

21-April-2011

HOA meeting called to order: 6:32PM

Introductions –

HOA Board of Directors: Vice President Tim Sullivan, Treasurer Greg Buckner, Secretary Cyndi Avender, Director Drew Barthle, President-Bob McConnell

Guest: Sharon Spires – Green Industry Environmental Compliance Service

Architectural committee: Chair - Sandi Shea. Other AC members present: Julia Robert, Jay Miller, Dane Jones, Dawn Sullivan

Home Owners in attendance (in some cases only one member of household was present):

- | | |
|---|--|
| 1. 1602 - Jay & Salena Miller | 12. 4321 – Joseph & Carolyn Brutton |
| 2. 4403 - Will & Marisol Ortiz | 13. 1511 – Greg Buckner |
| 3. 4313 - Jeremy & Julia Robert | 14. 1528 – Calvin & Tandria Callins |
| 4. 1544 - Antron & Jeanette Robinson | 15. 1536 – Al & Heather Causey |
| 5. 4337 – Felix & Claudia Saucedo | 16. 1549 – Tiffany Del Valle |
| 6. 4316 – Sandi & Stephen Shea | 17. 1618 by proxy – Jacob & Diana Dunn |
| 7. 4332 - Tim & Dawn Sullivan | 18. 4329 – Steven & Simona Easters |
| 8. 4308 -Moises & Anna Tourgeman | 19. 1520 – Phil & Kay Green |
| 9. 1625 by proxy – Al & Sandra Vander Ploeg | 20. 4345 – Kathy & Edward Jones |
| 10. 4411 – John & Cyndi Avender | 21. 1521 – Dane & Kimberly Jones |
| 11. 4305 – Drew & Lindsay Barthle | 22. 1505 – Bob & Beth McConnell |

Explain Agenda and Quorum

HOA Board meets monthly @ Panera Bread- James L Redman Parkway, Plant City

- All HOA members are invited to attend and observe.
- Invitations are not necessary.
- If any HOA member has an issue they would like addressed at the monthly meeting, that member need only wait until other agenda items are completed and then address the Board.
- If the HOA member would like to be heard during the Board meeting, please contact the Board in advance via email and request agenda time.
- All board members are present for any questions, problems, issues or concerns.

GAM meets 3 times per year: Spring, Fall, and end of year for elections

- Quorum must be 40% of Home Owners (14 of 34 houses)
 - 21April2011 Meeting: 22 of 34 present - Quorum exists
- **MOTION:** Change number of GAM from 3 times a year to quarterly (4)
 - Vote for quarterly meetings
 - 10 home owners voted for quarterly, Proxy votes counted – **vote Passed.**
- Concern/Question Board Meetings Votes –
 - Can minutes reflect Board members who vote for and against any MOTIONS
 - Item will be discussed during next Board meeting May 16th, 2011

Promote Website: www.avondalegroveshoa.com – avoids cost of stamps, includes Board minutes, Neighborhood Good Job Gnome Project, Arc Committee forms, Calendar of Events, Appeals Document (**NEW**), Weather, and Contact Information

Treasurer's Report – Greg Buckner –

- \$8997 checking
- \$7500 savings
- no current outstanding bills
 - Bills Listed –
 - Advertising and Promotion \$203.85
 - Business Licenses and Permits \$61.25
 - Insurance Expense \$1145.32
 - Landscaping and Groundskeeping \$635
 - Office Supplies \$147.86
 - Postage and Delivery \$39.32
 - Professional Fees \$185
 - Repairs and Maintenance \$700
 - Telephone Expenses (front gate) \$234.25
 - Utilities (street lights) \$1721.81
 - **Total Expense \$5073.66**

