

November 16, 2016

Final 11/6/2016, Corrected as of Nov 15 board meeting (as amended by Mr. John Springer and Secretary).

Regular Board Meeting - Tuesday, Oct 18, 2016 at 6:00 – 7:56pm

Meeting held at “GoodWill.” Located at Dun Lawton Ave,

- Called to order
  - Pledge of allegiance
  - Proof of Notice
- Rollcall:
  - Present: John Lyon, Joe Richotte, Leslie Tucker, Linda Pelle, Kelly Nixon, Bill Roberts (by phone).
  - 45 people in attendance.
  - Minutes: (Chair of tonight’s meeting is Joe Richotte).**
- Sept 13, 2016 minutes accepted, no changes, decisions ratified and approved. (ROR invoked. If no objections, minutes are read.) Motions Ratified (Attached) due to Hurricane, no electricity nor cell service – Motions typed, met with each board member to acquire signatures:
  - a. Open Storm Restoration Phase 1 for spending, hire contractor using four phases of damage and restoration. Place cap on each phase. 1st-Joe, 2<sup>nd</sup>-John (Unanimous).
  - b. Hire Gales Cone as vendor to do the restoration effort. 1st-Joe, 2<sup>nd</sup>-John (Unanimous).
  - c. To advance to phase two, Danger timber, of restoration. 1st-Joe, 2<sup>nd</sup>-John (Unanimous).
  - d. To extend to John Lyon board approval to attend pre-trial mediation and to mediate on behalf of Summer Trees West board of directors. 1st-Joe, 2<sup>nd</sup>-Bill (Unanimous). So noted: Kelly a) closed meeting with attorney requested. B) Letter from Kelly attached.
  - e. Stipulated: Gave John Lyon power of attorney for Nov 1 pre-suit mediation and to execute any agreement(s) as a result.
  - f. Continue with foreclosure on lien for 26ST, now that heir has been identified.
    - i. Oct 7... To continue “the foreclose process” of Summer Trees 26 following the heir result as reported to the court. And to issue a cease and desist letter. 1st-John, 2<sup>nd</sup>-Bill (Aye: Bill, Joe, Leslie and Kelly -- Noted: Kelly’s vote was to proceed with foreclosure expense only.)
    - ii. To amend Oct 7 and continue “the foreclose process” of Summer Trees 26 following the heir result as reported to the court. 1st-John, 2<sup>nd</sup>-Bill (All aye except Kelly, recorded abstain. C&R does not permit abstain. Noted: Kelly’s vote was to proceed with foreclosure only.)
    - iii. Follow up email, Oct 5) to Board and Leanne confirming board’s vote with noted comments.
  - g. To approve pressure washing of pool deck using general operating funds. 1st-Bill, 2<sup>nd</sup>-Joe (Unanimous).
  - h. These two letters prompted a discussion and a series of questions about how motions are made between meetings. Mr. John Springer of 32 Summer Trees Road asked for a copy of the motion sheet for a motion referenced by Chairman Richotte to have the Association attorney send a letter to Henry Springer of 33 Summer Trees Road concerning the posting of HOA minutes and other documents on his websites. John Springer was told the motion sheet would be located and provided to him. John Springer then questioned the necessity and propriety for some of the motions made between meetings that were not related to the emergency response to the Hurricane.
  - i. C&R rules page 23 were suspended so that numerous questions presented by Mr. John Springer could be heard and addressed. Roberts Rules of Order were invoked and a discussion ensued. Chair of meeting yielded until all questions by Mr. Springer were presented.
- Motion for minutes and signed documents (ratification of same) were accepted and approved. A challenge was noted from Mr. John Springer that this type of voting by motion was improper and a

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board meeting should have been called with 48 hour notices posted. Because discussion by board and association should have taken place. This, in spite of a hurricane that left us without electricity, cell service and Goodwill was closed. Plus, many residents were either out of town or were focused on damage to their homes. The legal opinion was in general, this form of motion with recorded vote was proper, in so far as each board member could stipulate and / or attach their concerns or issue. There were noted and initialed comments and an attached letter in one case from Kelly Nixon. (Note: point of order, not all the motions needed to be motions. Corporate Secretary elected to use this format as a written support of business process. Especially considering the accusation of “secret board meetings being conducted.”)

Several items under Secretary, old business and new business were deferred until Nov’s board of directors meeting. As this discussion period took away from the time slot we are allowed at Goodwill. Notwithstanding numerous items that needed to be resolved.

