**PALM LAKE HOMEOWNERS ASSOCIATION**

**BOARD OF DIRECTORS**

**MEETING MINUTES**

**FEBRUARY 17, 2020**

The meeting was called to order by President Ned Timmer at 7:10 p.m.

Board members present: Ned Timmer, May Crosley, Fred Lenz, Joe Sikora and Mike Ketchum.

Homeowners present: Scott and Joan Ziegler

**SECRETARY’S’REPORT**

Mike Ketchum presented for approval minutes from the Jan. 16, 2020 board meeting. A motion was offered and seconded to approve the minutes. The motion carried without objection. Ketchum also presented the minutes from the Jan. 18, 2020 PLHOA Annual meeting. The minutes have been reviewed by the board and will be posted on the website and offered for final approval at the planned biannual meeting in the summer. Minutes from the Jan. 18, 2020 Board of Directors organizational meeting were presented and, following an edit, a motion was offered and seconded to approve the minutes. The motion carried without objection.

The Secretary reported he had received from Joe Sikora the completed form required by Ch. 720.3033, Florida Statutes, certifying that he has read the Palm Lake governing documents and will uphold the documents and faithfully discharge his fiduciary duties. All current board members have either signed the form or attended a state certification class to meet this requirement.

**ARB REPORT**

Marty Crosley noted he had received and approved requests for the location of a dumpster at 8703 Crestgate Circle to be utilized in the kitchen remodeling and window repairs to be undertaken at 8655 Crestgate Circle. Additionally, the installation of a trampoline at 8661 Crestgate Circle was approved with certain installation and placement stipulations.

Crosley also presented estimates received from Duke Energy on the replacement of the existing light fixtures and fiberglass poles with 50W LED K-118 light fixtures and concrete poles on Crestgate Circle. The replacement would cost the PLHOA an additional $178 per month or approximately $2,136 per year. This matter will be further discussed at the biannual meeting in the summer.

**OPERATIONS REPORT**

Fred Lenz reported on the plans in early 2020 for the retention pond scraping although he noted the wet winter may cause some delay. Although an estimate has been received from Drainage Solutions and was felt to be somewhat high, it was agreed more estimates were needed. The board approved without objection up to $7,500 for the retention pond scraping.

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The tree which appears to be distress at 8601 Crestgate Circle was discussed along with the vines there that are hanging over the entrance wall which are both felt to detract from the attractiveness of the Palm Lake entrance. Timmer requested Lenz to seek a resolution of the concerns with the homeowners by March 1st if possible.

Lenz also reported he had received an estimate of $2,500-$3,000 to remove certain trees at the retention pond that were felt capable of damaging the perimeter wall at a future date.

Discussion followed on the best approach for scheduling the removal of the trees, scraping the pond and planting of crepe myrtles. It was decided the sequence would be tree removal first followed next by pond scraping and then the crepe myrtle planting. Any sod that was damaged would be addressed at the conclusion of the project. The two laurel oak trees that the PLHOA is responsible for replacing at 8607 and 8747 Crestgate Circle would be planted also during this project.

**TREASURER’S REPORT**

Joe Sikora led a lengthy discussion on the current standing of the financials for 2019 and 2020 focusing on his efforts to know what our assets and bank accounts actually are. Reconciling the PLHOA financials with QuickBooks has been an ongoing priority and challenge since taking on the Treasurer’s role in January. Sikora has estimated that Net Income for 2019 was actually $17,147 (or $14,147 if Road Reserves are increased by $3,000 in 2019) instead of the $12,188 previously reported (as indicated in the attached document). Final figures will be reported following the completion of the QuickBook adjustment. The General Reserves at 12/31/19 are $24,697 and the Total Equity (excluding Utility Deposits are $20,993 (or $17,993 if Road Reserves are increased by $3,000 in 2019). These estimated changes are indicated in the attached document. Timmer noted the PLHOA has the necessary funds to avoid a federal tax liability and those funds will be kept in an Emergency Reserve Fund as an asset to fund a number of important future projects that will eventually be needed in Palm Lake.

