

Meeting Summary
Bentley Woods Board of Director's Meeting
September 12, 2018

Location: Seminole County Public Library, East Branch

Board Members in Attendance: Philip Bass, Harold Buhl, Paul Knight, Autumn Huff Garick, Elisabeth Essary

Towers Staff in Attendance: Raymond Shrum, LCAM

Quorum of the Board was verified. Meeting was properly noticed.

Eight members of the Homeowners Association were in attendance.

Minutes:

Call to Order- approximately 6:05 pm

Statement of Voting Interest

Acting President Philip Bass explained that it is important to record the number of HOA members present at meetings because if >20% of HOA members are present they can propose an agenda item from the floor.

Approval of Meeting Minutes

Revised minutes for July 7 meeting were read aloud by Autumn Garrick. Harold Buhl requested additional revision in the form of making the language uniformly objective. July minutes approval tabled until the September 26 meeting pending revision.

Meeting minutes for the August 29 BOD meeting were then read by Autumn Garrick. There was a question/concern from the floor re: the brevity of the August 29 minutes in comparison to the revised July 7 minutes. A HOA member requested amendment of minutes to reflect additional topics of conversation. Another HOA member stated that he had videotaped the meeting and would be willing to transcribe the recording for the purpose of providing additional details. Approval of August 29 minutes was tabled until the next meeting pending revision.

Appointment of Officers

Due to this being the first full meeting since board members Elisabeth Essary, Paul Knight, Valerie Marchetti and Patrick Panagiotou joined the BOD, officers have not yet been appointed. There was discussion re: whether new officers needed to be considered "acting" until the Annual Election,

however, it was decided that new officers did not need that distinction. BOD members were nominated to the following position and the nominations were accepted. It was noted that they would hold the following offices only until the Annual Election in January.

President: Philip Bass

Vice President: Harold Buhl

Secretary: Elisabeth Essary

Treasurer: Paul Knight

Report of Committees

ACC

The ACC application for the construction of a shed on the property of 484 Yorkshire was approved.

To meet the requirements of FS 720, the ACC must have open meetings with minutes, must be publicly advertised, and ACC applications should have a 21 day turn around for approval. It was decided that ACC meetings will be scheduled 30 minutes prior to BOD meetings and that the meetings would be advertised concurrently. Autumn Garrick volunteered to adjust the library reservation and meeting signage accordingly.

ACC application procedure moving forward was clarified. Once an ACC application has been received, it will go to the ACC committee for consideration and vote. During the ACC meeting the homeowner/applicant will have the option of addressing the committee. The committee will vote whether the recommendation to the BOD will be to approve or decline the request. If the ACC application is denied, the homeowner will have the option of appealing this decision to the BOD at the following meeting. HOA members will also have the option of addressing the BOD re: the ACC application from the floor.

Discussion continued from the previous meeting re: establishing published Provisional ACC Approval Criteria. This document would communicate to homeowners "architectural" changes they would be free to make to their property without prior approval. An early working copy of this document was distributed to the BOD for review and feedback.

GCC

Discussion was continued from the previous meeting re: interest in setting up a Governance Compliance Committee. Philip Bass would like to set up this committee, separate from the BOD and with a minimum of 3 members to govern covenant violations, assessing fines as needed, and recommending legal measures if necessary. However, currently there are not 3 eligible volunteers available to initiate this committee.

Pond Maintenance

Raymond Shrum was asked to set up a walk-through with Solitude Lake Management re: neighborhood pond maintenance to ensure effective communication.

Landscape Maintenance

HOA member (from the floor) requests review of Grasshoppers contract. He is concerned that they are not fully meeting their obligations, specifically re: plants in planters not being replaced every 3 months as required.

Financial Report

BOD reviewed financial documentation as presented by Raymond Shrum. Philip Bass asked Raymond Shrum where in the report payments received would be reflected and expressed concern that he did not see documentation of a payment that he was aware of. Raymond Shrum explained that the Financial report was updated on the 20th of each month, therefore, depending on the timing of payments there may be a delay in documentation. Further clarification to be pursued re: how exactly the balance sheet is adjusted when money is paid to the HOA.

Covenants

The need to revise the Declaration of the Covenants was reiterated and the BOD stated their intention to do so in the coming months.

Violations

Discussion re: current violations was tabled until the next meeting. Raymond Shrum stated that he did not have the list of current violations with him to share with the BOD. The BOD requested that he bring this list to every future HOA meeting. Raymond Shrum stated that per his understanding with the with the prior BOD, he had continued to send 1st violation letters to homeowners without prior approval from the BOD. The current BOD stated that they would like to have the opportunity to review potential violations before violation letters are sent and would also like to like to review the wording of these letters.

Old Business

Bentley Pond Proposals:

The BOD has requested (3) bids for removal of the dead trees surrounding the common area Bentley St. pond. This effort is ongoing.

330 Bentley:

A HOA member from the floor requested that Autumn Huff Garrck be recused from discussion of this issue due to a conflict of interest. The BOD agreed to this stipulation. Autumn Huff Garick had previously offered to do so at the July BOD meeting.

Another HOA member asked what happens in the event that the homeowners refuse to pay assessed fines and/or legal bills. Raymond Shrum stated that when this situation has occurred in the past the BOD votes whether to place a lien on the home or drop the matter and absorb the expense.

Raymond Shrum reviewed the steps in the violation process that have been completed re: the unauthorized structure ("Little Library") at 330 Bentley.

To date, the following actions have occurred.

- 1st violation letter was sent requesting that the homeowner(s) file an ARC/ACC application for the structure or move the structure ("Little Lending Library") to the common area.
- Homeowners filed the ACC application as requested, however this application was denied by the ACC committee and the sitting BOD.
- Two letters were then sent to the Garicks from Towers Property Management on the same day. One notified the homeowners that the ACC application had been denied. Another, titled "Friendly Reminder" requested that the structure be moved to the common area.
- Homeowners declined to move the structure to the common area.

Raymond Shrum explained that at this point in the step-wise process the BOD would typically vote whether to take this noncompliance issue to legal mediation. (Of note, since the last time this violation was officially discussed at a HOA meeting 100% turnover in the BOD.) Elisabeth Essary asked if there were other available options, specifically if the legal documents allowed the homeowners to appeal the decision at this time. Raymond Shrum replied that unlimited ACC appeals were available to the homeowners and that the BOD could vote to drop the matter entirely. Concern was expressed that a vote to drop the issue was problematic given prior documentation of the violation. Paul Knight made the point that results of a petition circulated by the homeowners indicated the majority of residents were in support of the "Little Library". Discussion ensued among board directors and members from the floor re: the reliability of this data. Opinion was expressed, and literature distributed from a HOA member in attendance in opposition to the "Little Library". A motion was made by Elisabeth Essary that the BOD would offer the homeowners, via letter from Towers Property Management, the opportunity to appeal the ACC decision denying the "Little Library" at the next meeting. The motion was seconded by Paul Knight. Philip Bass and Harold Buhl also indicated their approval of this plan of action. Raymond Shrum stated that he would send this letter to the homeowners.

Adjournment- approximately 8:15pm

Next HOA meeting will be September 26th @ 6:00 pm at the Seminole County Library, East Branch.