

Estates of Tanglewood Lakes Homeowner's Association Board of Directors Meeting
June 16, 2008

The scheduled Board of Directors meeting was held Monday, June 16, 2008. Members present were Dave Weber, Jose Ockerman, John Napoli, Audrey Carballo, and Nelly Gordillo of MMI. Members absent were Harry Stevens, Carol Gonsalves.

- I. **Call to Order:** Meeting was called to order at 7:17pm by Dave Weber.
- II. **Minutes:** Dave asked if anyone had any questions about the minutes. Jose made a motion to approve the minutes as written. John seconded. Motion carried.
- III. **Treasurer's Report:** Harry was not present for the meeting. He left checks which required signatures. He also inquired as to the status of the Activity Report and Nelly said she sent it. Harry forwarded his financial report to the Board via e-mail. Areas to report include:
 - Checking contains \$ 20,071.30
 - Reserve contains \$ 114,685.77
 - Amount of money owed to the Association continues to grow- this may/will have an impact on next year's budget and possibly affect this year's budget as well.
 - There is a change to the income area of the statement. MMI was asked to break out assessment interest income from bank (checking account) interest income.
 - A Reserve interest income line has been added in preparation for any new system the BOD decides to implement next year.
 - The General ledger code for Insurance has changed from 1140 to 5030 to match MMI's new codes.
 - Letter to the bank to add 5K to the next CD coming up for renewal.

Harry sent a written recommendation to the BOD on Interest & Collection Procedures:

I recommend we institute an 18% interest rate for the outstanding balance of the account per month. The following formula: (Outstanding Balance multiplied by 18 percent) divided by 12. For example, if the monthly balance was 100 on the 10th, then on the 11th the new balance is 100 plus late fee (10) plus interest [(110 X .18)/12 = 1.65]. 111.65 is the new balance that the homeowner owes.

I also recommend that we adopt the following procedures:

1. If payment is not received by COB on the 10th the late charge is added to the account and interest start accruing on the outstanding balance, unless the 10th occurs on a Sat/Sun then the late charge should start COB the following Monday if payment is not received.
2. On the 15th of the month send a certified non-return receipt letter notifying the property owner that the account is delinquent and has been charged a late fee and interest is accruing at 18% per month.
3. On the 30th of the month if the account if not paid in full (assessment, late fee and interest) then the homeowner will be notified by registered return-receipt that in 45 days, unless payment is made in full, your account will be sent to the associations attorneys for collection and a lien will be placed against the property. The letter needs to explain what the amount of the typical attorney's fee is so that the homeowner will know that it doubles what they owe.
4. On day 45 send a copy of all paper work to lawyers to send a demand letter and place a lien on the property.
5. The late fees are never backed out. This helps us cover the cost of the paper work necessary.
6. Interest is the only negotiable item available to the manager, with approval of the board, and lawyers.
7. Follow procedures as outlined in 720.3085(1)(b) in application of payments.

8. Foreclose on property after one year delinquency.

IV. Fines Committee Report:

The Fines Committee met and 5 homeowners were cited to the June Hearing:

1. Lot # 29: Painted house before the Hearing
2. Lot # 28: Oil stains in the driveway. An ARC form was turned in.
3. Lot # 75: States their roof was cleaned. Committee asked for proof in the form of a cleaning bill or invoice for the work done.
4. Lot # 15: Roof still needs cleaning. They have 10 days to comply before further action is remanded.
5. Lot # 80: Driveway was painted with approved color but never submitted an ARC form

6. Architectural Committee Report:

The Chairperson reported they have not met as of the date of this meeting.

