

PALM LAKE HOMEOWNERS ASSOCIATION

BOARD OF DIRECTORS MEETING

MARCH 31, 2022

President Ned Timmer called the meeting to order at 7:04 pm

Board members present: Ned Timmer, Fred Lenz and Mike Ketchum

Board members absent: Steve Hunter

Homeowners present, Scott Ziegler, Tory Wozny, Ray Maikkula, Paul Ohri, Joe Saunders, JoLee Timmer and Rose Ann Ketchum

SECRETARY'S REPORT

Mike Ketchum presented for board approval a proposed amendment to the Jan. 14, 2021 PLHOA Annual Meeting. Approval of the minutes had been deferred at the 2022 PLHOA Annual Meeting until proposed alternative verbiage could be received from Joe Sikora for proper board consideration. The Sikora proposed amendment was reviewed, and following agreement on the removal of certain inaccurate verbiage, a motion was offered to approve as amended. The motion was approved without objection. The 2021 Annual Meeting minutes as amended will be presented for approval at the scheduled May 21 PLHOA meeting.

Ketchum next presented for approval the minutes from the Feb. 12 PLHOA Town Hall Meeting and Board of Directors meeting that immediately followed. Fred Lenz strenuously objected to any further consideration of the minutes asserting his comments relating to the merits of lease-purchase agreements were not fully included. Views were exchanged over whether the minutes should actually be an actual transcript or a summary of the salient points. Lenz proceeded to air further grievances directed at Lenz and Ketchum relating to presentation of the minutes.

Although absent, it was noted Steve Hunter had reviewed and attested to the accuracy of the minutes, it was nevertheless agreed following further discussion the Feb. 12 draft minutes would be tabled and re-submitted for approval at a later meeting with the full board present.

ARB REPORT

In the absence of Steve Hunter, Ned Timmer presented the ARB report which included approvals granted for exterior painting (8637), backyard hedge and play structures (8653) and front landscaping (8667). Pending ARB applications for approvals are being awaited from 8661 and 8740. The ARB report also referenced the need for advancing an action plan to the HOA regarding what areas they want enforced and how. Also noted in the ARB report was the continued street parking at 8631 in violation of our covenants.

Timmer reported that while Hunter had tendered his resignation stemming from a recent dog bite incident in Palm Lake, he was reassessing his decision and anticipated his return.

OPERATIONS REPORT

Fred Lenz reported the eye on the entrance gate was causing the recent problem and not the motor. He expressed hope that the recent repairs undertaken would solve the problem.

Lenz also noted the socks located at the culverts are not functioning properly and new ones are needed.

TREASURER'S REPORT

Ned Timmer updated on the status of the vacant Treasurer position. He recalled that with last fall's board approval of a CPA to assist with PLHOA financials, the expectation was that the then PLHOA Treasurer would properly liaison and interface on PLHOA financials with the CPA. However, that did not occur resulting in an unfortunate lapse in the Treasurer's function. In the meantime, Simon Hemming agreed to assume the Treasurer's role and was subsequently elected to the board at the 2022 Annual Meeting. Unfortunately, unforeseen changes in his job responsibilities resulted in his having to resign. Timmer indicated an offer to an individual was pending to replace Hemming.

During the interim, Timmer indicated he had gotten the financials onto QuickBooks and he expected in the next 30 days in the interests of full transparency to have everything available in order to present to the PLHOA its review.

Timmer noted that the 2021 PLHOA taxes have been filed.

Fred Lenz inquired regarding attorney fees incurred by the PLHOA and demanded to be notified of all billings. Timmer responded stating the billings will be released within 10 days pursuant to the protocols outlined in the PLHOA bylaws. Lenz expressed his dissatisfaction with Timmer's answer and proceeded to question the transparency of the legal fees to date.

OLD BUSINESS

Ned Timmer presented and requested a motion to ratify and accept the board's acceptance for the payment terms for Lot 6. A motion was offered and approved without objection.

In other matters, Timmer reported discussion is continuing with Duke Energy on the replacement of the sabotaged trees along the west perimeter wall and plans for the upcoming May 21 PLHOA meeting were aired with an emphasis on the process for the distribution of proxies.

With respect to the pending legal action on Lot 6, Timmer reported on his recent conversations with PLHOA legal counsel. Once again, a resolution is being attempted by the PLHOA pursuant to Ch. 720, Florida Statutes, to seek mediation before other steps have to be considered to bring the matter to a conclusion. Timmer noted that in addressing this situation our PLHOA liability policy has a \$1,000 deductible policy protecting us from excessive legal costs. Lenz again expressed offered his opposition to excessive legal costs and offered his opinion that there was no guarantee all legal costs to the PLHOA would be recovered. He was again reminded by Ketchum that he on two occasions had voted to approve the retention of legal counsel – once for covenant revision work and once for Lot 6 enforcement. Lenz replied he had stated throughout he was concerned about the legal costs. If that

were the case, Ketchum questioned if he thought there would be no costs or why he did not amend the approval motion to place a cap on the amount that could be expended for legal services.

Ketchum attempted for the benefit of the several homeowners present to explain the basis for the two categories of legal expenses – (1) Lot 6 delinquency and covenant enforcement issues and (2) the drafting of covenant amendments. He particularly noted the potential liability to the PLHOA were it not to fulfill its fiduciary responsibility with respect to the Lot 6 issues.

Lenz vowed that he would work to ensure greater participation and input in the future regarding HOA business and decisions so that the Board does not make all the decisions. Timmer stated greater HOA participation and input is always welcome. Ketchum noted that the recent email sent by a board member encouraging PLHOA members not to attend the recent Town Hall meeting was not seen as particularly helpful in encouraging greater participation.

Ned Timmer next recognized Beautification Committee Chair JoLee Timmer to share Committee plans for adding to the viburnum hedge at the retention pond to aid in hiding the Duke substation and to place mulch around common area oak trees as recommended by Massey Services, our lawncare vendor. She added some minor sod replacement is also needed in certain areas and concluded by thanking Ned Timmer for his work to repair PLHOA sprinklers which saved considerable money.

Homeowners Paul Ohri and Ray Maikkula were recognized by Timmer for remarks. Ohri, who no longer resides in Palm Lake, stated he had not attended many PLHOA meetings in the many years he lived here but shared his opinion that attorneys are the real winners in lawsuits and expressed his hopes for the future well-being of the community.

Maikkula, who has recently sold his Palm Lake home, promoted lease-purchase agreements as a selling tool and cited a recent lease-purchase offer he had received for his home.

The meeting was adjourned at 8:50 pm

Respectfully submitted,

Mike Ketchum, Secretary