To resolve the PLHOA financials questions, Ned Timmer sought and gained board approval to engage the services of a CPA with a set price range of $300-500 to review the PLHOA financials and make the adjustments from QuickBooks to bring the PLHOA books in line with the actual numbers. A conference call with the CPA, Timmer and Sikora will be arranged shortly.

Regarding the payment status of 2020 PLHOA dues, Sikora reported all 2020 dues were paid with the exception of one delinquent account and another account on a board approved payment plan for 2020.

**OLD BUSINESS**

Ned Timmer provided an update on the Beautification Committee and reported an organizational meeting to better define their scope of work would be held on March 3rd. Thus far, Dr. Aaron Walker, Rose Ann Ketchum and Chanel Bozarth have indicated an interest in serving. Timmer will also serve as a member to assist in its work.

**NEW BUSINESS**

Ned Timmer called on Scott Ziegler to report on the status of recruiting volunteers to serve on the ARB Committee. Ziegler indicated he and Ben Bozarth had agreed serve as ARB Committee members.

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Currently, Marty Crosley serves as the Board’s ARB Chair and his precise role on the ARB Committee as either Chair or a member will be determined. Further discussion occurred on the scope and role of a proposed Fining Committee but it was agreed to table the matter at this time.

Ned Timmer also noted he had received a complaint expressing concerns over the high rate of speed being seen on Crestgate Circle.

The focus next turned to a review of the balloting results on the 18 proposed amendments to the PLHOA governing documents. Ned Timmer noted 13 of the 18 amendment were approved by the required vote. With regard to Amendment #11 relating to Temporary Structures which narrowly failed on a 26-10 vote, it was confirmed that since it was a Planning Criteria amendment the board had the authority under our governing documents to approve it as submitted. Following discussion, a motion was offered and seconded to approve it. The motion carried without objection.

While 4 proposed amendment relating to improving language in the PLHOA governing documents on the rental or lease/purchase of Palm Lake homes narrowly failed although each received homeowner support by 2-1 and 3-1 margins, Ned Timmer presented a proposed amendment to PLHOA Rules and Regulations #4 relating to Rental Property designed to address the issues in the 4 amendments. The amendment would (1) require disclosure to the board of certain formation felt pertinent to the rental or lease/purchase, (2) prohibit rentals or lease/purchase arrangements for less than 12 months nor more than 24 months and require a refundable deposit of $3,500 payable by the actual homeowner to the PLHOA for its protection in addressing any issues that may arise at the rental or lease/purchase home. The deposit may be non-refundable if the rental or lease/purchase agreement is terminated early or in its entirety. The PLHOA Board would consider exceptions to the non-refundable clause in the case of hardship cases where a rental of less than 12 months occurs.

There was a sustained discussion on this proposed amendment with several board members acknowledging the overwhelming sentiment that was expressed in the balloting and also heard from PLHOA members about the need to strengthen protections against rentals and lease/purchases of Palm Lake homes to guard against a re-occurrence of past rental abuses or any future abuse of lease/purchases. In the course of the discussion Fred Lenz officially disclosed to the board he currently has a lease/purchase agreement pending on his property at 8734 Crestgate Circle.

It was pointed out during the discussion that the board has the authority pursuant to Article III, Section 15 (f) in the PLHOA bylaws to enact rules and regulations provided they are directly related to and not in conflict with the existing PLHOA governing documents. In this case, this proposed regulation merely implements provisions found within the governing documents relating to rental and lease/purchase arrangements.

With the discussion concluded, a motion to “Approve the proposed amendment, publicize its approval to the PLHOA membership and officially record it with Orange County government” was offered and seconded. The motion carried with the vote as follows:

YES: Ned Timmer, Marty Crosley, Joe Sikora and Mike Ketchum

NO: Fred Lenz

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Timmer also noted a revision in PLHOA Rules and Regulations #15 placed responsibility on homeowners to ensure that oak trees owned by the PLHOA between the sidewalk and street are properly watered. Should proper watering not occur, the homeowner would then be responsible for any tree replacement.

The board also reviewed the current language in PLHOA Rules and Regulations #18 relating to Temporary Structures and determined that no further changes were in order.

A decision on a date for the March board meeting was postponed.

The meeting was adjourned at 9:48 p.m.