VI. Old Business:

- a. Appointment of New Board and/or Committee Member- Jose motioned for Darrin Atinsky (Lot1) to be appointed to the Fines Committee. Jose seconded. Motion passed. Linda will contact him shortly.
- b. Collections procedure - This agenda item was tabled until the next meeting.
- c. Status of Accounts in Legal -
 - Lot 17 - Foreclosure - sale date is set for June 20th
 - Lot 79 - Still have not received money. 45 day letter send for delinquent payments. Dave inquired as to the fines for that property. Nelly stated she sent the violation letter on March 5th for lawn, trimming trees & shrubs & rust stains on the house. They received the 15 day letter on April 4th. Their response was, "They were working on it." Dave suggested MMI take a comprehensive look at Lot 79, note all violations & carry out procedures with violation letters as documentation.
 - Lot 90 - We haven't received the monies owed for the second installment of the financial agreement. The attorney will go after homeowners who violated the financial agreement and take the necessary steps. There is a file in process for settlement agreement default.
- d. Seal Coating - Incident Letter sent from Attorneys to 4 Homeowners. Dave was disappointed the homeowners weren't contacted before they received the letter from the attorneys. Jose stated that due process wasn't carried out- they had no opportunity for rebuttal. Discussion ensued. Jose recommended MMI pay for the damages and halt all further proceedings from the attorneys towards these 4 homeowners. Additionally, Jose suggested we divulge the Fines process to the homeowners. Furthermore, the next time we do any seal coat procedures, we hire BSO Police officers to man the entrance/exit gates. No one would be allowed in or out at all, with the exception of any Emergency vehicles.

Mark Stern (Lot 77) asked to speak at this time. He stated the schedules and timetables for the seal coating were changed (with short notice) from the original notices sent out. The changes were not sent to every homeowner, but posted at the entrance/exit gates. Mr. Stern said he had contractors scheduled to come to his home based on the original time table. Mr. Stern suggested any changes be communicated in a more effective way between the BOD, MMI and the homeowners. Dave suggested striping the streets now & finish the job. When it comes time to seal coat again, the BOD would sit down with attorneys, MMI and draft up processes & procedures for violations. In light of the absence of 2 Board members, Jose motioned that an e-mail vote take place amongst the BOD whether to recant the attorney's letter, absorb the costs of repairing the damage caused by the homeowners and more forward from here. ie., finish the project by completing the striping. John seconded the motion. Motion passed.
- e. Landscaping and Irrigation issues in common areas - Mr. Jarvis still has not submitted an invoice for the tree removal costs. He was told we need an itemized, detailed description of what work he did with the new sprinkler head. There was discussion as to Mr. Jarvis working as per his contract, completing the tasks in a timely manner and the incidents of leaving work materials lying on a homeowner's property. Dave volunteered to write a letter stating our dissatisfaction with Mr. Jarvis' services thus far.

f. Meeting with Hollybrook Association - See the attached notes taken by Harry Stevens:
Notes from Hollybrook meeting Friday May 30th, 2008

Hollybrook Representatives:

Ms. Labate – President of Association

Toni ??? – Representing legal counsel

Jim ??? – General Manager of Golf course

Estates of Tanglewood Lakes HOA Representatives:

David Weber – President

Jose Ockerman – Vice President

Harry Stevens – Treasurer

We met with the individuals at about 9:45 am at the Hollybrook offices. We stated why we wanted the meeting and they stated they were in receipt of a letter from MMI on behalf of the HOA with respect to golf ball damage.

Harry started off by thanking them for cutting down the pine trees after Hurricane Wilma. Later when Jose brought up that since they cut down the trees, golf balls have been hitting his place in greater frequency. Ms. Labate came back real quick and full force about not wanting to talk about the trees. She and Jim proceeded to continue to talk about the trees throughout the meeting.

Ms Labate stated she was surprised the balls were hitting our property. Jose mentioned about degree of angles and where we are located along the tenth fairway. Harry estimated that between Sonia (lot 70) and Harry (lot 72) is around the 175 to 225 yards from the tee box. The average drive range.

