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

Saturday, November 8, 2014, the Annual Meeting was called to order at

10:00 A.M.

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

Lucille De Feo, Paul Gaffney, John Long, Marylu Mariniello and

Frank Reynolds were present.

We did not have a quorum of Homeowners, so the Annual Meeting will be continued on December 4. Post cards will be mailed out regarding this.

Don Behr attended the meeting to address our financial status. He said that our accounts are well maintained and that we have a net income of $1,605.69, which will be used towards next year's expenses. Don said that we were within 5% of our budget and that we should move the funds from our Entrance Reserve Fund to another area since we have completed the work at the entrances, recommending the Trees and Shrub Fund. He also spoke of our fixed assets and their depreciation.

A Homeowner asked if audits had been done. Don said that an audit would have to be done by a CPA and would cost around $15,000. He said that he reviews our expenses and invoices, along with our deposits to see that everything is working smoothly and if he saw something remiss, he would let us know, but so far nothing has been a problem. The same Homeowner asked him if the State knows about the review. Don said that he sends the information to the State every year. Marylu noted that we have a Homeowner who regularly reviews our accounts.

After Don completed his talk, John motioned to continue the Annual Meeting and Frank Reynolds seconded this. The ballots will be opened and counted at a subsequent meeting when we have a quorum.

A Homeowner said that even though there was no quorum of people attending the meeting, the ballots should suffice as a quorum. She said that this is in the State Statutes. Marylu will contact Robert on Monday to ask about this.

Note: Per our Attorney, ballots do not equal proxies and can't constitute a quorum. We don't use proxies, per our bylaws.

John motioned to waive the minutes of the last meeting because they were posted. Lucille seconded this, but Frank Reynolds strenuously objected and wanted the minutes read because they were not posted on our website. Marylu explained that they were posted on our bulletin boards and the minutes were sent to the person who maintains our website, but she didn't post them. Frank complained that people need to read them online. Marylu said that she will contact the web person and find out why they weren't posted and make sure that they will be. Since the minutes are on our bulletin boards, they are considered publically posted.

Everyone voted for the motion except Frank Reynolds.

Note: The September Minutes were posted on the website this week.

**Treasury Report (Marylu)**

Center State Operating $78,476.90

Center State Money Market 20,058.55

Wells Fargo Money Market 32,176.10

John motioned to move funds from the operating account to the money market to obtain more interest. Lucille seconded this.

**ARB Report (Frank De Feo)**

Fence (1)

Landscaping (2)

Painting (4)

Roof replacement (10)

**2015 Budget (Lucille)**

Miscellaneous costs:

Our electric costs are going up and yet we don't have the entry lights on at this time.

Frank Reynolds wants periodic newsletters to be sent out, but this is also an additional cost. We always send newsletters to address current issues, especially when there is speculation, innuendo and gossip about situations that are not factual.

If Homeowners want frequent Newsletters, then this is an area that has to be added to our budget, as well as putting together a Committee.

We get back most of the money incurred from legal fees, but we do have to absorb some of the costs.

While we don't want to increase the assessment, we might have to.

This issue will be addressed at future meetings.

**Assessments (Lucille)**

The $225 assessment invoices for 2015 were mailed in October and were due by November 1. Homeowners were reminded to mail them in a regular envelope, not a ballot envelope.

Many payments were sent to our PO Box, instead of the Bookkeeper. These then had to be mailed to Auburndale, which caused delays and

extra costs to the HOA. A few Homeowners tried to drop off the payment

at Lucille's house.

Also, a Homeowner sent in an ARB request using a ballot envelope.

Robert is working on collecting funds from 21 Homeowners, who owe money between 2009 and 2014. Nine have paid, others have liens, and some are making payments. One of those was a problem property that

was recently sold. We are still in the process of collecting funds for 2015.

Lucille said that we send out four notices regarding the assessment amount and payment date. This amount is noted in the First and Second Notices of Election and on the budget document. Then we send the invoice. She also said that our Attorney will address any Homeowners who have not sent their payments by January 2, 2015.

A Homeowner said that there is a house on Westwood which is abandoned, with overgrown grass and rats. Lucille said to call Code Enforcement and get a case number. Marylu explained that many of the homes are in pre foreclosure, where the deed is still in the name of the Owner, who has moved out and left the property. The bank is in the process of foreclosing, but hasn't completed all of the steps necessary, so the property is in a limbo state. Other Homeowners should not be going on this or any other property to mow. Code Enforcement should be doing this. They then apply the cost to the tax base of the property.

**Via Bianca/Lot 68 Issue (Lucille and Don)**

Our Attorney is negotiating with US Homes regarding the new road behind our Community and our retention areas.

There was a great deal of discussion regarding this issue. Robert received documents from US Homes regarding settling this dispute. He is in the process of adding new wording to protect our interests. We will have the documents to review shortly and will hold an emergency meeting on December 4 to discuss the situation.

