

**PALM LAKE HOMEOWNERS ASSOCIATION**

**BOARD OF DIRECTORS**

**MEETING MINUTES**

**MARCH 14, 2023**

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

**Board members absent: Fred Lenz**

**Homeowners present: Scott Ziegler, Sal Haider, Steve Hunter, Katherine Adams, Bev Carlson and Rose Ann Ketchum**

**President Carlson called the meeting to order at 7:32 pm.**

**FINANCE REPORT**

**Dr. David Boyer presented a finances report which indicated all the Regular Assessments at \$1,650 were paid and only one \$195 payment on the recent dues increase remained yet to be collected.**

**Dr. Boyer inquired as to the best manner to fund the Road Reserve. Following discussion, it was decided to move \$6,865 from the checking account into general reserves and \$7,715 into road reserves.**

**OPERATIONS REPORT**

**In the absence of Fred Lenz, no report was available. Concerns were expressed by several present that the irrigation system might still not be working properly with the “dry season” approaching and walking the system would be necessary to assess its functioning.**

**SECRETARY’S REPORT**

**Mike Ketchum presented for final approval the minutes from the Jan. 30<sup>th</sup> Board meeting. A motion to approve was offered and seconded and the minutes were approved without objection.**

**LEGAL**

**Tory Wozny reported he would be scheduling a meeting with legal counsel to discuss the recent demand letter issued by legal counsel concerning certain covenant infractions at Lot 23. Russ Carlson indicated his reluctance to utilize the allowable “self-help” option as a means of addressing the infractions at Lot 23. Mike Ketchum agreed and felt that was not the preferred option available to the board and suggested, following first consulting with legal counsel, utilizing the mediation provisions found within Ch. 720, Florida Statutes, as the better course. Former ARB Chair Steve Hunter along with Katherine Adams cautioned there were several other homes with landscaping issues that also needed addressing. Discussion occurred on how the recent “Chattel Shipping Letter” sent to all PLHOA**

members on advice of legal counsel in 2022 applies to how the board might address current covenant violations. It was explained the letter essentially indicated that (1) just because an enforcement action had not occurred in the past it does not mean the board will not now undertake an enforcement action and (2) enforcement actions on similar infractions are not required to necessarily occur at the same time. Wozny will seek further information from Steve Hunter concerning any other unresolved ARB issues prior to his meeting with legal counsel.

During his upcoming meeting with legal counsel, Wozny will also discuss the pending proposed governing document amendments designed to protect Palm Lake from the growing trend of fractional sales and ownerships of homes being seen in certain upscale communities in Florida.

#### **ARB REPORT**

Russ Carlson acknowledged the receipt of an ARB request for tile roof and balcony railing repair along with house painting from Kim Service. Following board review of the ARB application form, the application was approved.

#### **MANAGEMENT COMPANY PROPOSAL**

Russ Carlson indicated his views on the necessity of hiring of a Management Company had recently changed and cited several factors which led to his support for engaging a firm now to manage the PLHOA. Carlson presented the various responsibilities the Management Company under consideration would undertake. Discussion followed among board members and attendees regarding the best way to socialize the matter and move it forward for final approval. While it was pointed out the board could legally engage a Management Company, it was felt that the PLHOA should be first be apprised by the board of the facts and compelling reasons for utilizing a Management Company. A presentation along these lines will be developed and an appropriate method of bringing it before the PLHOA will be determined.

#### **RECORDS RETENTION**

Russ Carlson expressed concerns over possible shortcomings in Palm Lake's record retention practices as state law requires certain PLHOA records to be retained for 7 years. Mike Ketchum indicated he had recently been reviewing at Carlson's request the PLHOA files in his possession to confirm what was retained and determine what might be missing. Ketchum stated a significant part of the records that are required to be retained can be found on the Palm Lake website and records from the most recent years generally seem to be in order. Following discussion, it was concluded and agreed all PLHOA records under Florida law can be readily accessed for review by any PLHOA member. Katherine Adams volunteered to make her scanner available for scanning the 2022 records through year to date.

In response to a question from Russ Carlson, Mike Ketchum indicated he will shortly be filing with Orange County the amendments to Palm Lake's Planning Criteria that were approved in 2007 but were inadvertently never officially filed by the 2007 Board.

**MONTESSORI SCHOOL/DAY CARE CENTER**

Russ Carlson reviewed the recent actions of the Orange County Commission to approve the Exception request but deny the Variance request for the proposed Montessori School and day care center projects on Palm Lake Dr. Discussion occurred on several available options available to Palm Lake to oppose the projects to Palm Lake. Continued financial support of legal counsel in hopes of overturning in court the Orange County actions in concert with our Palm Lake Dr. partners was felt necessary and a solicitation of additional funding from PLHOA members will occur. Additionally, a meeting with Duke Energy will be sought to better understand their stance and solicit their assistance in opposing the project. Discussions were also initiated with our Palm Lake partners on the feasibility of a possible media strategy to highlight the concerns over young children being exposed to the hazards of the Duke Energy overhead transmission wires on the proposed site.

The meeting was adjourned at 9:17 pm.

Respectfully submitted,

Mike Ketchum, Secretary