**President Report:** John Lyon

- New owners / Association members: 132ML, 163ML and 48ST.
- Change in residence: 109CP (family member added) and 51CP.
- Legal report 152 ML – court system update: Judge ordered list and prepare for Trial in Jan 2017
- Resignation of Paul Hallett, Treasurer. Letter dated Oct 3, 2016.
- Appoint Treasurer – Leslie Tucker. Motion written, but not necessary to appoint with board vote a treasurer. 1st-Bill, 2<sup>nd</sup>-Joe (Unanimous).
- Appoint Architectural Director – Linda Pelle.
- Appoint Vice President – Added role to Joe Richotte.
  - Compound moved to Bob Rhein.
  - Pool Keys moved to Janice Tanish.
- Rebate status
  - CPA check sent to Mr. Ken Sipes.
  - 24 checks are in process totaling \$3,418.
  - 3 letters are to be written by secretary for “Did not Qualify.”

**Vice President Report:** Vacant

No Report.

**Treasurer Report:** Leslie Tucker

Balance sheet as of 8/31/16:

- combined checking and savings, a total of \$82,776.70.
- TD Bank Reserve CD, a total of \$53,234.99.

**Secretary Report:** Bill Roberts

- Motion for phases three and four of post storm restoration. Limit cap at \$6,000. Grounds director to supply report of work accomplished by phase. Motion discussed and approved.
- Secretary reported that the items in sections 27 and 29 of HOA Operations manual is approaching final draft stages. Suggestion is to begin to have select committees take over and provide input.
- Specific “items” in draft (Special thanks to Kelly for input and editing);
- (Moved to Nov.) Most of the following was moved to Nov or December due to audience interruptions causing clock to run out. (\*)
  - Tree removal policy with guidelines and city permit process. Add to agenda for motion.
  - monthly planning calendar with checklist. Add to agenda for motion.
  - Assign to committee. (Select committee (s))
    - welcome package which includes updated “items.” (Headed by Betty)
    - Lien and foreclosure checklist. (open)

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- Census process and master roster.
- Need a resolution additions for C&R and Bylaws to be prepared for: (open for committee).
  - Rental intercept process.
  - Owner to renter application
  - Proposed fine committee.
- Discussion on letters and/or complaints received by secretary from several members. (deferred)
- Committee reports: Water flow and Election (Meeting scheduled for Sat Oct 29 with Scout leader). Boy Scouts have accepted ST west and are interested in doing four projects over 2017.
- Election – Linda Pelle reported that VFW has been secured for 2016 and 2017 annual meeting. Betty and Linda will prepare an overview for how the election process works for the Jan 2017 meeting. (using last year's method as a sample...)

**Grounds Report:** Joe Richotte

- To advance to phase three of restoration, trees with tops blown out in need of a climber and or lift.
- Report of Hurricane restoration by phase one thru four.
- Joe and Bill planning a meeting with City to discuss the damage done in cul-de-sacs by waste and garbage collection vehicles. (Moved to Nov)

**Architectural Review Report:** -Bill Roberts / Leslie

- Status report for 136ST (rental) and 17ST (Owner, non-resident). Postponed due to Matthew.
- Resource will be done to determine if Code Enforcement can be called in to review unit's disrepair state.

**Newsletter Report: (and Added role of Pool Chair)** Kelly Nixon

- Newsletters distributed to "Information Boxes." Kelly reported on expense and income for publication.
- Kelly is preparing project plan for required repairs to pool.
  - Pool vendors were invited in to review and provide an estimate of repairs needed, immediate, short-term and long-term to total pool site. In brief, pool has a leak, filter tank has plaster falling off wall and causing damage to filters, solar system is failing, one pool light is burned out, grounding system needs upgrade, key system is suspect, bathroom mirrors need replacement, sinks in bathrooms are leaking, leach fields damaged which means septic tank is over loaded, solar panel are failing and in need of repair or upgrade and deck cleaning proposal.

**Old Business or Unfinished Business**

Ran out of time – Meeting adjourned. (\*)

- Secretary was to report on progress of board's "Information and operations manual." Assignment was to review section 27 (issues in need of policy and procedures) and 29 (planning calendar). Deferred. Need committee to assist in the writing of Policy, procedure, guideline or resolution.

**New Business**

~~Questions as well as concerns from the floor were discussed.~~

- Meeting adjourned. (at 7:46 pm)

Next meeting will be Nov 15, 2016 at 6:00PM — Good Will

William Roberts – Secretary 2016 Summer Trees West, dba

**SUMMER TREES HOMEOWNERS ASSOCIATION, INC.**