Deed restriction violations –

- By-Laws, Deed Restrictions and Articles of Incorporation (Governing Documents) were received by each Homeowner during the closing of the purchase of their home in Avondale Grove. A condition of the purchase is agreeing to adhere to all provisions in the documents
- Governing Documents available on HOA website under Forms/Docs
- If a homeowner initiates a complaint to the Arc Committee about a neighbor's property the complaint to be verified by the Arc Committee and if determined to be valid, a letter of notice is sent to the violator
- If you receive a letter, please Do Not Ignore It – Notify the Arc Committee via email of your planned action as soon as possible
- If no one notifies the Board or AC within 7 days, a follow up letter is mailed in case of extended traveling by the homeowner or the first letter did not get delivered.
- If there remains no response within another 7 days, a 3rd letter is drafted to the violator notifying them that the HOA attorney will be contacted them about the violation/issue.
 - There is an appeal process if you disagree with violation. Once a case is in the appeals process – there are no more letters sent.
 - Appeals process is outlined in a document on the HOA website in the Forms section
 - **Concern/Question:** Feb Minutes/March Minutes unclear time line
 - 7day, 14 day, 30 day??
 - A reference was made to a Board Meeting minutes items that stated
"Time span between first and second letter from AC suggested at 30 days"
 - **Request:** Clarification of letter timeline and that all HOA members should be notified
 - Bob will provide clarification to all homeowners on this issue
 - **Concern/Question:** 7 days not long enough (vacation, out of town, health issues)
 - Desire – for 14 or 30 days needs clarification
- **Concern/Question about Appeals process** – If HOA member is in violation of By-Laws, receives notification of violation, and appeals that violation – is it possible for that HOA member's appeal to override original By-Laws?
 - If the appeal is successful and would require a change to the governing documents, that change cannot override the governing documents to accommodate one homeowner. The homeowner requesting the change would have the option to initiate the documented By-Law/Deed Restrictions change.
 - If the appeal is successful and does not require a governing document change then the homeowner may immediately proceed with the change as outlined in their original request.
 - WHO OR WHAT BEGINS NOTIFICATION OF NON-COMPLIANCE?
 - One neighbor complains to Arch Committee about a violation

- Arch Committee reviews complaint and verifies non-compliance and if agreed then first letter is sent to violator
- **Concern/Request:**
 - Can't neighbors approach each other?
 - Difficulty knocking on someone's door: Some neighbors receptive/others not
 - Who will be responsible for knocking? The person knocking becomes recipient of personal confrontation. Difficult to communicate a committee decision.
 - Does Arc Committee walk around with clip board writing violations?
 - Arc Committee does not walk around. Neighbors have been seen walking and driving the neighborhood, but there was no evidence of proactively policing of deed restrictions is taking place..
 - Rules must be met, if anyone CHOOSES to walk and look for errors, that cannot be stopped, but it's not conducive to a friendly neighborhood.
 - If it is found that complaints are repeatedly made by ONE neighbor, HOA will address with that neighbor. If there is one person originating all the complaints, that person will be addressed.
 - Do we have the complaints/violations posted online?
 - Concerns voiced about anonymous vs. public postings. Some homeowners requested to know who posted the complain about their property.
- **Trailer Violation 4403** – homeowner and Board continue to discuss respective interpretations of the deed restriction violation and a timely resolution. Homeowner sites security concerns as the justification for keeping trailer on property. At the conclusion of this discussion, agreement could not be reached. Issue remains unresolved. The Trailer Violation was not disputed. It was agreed the timeline clarification was needed as noted above. Other neighbors offered assistance. Offer declined. Offer remains in place for trailer to be concealed behind neighbors' fence.
- **Deed restrictions –**
 - **Arch Committee Approval Form NEEDS TO BE CLARIFIED –**
 - Start and finish date - The Intention of the Start date is so the Arc committee can review for approval prior to start date.
 - Extension allowances
 - 4403 granted a 28 day extension from original start date on door painting request
 - Form will be revised with more clear direction on start and end dates of project
 - **Concern:** If a request was made prior to the new AC form, do homeowners need to resubmit request?
 - **Response:** If a request was approved prior to the new form, that request is considered grandfathered in
 - **Concern:** clarifying issue – should something have a time frame if it is already in compliance?
 - **Response:** Yes
 - **Next quarterly GAM will have new form available online.**
 - **Concern:** How difficult is it to change our By-Laws legally?
 - **Response:** It is a lengthy, arduous process
 - **Appeals Document is available now on the website**

Gate

- Board is trying to keep fees and maintenance down – researching the gate opening, wind damage, busy times
- Motor replacement \$6000 (both motors)
 - **ISSUE/QUESTION/PROPOSAL:** Will it save money to open gate for 2 hours in morning and 2 hours in evening to save wear and tear. Also, keep open Saturday and Sunday for main hours.
 - Mr. Causey - How much have we spent this year on gate maintenance? **Response:** \$700 – prefers gate to stay closed for safety reasons
 - Mr. Green – Suggestion: Improve/Review gate design (add weight bearing wheel?)
Suggestion: Walk children to the bus stop vs. Driving. Mr. Green volunteered to research gate design enhancements that could prolong the life and present proposals to the Board
 - **Mr. Buckner to provide current gate contractor contact info to Mr. Green.**

- Mrs. Sullivan – Concern/Comment: the fact that we live in a gated community, doesn't guarantee safety

Mr. E. Jones – Concern/Comment: Does our current maintenance plan cover fence? **Response:** Mr. Buckner replied the cost for the plan was \$1800 in 2010, but doesn't cover part only covered a portion of the parts. Our community The board opted for a basic policy that will maintain the gate every month provided routine monthly maintenance and inspection costing \$400 per year and pay as you go for labor and materials, and that money is budgeted.

