

ASHWOOD LAKES HOMEOWNERS ASSOCIATION OF BREVARD, INC.

August 15, 2016 at 6:00 pm at Grace Fellowship Church

ARC Meeting (if any)

5:30 PM

Board of Directors Meeting

6:00 pm

Minutes

- A. Bernie Fischer called the meeting to order at 6:05 PM.
- B. Six Board Members were present for the meeting establishing the quorum:
 - a. Board Members Present
 - i. Bernie Fischer
 - ii. Michele Pennington
 - iii. Chuck Cihal
 - iv. Lynn Hudson
 - v. Stacey Gammella
 - vi. Arvedra Dawkins
 - b. Marie Simeoneau was not present.
- C. Notice was posted in accordance to FL Statutes.
- D. Meeting Minutes from July 18th, 2016 Board Meeting were reviewed. With the change of the new Joint Rec Facility email to correct to ashvenjtrecreation@gmail.com, Michele Pennington motioned to approve the minutes. Bernie Fischer seconded the motion and all were in favor.
- E. Courtney Gabbert from SCPM reported the *unreconciled* Financials as:
 - a. Ashwood Operating: \$30,052.82
 - b. Chase CD: \$20,180.5
 - c. Rec Facility Operating: \$19,995.68
 - d. Rec Facility Key Operating: \$5875.00
 - e. Total Operating: \$76,037.31**
 - f. Ashwood Reserves: \$15,325.47
 - g. Rec Facility Reserves: \$16,503.46
 - h. Total Reserves: \$31,828.93**
- F. Officers' Reports:
 - a. Bernie Fischer announced that Marie Simoneau resigned her position as the Secretary of the Board and as a Board Member. The position would be filled later in the meeting since there were five letters of intent to fill the already two vacant positions.
- G. Manager's Report: Courtney Gabbert of SCPM reported:
 - a. Aging report discussing two properties that were:
 - i. A payoff was received via the current attorney John Soileau's office.
 - ii. The remaining would be turned over to the new attorney once the vote was made of the new attorney later in the meeting as previously discussed.
 - b. A bankruptcy notice was presented to the Board to review and to vote if they would like the attorney to respond. After review and discussion the account was current with Ashwood HOA dues, Bernie Fischer motioned that no action would be taken at this point. Lynn Hudson seconded the motion and all were in favor.

H. Committee Reports:

a. ARC Report:

- i. The minutes from the July 18th Meeting were read onto the record.
- ii. Discussion was had regarding a dead palm tree in a yard on Orion. Due to the property not receiving a notice on the 8/10 drive and the ARC did not speak to the individual, Michele Pennington motioned that this be put on hold until the next drive. Stacey Gammella amended the motion to be put on hold, but a more persistent letter be sent at that time to have the tree replaced. Lynn Hudson seconded the motion with the amended verbiage. All were in favor.

b. Joint Rec Report:

- i. Arvedra Dawkins followed up on the pool closure stating it was due to black algae found in the pool as reported by the current pool company, 360. She added this was a previous issue from previous year and previous pool contractor that was not corrected appropriately at the time. The pool closure was not a choice but was done so in accordance to a request by 360 (the current contractor) for safety reasons. The pool was cleared to open prior to the meeting and the HOA would be notified as such after the meeting.
- ii. The ladders that are loose were also mentioned as a future expense and was told this was due to kids hanging on the ladders inappropriately. The cost for repairs has been \$150 with each occurrence and it is suggested that they be replaced properly with the parts only costing an estimated \$1500, not including labor. This would come from the Rec Fac budget and would be discussed with the Rec Fac committee.
- iii. The next Rec Fac meeting will be on August 18th.

c. Activities Committee:

- i. Arvedra Dawkins reported that the first Back to School Drive for Ashwood and Ventana jointly was a success. Both communities donated \$100 each, along with Lynn Hudson and Sharon Hill both donating an additional \$100.00 each. Fifty-three kids showed up and they depleted all items that they received.

I. Unfinished Business:

a. Appointment of (2) new Board Members:

- i. With two positions reported open at the July 18th meeting, five letters of intent were received by:
 1. Sharon Hill
 2. Leigh Pannell
 3. Rebecca Grant
 4. Robert Kelso
 5. Michelle Robins
- ii. Upon review of the intents, the Board voted:
 1. Sharon Hill – two votes (Chuck Cihal and Arvedra Dawkins)
 2. Leigh Pannell – two votes (Michelle Robins and Lynn Hudson)