Toni gave us a brief history lesson about where the trees came from. They were originally a farm and the farm owner put the trees in place as wind breaks. There was some discussion about how Hollybrook spent \$300K to remove the trees. Ms. Labate mentioned that prior to Wilma, Arthor Jackson (Past President) met several times to discuss the removal of the trees. David stated that the discussion came back to the association about cost sharing to remove the trees, but was rejected by the Board.

Toni also stated that our previous attorney was an 'idiot' because he had not done his job correctly or thoroughly. He stated the lawyer made a demand request, but did not have all the information and did not send the request return-receipt-requested.

Harry stated that each golfer is responsible for the damage his/her ball causes; but if the home owner is not present they cannot catch the person who caused the damage and that the liability flows backward to the golf course. Toni stated that each golfer signs a waiver prior to play that holds the golf course not responsible for damage done by golfer. Harry thought until litigated in court, it was just a piece of paper.

They asked what we think should they should do. Jose mentioned a net; they said no. Toni stated he did not think the city would give them a permit. Jim later stated maybe some native trees could be installed in a couple of places that may help. Harry inquired about the cost. Jim stated that depends on the size and type of trees. They then asked us to think about some solutions.

Jose brought up about them having a fund to replace broken windows. Hollybrook did not refute this. Jose said he found this information out from a security guard when his window was broken. Jim then asked us to look outside to see the construction. Jim stated that they were installing impact windows in a couple of units because of golf ball damage.

Jose stated the name and the phone number of the person that broke the glass did not match. He suspects the person gave him a fake name and phone number. Toni requested Jose call him with the name, phone number, time and date of incident. Jose called Toni that afternoon with the information, but as of June 4th has not heard back from them.

The meeting lasted a little more than 45 minutes.

CONCLUSION: We need to send a cover letter thanking them for the meeting with some highlights and look forward to their written solution with a copy of the original package. Return-Receipt requested of course. As discussion ensued concerning the Hollybrook meeting, Mark Stern (Lot 77) stated he was one of the original homeowners here and when he moved in, there were SOME Australian pines on the Golf course side. First, there was a wooden fence. Second, some Australian Pines were added in addition to barbed wire fence and some additional trees. None were part of the original farm, dating between 1986-1990. This is referenced back to the fourth paragraph of the Hollybrook notes.

g. Gate house repairs - We need more bids for pegboard or something removable so the cables for the security cameras and other wiring are more easily accessible.

h. Party truck gate incident status - Nelly said she spoke with the woman in the office who claims the check is in the mail.

i. Lamp replacement in front of marquee - 2 more bids came in at almost the exact same price. Jose suggested the BOD vote on the bids via e-mail.

j. Hurricane Plan - Jose asked this item be tabled for the next meeting.

k. Progress/status of Association's website - Audrey has been working on the website and will send everyone the URL for it so they can look at it, make any additions, corrections or suggestions. Jose and Audrey spoke about securing a domain name for our website as it currently exists as a Personal Google Page. Discussion ensued as to what our domain name should be. The consensus was EOTLakes.com. Jose will find out information about 1&1 and GoDaddy as possible web hosting companies. Additionally, Audrey inquired as to the status of the Tanglewood Tales Newsletter. Audrey noted Claire has been sick for a while. There has not been a newsletter since February. Dave volunteered to write the May/June Tanglewood Tales.

l. Violations - Dave asked Nelly to stay on top of the violations. He also mentioned since we are in Hurricane season, coconuts and trees should be pruned so they don't become flying debris during a hurricane or significant wind event. It was pointed out that lawns need to be cut, edged and no debris should be put in the street.

VII. New Business:

Dave reiterated Fines should be watched closely. No other New Business was discussed.

Open Forum:

No business was discussed in the Open Forum.

IX. Adjournment:

Audrey motioned for adjournment. Jose seconded. Motion carried. With no further business to discuss, meeting was adjourned at 9:30 pm.

The next meeting date is scheduled for July 21, 2008 at 7:00 pm at the Florida Bible School.

Respectfully submitted,
Audrey Carballo, BOD Member
June 23, 2008