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MOTION: Vote #1: Open 2 hours daily Mon – Fri Exit gate open in morning 6-8AM /Entrance gate open in evening 5-7PM – **MOTION DID NOT PASSED**

MOTION: Vote #2: Open on Weekends 9AM – 7PM Saturday and Sunday – **MOTION DID NOT PASSED**

GATE POINT OF CONTACT: VOLUNTEER – Al Causey volunteered to be point of contact on the weekends. No one volunteered as point of contact for weekdays

Community Yard Sale

MOTION: Hold community yard sale, leaving gates open on a Saturday (date to be determined) from 8AM – 2PM
MOTION PASSED

ORGANIZERS: Mr. Tourgeman & Mrs. Shea –

Ed Jones offered signs for the event

Date and proposed expenses will be posted on the website when established

Fencing: Discussion/ Concern: Who owns the Perimeter fence?

- Quotes were received for as much as \$140,000 to replace the entire perimeter
- Minutes discrepancies – March minutes and April minutes report opposing information on who is responsible for maintaining the perimeter fence. The HOA or the homeowner who's property the fence is on.
- Are all HOA members responsible for all fences including the common areas?
 - Hillsborough County Property Lines show fences belong to individual home owners.
 - Hillsborough County Property Lines show HOA responsible for streets, front island area, and pond water area behind 4403 and 4411.
 - By-laws state "developer installed" fences, but not who owns or is responsible for maintaining the fence.
- Will HOA accept/assume responsibility?? – Governing documents are not conclusive as to who assumes responsibility for fence maintenance and replacement.
- COMMENT: previous meetings mentioned the funds were budgeted for fence and road maintenance (capital improvement).
- **CONCERN: FENCE TO BE HOA RESPONSIBILITY?**
 - **CLARIFICATION TO BE PROVIDED BY THE BOARD AND SENT TO ALL HOMEOWNERS WITH INFORMATION REGARDING POTENTIAL HOA FEE CHANGES.**
 - **TABLING FENCING CONCERN FOR NEXT MEETING. ESTIMATES/REPLACEMENT COSTS/ INFORMATION WILL BE PROVIDED FROM LAST INQUIRY.**
- **CONCERN LAST MONTHS MINUTES:** "GAM not agenda if not a quorum"? **RESPONSE:** Mrs. Avender noted the previous quote was her secretarial shorthand explaining that if a quorum was not present at the GAM, an item could not be added to agenda for voting.

Open issues – Good Job Gnome. Mr. McConnell provided history of gnome purchase for the benefit of community good will building. The first 2 gnomes were donated but subsequently were damaged from lawn equipment and the sun. Some members of the community expressed appreciation toward the Good Job Gnome's community

good will building, so HOA decided to replace, and researched heavy duty gnome. It was noted that other members of the community felt purchase price was excessive. It was clarified that the purchase price was \$100, equating to less than \$3 per household.

MOTION: Vote for the continuation of Good Job Gnome and pay for with HOA monies ?

MOTION PASSED.

Mr. D. Jones volunteered to research alternate Good Will options. (Suggestions included posting pictures on website, smiley face stickers on mailboxes)

Special Presentation

Sharon Spires – presentation about being green – protecting environment – each person can do their part in supporting environment.

Storm water system – pond – System placed because developer changed the lay of the land – it gives us clean water for the future. Developer changed Mother Nature, so this water had to be placed.

Ponds: NOT lake front property – everything you do on your property effects that water whether it is ON your property or not.

Water Shed: shows how the water cycle works, if underwater ponds dry up – we get sink holes

Plant City is one of the largest water sheds in the state of Florida.

Our development has a series of combined systems.

To prevent flooding you have to know whatever you put in your yard, or mow, or blow the grass into pond or street, will collect in pond and prevent water from seeping into ground as it should, creating algae which will remove oxygen from the wildlife and the pond will die.

Use high nitrogen/slow release fertilizer to keep from soaking into storm water system.

State of Florida rule is 3 FEET: mow no closer than 3 feet from edge and blow grass clippings away from pond. If you don't have a pond, you can still affect the ponds in the neighborhood. Remember: if a pond isn't treated properly, your house will flood.

Ms. Spires provided bags with information for every homeowner. Ms. Spires offered information regarding community compost piles and bat houses to combat mosquitoes.

Meeting Adjourned 8:40PM