3. Rebecca Grant – Four votes (Bernie Fischer, Lynn Hudson, Michelle Robins and Stacey Gammella)
 4. Robert Kelso – No votes
 5. Michelle Robins – Four votes (Bernie Fisher, Arvedra Dawkins, Stacey Gammella and Chuck Cihal)
- iii. Bernie Fisher motioned:
1. Michelle Robins to fill Brian Humes term to end at the next annual Meeting in December and Rebecca Grant to fill Pat Dodsworth’s vacancy to expire at the Annual Meeting in 2017. Chuck Cihal seconded the motion and all were in favor.
- b. Website:
- i. Update: Michele Pennington announced the new website was published but the website did change to www.ashwoodlakeshoa.com due to the expired domain in March and not receiving the credentials to extend the domains year.
 - ii. The minutes from meetings would be posted on this site.
 - iii. Financials – Courtney Gabbert and Michele Pennington discussed placing the Financials (Budget and Profit and Loss) monthly on the site for residents to have easier access to rather than sending in written requests for such.
- c. Attorney:
- i. After review and discussion of the three attorneys presented by their bids and practice information a vote/motion was had to place all new HOA business with the new attorney, including collections. The vote was unanimous to begin using Karen Wonsetler and Sarah Weber of Wonsetler & Weber.
- d. Meeting Schedule:
- i. Prior discussion was continued to keep the meetings monthly or to change to every other month. Stacey Gammella motioned to continue the meetings monthly until the end of the year which. Bernie Fischer seconded the motion. Chuck Cihal voted nay. Avredra Dawkins, Michele Pennington, Michelle Robins, Rebecca Grant and Lynn Hudson all voted in favor of the motion and the motion passed.

J. New Business:

- a. Vacancy of the Board:
- i. With the vacancy of Marie Simoneau’s position a vote was had with the remaining letters of intent to serve on the Board:
 1. Leigh Pannell – 4 votes
 2. Robert Kelso – 3 Votes
 3. Sharon Hill – 1 Vote
- b. Guidelines:
- i. Michele Pennington asked for the Board to review the Declarations and By-laws of the community and the differences throughout, noting that upon review after

the last motion of the ARC being a part of the drives in relation to Article VI may be separated as referred to the different Articles in the Declarations: specifically:

1. Article II in regards to the ARC procedures and fining
2. Article VI in regards to Covenant Enforcement and fining
3. By-laws in regards to Section 6.10 regarding fines for covenant violations

Upon this review, Michele Pennington motioned that the sections of the Declarations be reviewed by the attorney for clarification, a committee be formed to suggest to the Board guidelines for the ARC and the covenant compliance drives based upon the attorney's clarification and once agreed upon by the Board, be forward to the attorney for approval to ensure they are following Documents of the Association as well as in accordance to the Florida State statutes. Lynn Hudson seconded the motion. Michelle Robins abstained from the vote. Stacey Gammella voted nay. Bernie Fischer, Avreda Dawkins, Leigh Pannell, Rebecca Grant, Chuck Cihal voted in favor of the motion.

- ii. Bernie motioned after review of the previous motion (on the July 18th meeting) regarding Compliance and ARC that the items ii. And iii. be dropped, noting that the letter to the attorney were not fines but demands for enforcement:

"A discussion was had regarding the compliance procedures and the inclusion of the ARC in the procedures.

- iii. Letters to read 30 days to comply.
- ~~iv. The 14 day drive would be to NOTE the accounts and no letters would be sent until the third drive.~~
- ~~v. The ARC would reach out to those on the Compliance report and report all conversations and notes to SCPM to be documented.~~
- vi. The ashwoodlakes1@gmail.com would be added to the letters for follow up which would be forwarded to SCPM.
- vii. After the 30 days, the Board would review and decide if the issue is to be sent to the attorney.
- viii. Michele Pennington motioned to approve the procedure and Stacey Gammella seconded the motion. All were in favor.

- c. ARC Chair – Rebecca Grant, Sharon Hill and Michelle Robins volunteered to be the ARC chair. Bernie motioned for Rebecca Grant to be the chair of the ARC. Lynn Hudson seconded the motion. Michelle Robins and Rebecca Grant abstained from the vote. All were in favor.

- K. Owners were offered time to speak. No motions were made with regards to comments from the owners.
- L. Michele Pennington motioned to adjourn the meeting at 8:41 PM and Bernie Fischer seconded the motion.

Revisions to the August 15, 2016 Board of Directors Meeting per September 17, 2016 Board of Directors Meeting:

1. Corrected spelling of names; Michele Pennington, Arvedra Dawkins, Michelle Robins, Stacey Gammella, Leigh Pannell
2. Michelle Robins requested a revision be placed in the August 15, 2016 minutes stating that the Secretary and Treasurer are legally responsible for their positions on the Board.

It was further clarified that all Board members have a fiduciary duty to act solely in the best interest of Ashwood Lakes Homeowners Association, Inc.

It was acknowledged that Space Coast Property Management, as a contracted representative of Ashwood Lakes, will be responsible for meeting minutes, financial accounting, and other Association duties under supervision and review by the Ashwood Lakes Board of Directors.