

PALM LAKE HOMEOWNERS ASSOCIATION

BOARD OF DIRECTORS

MEETING MINUTES

APRIL 3, 2023

Board members present: Russ Carlson, Mike Ketchum, Fred Lenz, Dr. David Boyer and Tory Wozny

Homeowners present: Ajit Nana, Bev Carlson, Meredith Fitzgerald, Dr. Ann Hajek, Marco Cigagna, Steve Hunter, Katherine Adams, Dr. Aaron Walker, Sam and Purvi Jayswal, Lisa Maloney, Tom Dugan, Scott Ziegler, Rose Ann Ketchum, Chanel Bozarth, Mike Faragalla, Marty Crosley and Debbie Britt

President Russ Carlson called the meeting to order at 7:33 pm.

The President opened the meeting by presenting the ground rules for the conduct of the meeting which included the right of individuals to speak pursuant to the Palm Lake Bylaws and Florida Statutes. Each attendee was then asked to introduce themselves.

President Carlson opened the meeting to discuss his response to the recent letter he received from Ned Timmer. Carlson proceeded to review his responses to the contents of Timmer's letter which he will communicate in a letter to Timmer.

Noting the recent Board decision to hire a Management Company which was largely prompted by the absence of three volunteers to populate the ARB as required by our governing documents, Carlson indicated those issues identified by Timmer in his letter that were of an ARB enforcement nature would be referred to the Management Company for addressing. Carlson stated some of the issues raised by Timmer were either not worthy of a response or further details were needed in order to respond.

Additional discussion occurred on Timmer's assertion Palm Lake landscapers improperly picked up leaves at 8734 Crestgate Circle and on his criticism of the wall repair protocols for the wall repair work that was done recently at 8741 Crestgate Circle. With respect to the leaves issue, Carlson indicated the matter would be dismissed in the absence of corroborating witnesses attending the meeting. Carlson inquired of Fred Lenz and the homeowner at 8741 Crestgate Circle who was present if the completed wall repair work was satisfactory to them. Both stated it was acceptable to them.

Property maintenance issues at Lots 10 and 23 were next addressed. Former ARB Chair Steve Hunter recounted the Board's unsuccessful efforts over time to encourage the homeowner's compliance with the property maintenance requirements of Palm Lake's governing documents. To address the apparent non-compliance, Mike Ketchum offered the following motion:

*In keeping with its fiduciary responsibilities, and in an effort to amicably and responsibly resolve the property maintenance issues relating to Lots 10 and 23, the Board of Directors hereby reaffirms the decision made at the Dec. 17, 2022, Palm Lake Board of Directors meeting to instruct legal counsel, in concert with TPS Association Management Services, to proceed pursuant to the provisions of Ch. 720.311, Florida Statutes.*

The motion was seconded and Russ Carlson called for a vote on the motion which was approved on a 4-0 vote with one abstention.

Yes – Carlson, Boyer, Wozny and Ketchum

Abstention – Lenz

#### ARC CREATION

Russ Carlson reported that two volunteers, Chanel Bozarth and Marcos Cigagna, had come forward to serve on an Architectural Review Committee (ARC) which will be tasked with developing community standards. Due to the inability to secure three volunteers to serve on an Architectural Review Board (ARB) which would be charged with enforcement, there will be no ARB and those matters will be handled by the Management Company as previously indicated in the meeting.

#### PERIMETER WALL REPAIR STATUS

Fred Lenz reported the perimeter wall repair work except for behind the east wall and Lot 6 was completed. He added there has been some difficulty in getting access to the northeast portion of the wall from a property owner. Lenz indicated he wants to get more bids for the remaining work before giving the current vendor any more work.

#### MONTESSORI UPDATE

Russ Carlson requested Mike Ketchum to provide an update on the Montessori School issue. Ketchum reported on the March 23<sup>rd</sup> Palm Lake community meeting held to discuss the current situation. It was learned the Palm Lake community has 30 days from March 31 to file an appeal of the recent Orange County Commission decision. To undertake an appeal effort, legal counsel has agreed to cap his fee at \$15,000. To fund the appeal, attendees discussed securing the commitments of 30 individuals from the Palm Lake community to commit \$500 each. It will initially cost \$400 to file the appeal along with \$1000-\$1500 to provide a transcript of the Orange County Commission meeting. According to legal counsel, the appeal process could run anywhere from 6 to 22 months. Following discussion, those present unanimously decided to pursue an appeal and seek the necessary financial support. Other strategies to oppose the school were also discussed and may be utilized if determined necessary.

#### DUGAN DRIVEWAY ISSUE

Discussion next occurred on the driveway apron at 8753 Crestgate Circle that is possibly being upended by a nearby tree. Fred Lenz advocated the removal of the tree and its replacement at another location. Russ Carlson requested Mike Ketchum to research from the Nov. 2, 2022 Board minutes what the discussion was and if any board decision made on the matter at that meeting. Ketchum recited from the minutes the discussion that occurred which indicated the board needed a long-term solution for future such tree issues and, instead of tree removal, preferred at this time to save the tree by paying for root removal with the homeowner paying for the apron replacement. However, before any work is undertaken, a motion to first secure the opinion of an Arborist was made. The motion was seconded

and approved without objection. Russ Carlson requested Mike Ketchum to identify the 6 other aprons that he had observed in various stages of lifting.

#### APPROVAL OF MINUTES

Russ Carlson presented for approval the minutes from the March 27 Board of Directors meeting. He offered a motion to approve which was seconded and the minutes were approved without objection.

#### BUDGET ADJUSTMENTS

In order to underwrite the hiring of the Management Company, several proposed 2023 budget adjustments were circulated for board review by Russ Carlson. However, in light of \$10,032 in “retained earnings” from 2022 reported by Treasurer Dr. David Boyer it was decided any adjustments would be postponed until the next board meeting in order to better determine their need.

#### PROPOSED DUGAN PRIVACY FENCE

Tom Dugan indicated his desire to place a privacy fence on his property. It was suggested an ARB request form be completed so it can be determined precisely what type of fence is being considered.

#### PALM LAKE SOCIAL

To conclude the meeting, Russ Carlson reminded attendees of the April 28<sup>th</sup> Palm Lake Social organized by Katherine Adams to be held at the fountain.

The meeting was adjourned at 9:28 pm.

Respectfully submitted,

Mike Ketchum, Secretary