There is a two lane road paved now, built by US Homes, waiting for completion to connect to CR 54 when this issue is settled. Frank Reynolds said that Osceola County will be building a four lane highway there.

Osceola will eventually build a two lane road going south and a two lane road going north, with a median, similar to what they have off of Hwy 192 and Westside Boulevard in Kissimmee. This will happen in the future, at the discretion of Osceola County, which we cannot control.

Don said that he and Lucille recently met with Robert to discuss the situation. He explained many of the particulars in great detail, showing photos of the areas. The gist of the situation is that Lot 68 was sold to US Homes years ago without Board approval. We found out and had a cease and desist order placed against them regarding work near our retention areas. Now US Homes wants to give a piece of this lot to Osceola for the road and the rest to Loma Del Sol. We maintain this property anyway, but we can hold onto it and have a say in what goes on in the future. Lucille said that US Homes has paid for damages to our irrigation system and is willing to pay for any other damages, as well as attorney fees.

John reminded Frank Reynolds that both of them were present when US Homes came to a Board meeting ten years ago, seeking to purchase the three homes that border the road area, but two Homeowners didn't want to sell at that time. However, One Homeowner did sell the property, but US Homes deeded back the house to the Homeowner and kept the back area for the future road.

Most of the Board understands that we can avoid an expensive lawsuit, which we could lose or we can negotiate and get most of what we want.

Frank Reynolds wants to fight the issue, but the other Board Members don't.

Further discussion will take place at the next meeting on December 4. Frank Reynolds said that he wants to obtain a second opinion, but the Board did not vote on this.

**Community Mailboxes (Frank Reynolds)**

The mailboxes were painted by the Post Office, but the dented mailboxes will not be replaced. The light poles will be addressed by Duke Energy in 2015. We have a contact name and a work order in place for this.

**Landscaping (Don & Frank Cardinale)**

We have settled on a company to do the entrance electrical updates. They sent us the contract, which was forwarded to our Attorney. He reviewed the contract and wanted some additional verbiage added. We added this and sent back the contract with the changes. When this is returned, we will sign the document and begin the work.

Our Community has acquired various items which have been stored in some of the Director's homes. Lucille said that she would like to rent a storage shed to put everything in one place. John said that we should purchase a shed and put it in the park, as well as consider buying a golf cart for usearound the grounds. He motioned that we appoint Paul to look into these two areas, for discussion at the next meeting. Lucille seconded it.

**Violations (Don, Frank Reynolds)**

Fifty four Notices were sent last week. The Violation Committee went out on a Monday and saw trash cans still visible. Thirty one notices were sent for trash cans, which should be put away by Thursday night. Thursday is our usual day for trash, recycling and vegetation pickup. On federal holiday weeks, it is moved to Friday night. Either way, trash cans and recycling containers should not be out after this time. The others were for various infractions.

Marylu said that an order for 500 new violation forms was recently placed.

**Garage sales (Paul)**

The date and time of the annual garage sale is November 15, from

8:00 AM - 2:00 PM. Paul brought one of the new signs which will be used at the entrances. Also, he said that we will be advertising in the

Four Corners Ledger.

Paul is also working on getting signs to advertise Board meetings.

A Homeowner complained about a trailer that is randomly parked overnight on Via Del Sol. Lucille told him to fill out a Violation Form, take pictures and send it to the Board. We will then address this.

**Housing Statistics (Marylu)**

Listings:

Active (2)

**111 VIA MARIEL EAST DR Regular sale 205,000**

**521 LOMA DEL SOL DR Regular sale 184,500**

Pending (1)

**436 VIA DEL SOL DR Regular sale 194,500**

Sold (5) (Last 90 days)

**203 VIA MARIEL EAST DR Foreclosure 145,000**

**630 VIA BIANCA DR Foreclosure 167,500**

**145 HENUE CT Regular sale 190,000**

**518 VIA DEL SOL DR Regular sale 194,500**

**11 VIA DEL SOL DR Regular sale 197,500**

Frank Reynolds complained about two errors in posted online minutes. One is regarding our watering day schedule:   
  
**Lawn Watering Schedules and Times**

* Lawn watering is limited to twice per week.

Even addresses may water on Thursday and/or Sunday before 10:00 am or after 4:00 p.m.

Odd addresses may water on Wednesday and/or Saturday before 10:00 a.m. or after 4:00 p.m.

You can find this and more information, using this link:

**http://polkhort.ifas.ufl.edu/watering\_restrictions.shtml**

The other area is a date issue, which will be corrected online.

John motioned to end the meeting at 11:30 AM and Lucille seconded this.

**The Annual Meeting will continue at 7:00 PM on**

**Thursday, December 4, 2014.**

**The Board Meeting will follow.**

**We will meet at the *Polk County Sheriff’s* *Facility,***

***1100***Dunson Road.