marylou took the opposite view, stating that Robert does not make decisions for the HOA, Lucille does because many years ago, John motioned to give Lucille day to day authority to make decisions. Recently, John asked that all emails be forwarded to all Board Members for input and now wants meetings to discuss every situation.

The reason that the Attorney was involved with the tree issue is because the new Owner is an Investor. We have had many issues with Investors regarding exterior changes made by them without ARB approval, not submitting their rental information or renting to many tenants at the same time.

We didn't know who the Owner was or that she would be living there and not renting the property. The Owner attended the meeting and yelled at the Board regarding the ARB process and a letter that was sent to them.

We do have rules and bylaws to follow.

For trees, if a tree is more than six feet from the home, an ARB form needs to be submitted. John said that if it is near the septic, there was no need for the ARB form, but there is nothing in our bylaws regarding septic. As for assessments, \$250 is due on November 1, with a seven-day grace period. If received by December 1, there is a \$25 late fee. In January, interest and attorney fees accrue.

When we send out the First Notice of Annual Meeting, Budget & Assessments in September, we say:

"The assessment must be received by the Association on November 1, 2019. After a seven day grace period, there will be a \$25.00 late fee.

If the assessment is not paid by December 1, 2019, it will bear interest from the date of delinquency at the rate of 12% per annum. All assessments which are not received by

December 1, 2019 will be turned over to the Association's Attorney for collection. Please refer to the Association's governing documents and Chapter 720, Florida Statute for additional information regarding the collection and consequences of unpaid assessments".

Our Attorney recoups funds for the Association.

In 2009, we were owed \$23,466.85 in late assessment payments. The previous Attorney died and his partner was remiss in collecting the fees. Lucille hired Robert at that time. In the ten years since he has worked for the Association, he has collected thousands of dollars for us, which is money for repairs and updates to common areas. Also, there are many Homeowners who are making payments for late fees. Marylu felt it was wrong to forgive the debt, while others were paying monthly.

Because of her position on these issues, John, Frank Cardinale and Frank Reynolds want Marylu removed as Secretary and Robert replaced.

It is unfortunate that these discussions took so long, as many Homeowners left the meeting.

Rita was speaking to John about the tree situation when Frank Reynolds interjected, which led to a lengthy retort from Rita.

John motioned to continue this at the next meeting and Frank Reynolds seconded it.

#### **Active Issues** (Lucille)

There are two mortgage foreclosures, two liens and four covenant enforcement outstanding, all being handled by our Attorney.

#### **Violations** (Sheila, Art & Frank Reynolds)

Sheila reminded everyone that power washing and trash/recycling containers left out were the main cause of letters. She asked if everyone would keep the properties cleaned and to put away containers after use.

#### **Landscaping** (Frank Cardinale, Lucille & Art)

There was no report.

Lucille motioned to end the meeting at 8:30 and Marylu seconded it.

**The next Board meeting is the Annual Meeting, scheduled on Saturday, November 2, 2019 at 10:00 AM at the Polk County Sheriff's Facility, 1100 Dunson Road**