

PALM VILLAGE RANCH
Board of Directors meeting minutes
June 29, 2017

Fred Sterling called the meeting to order at 6:30 p.m. Those present were Bobbi Wilkins, Joe Cirillo, Fred Sterling, Rosalie Stinson, Ford Cook and Diane Timmons. Martha Bucholtz has an excused absence. BJ Bolling is filling in for her this summer.

Ford Cook moved to accept the minutes from the May 25, 2017 Board of Directors meeting. Rosalie Stinson seconded. Motion passed.

Treasurer's report:

BJ Bolling reported for Martha Bucholtz. The Emergency fund is \$10,000, the Reserve is \$214,211.81, Operating Checking is \$109,312.27, Petty Cash is \$100, and Social Checking is \$6,035.02, for a total of \$339,659.10.

In response to Ford Cook's request that this month we be given the specific amounts for certain budget reserves, BJ added:

Solar \$16,000; clubhouse \$4,502.29; clubhouse roof \$17,206; sprinklers \$8,934.52; pool \$4,285.96; and, road repair \$171,420. Total: \$222,348.77.

Ford Cook moved to accept the treasurer's report, seconded by Bobbi Wilkins. Motion passed.

President's Comments: We have a few problems we need to go over tonight but first we will follow the agenda under old business.

Old business

Bobbi Wilkins reported that we got responses back from several of the properties that were significantly behind on HOA fees. We had sent letters to the four lot owners stating that the HOA would consider a quitclaim deeding the property back to the association and drop the HOA fees. These are not recorded yet. The HOA will take back the two lots from Royal Professional Builders, and one lot owned by John Bell. We settled with Nix/Little (lot 76), as described in the May 25 board meeting. We are still waiting to hear back from Gullo, lots 84/85.

Ford Cook reported on a development in the Tony and Shirley Adkins, lots 66 and 67, incidents after which they were trespassed from the HOA common areas and board members personal properties at an April 13, 2017 meeting. We received a letter with their July 1 dues payment. Adkins explained they had deducted \$122 from the payment for each lot's HOA fee. They feel since they have been banned from the use of the clubhouse, pool, etc., they could deduct \$244 from the HOA fees billed. They explained that until they are reinstated, they feel \$500 for the lots for six months in enough.

Ford Cook stated that we have the check but have not deposited it. Members of the board consulted the HOA attorney in this matter. The attorney assured them we are owed the full amount. The attorney suggested we also bill them the amount for the consultation with the attorney, \$118. Ford

has prepared a response to the Adkins for the board's approval. The response explains we are returning the check the Adkins sent, that the fees are fixed at \$744, not the \$500 they sent. When they signed for the application to reside in Palm Village Ranch and took title, they were by law required to pay the fees assessed by the HOA invoiced without deviation. That failing to pay the invoice fees in full according to the district court ruling of *Abbey Park Homeowners Association v. Bowen*, 508 So. 2d 554 (Fla. 4th DCA 1987), leaves Palm Village Ranch HOA no recourse but to start the collection process against the property, including legal action, lien process, and billing them for court and attorney's fees. They have 15 days to remit full payment or we will initiate the legal collection process. That we have diligently tried to work with them, but that homeowners do not set payment rules within our association. A new invoice will be included that adds attorney fees.

The ruling from the attorney is that according to the court ruling cited above, we can initiate the collection process immediately. Their official address is the PVR one, so that is the address we will send this to via regular mail.

Rosalie Stinson asked the question, what about the date. They have 15 days from what date? It was suggested that we specify the date in the letter. Joe Cirillo suggests we stipulate 15 days from July 1. Rosalie also asked if the 15 days is a legal number. Ford Cook responds that in effect, we are giving them an additional 15 days to pay the invoice.

Sandy Landis from the audience asked if the trespass notice has an ending date. Ford Cook responds there is no ending date. They can go to and from their property only, but they cannot use the HOA facilities or common areas permanently (which they hadn't used anyway). Upon sale of their home, the husband, wife and their son are banned for life. The trespass was done legally through the Okeechobee County Sheriff Office. Only we can lift it and it would need to be done through legal channels.

Fred Sterling called for a motion in the Adkins matter. Joe Cirillo moved to mail the Adkins a letter as it was read to the board, returning his check, and requesting they make payment in 15 days. Ford Cook seconded. Motion passed.

Diane Timmons reported on a development with the PVR web site, palmvillageranch.com. The question is do we need a blog on the web site? A blog is an internet web site device on one of our pages that allows people to post their opinion about any issue on the PVR site. It had attracted attention from people and entities that don't have any business posting to it. We did have some legitimate posts during the Adkins issues and the HOA had posted a thank you to someone who had left a very nice donation to the HOA, but mostly outsiders were using it to advertise prescription medications. Diane thinks people can get money for leaving advertising different places on the internet. And they found us. In addition, it was getting some international attention with a language I could not read. Example: Я иду к врачу (I go to the doctor) This is Russian.

So the question before the board is, if we do a couple other things for the purpose of communication with us, do we have your approval. We now have an email address that we do monitor. The address is palmvillageranch1200@gmail.com. We could provide that email address in several places on the web site.

BJ Bolling asked if there is a way to password the blog before they could post. Diane replied, we don't know how. Bobbi Wilkins moved that we get rid of the blog and place the email address on the web site where it can be found easily. If someone wants to get hold of us they can do it through the email. Diane Timmons seconded. Motion passed.

Regarding the noise complaint for music after hours from the Filipino grounds that are less than a mile south of us, Fred Sterling reports he sent an email to Brad Goodbread, one of the county commissioners, from which he has not seen a response yet. Ford Cook said he also sent an email to the county and he had his personal attorney send a letter of complaint to the Filipino group in Miami that owns the grounds. He also told the county before they hand out the next permit for a function there should be a noise control ordinance with it. From 1 p.m. to 1 a.m. we listened to a lot of bass noise from their gathering. Fred Sterling called the county and was informed the county does not have a noise ordinance. But they have passed some kind of noise ordinance as regards the Okeechobee Music Festival which gets a lot of discussion at the county meetings. We do have noise regulations in Palm Village Ranch. Several members reported they hadn't heard a thing. Some also said we get noise from both Silver Palms and from Lunkers. We hear the county sheriff went over there three times. And, it wasn't only us who complained. The community across the road from the Filipino complex called too.

Clubhouse roof damage and possible solutions

Ford Cook reported: We have significant damage to the roof on the clubhouse. We first noticed water damage to the ceiling tiles in the clubhouse. The solar panel system which was installed penetrated the roof with lag bolts and mounts which were not installed correctly. The installers missed the roof truss system and also cracked our roof trusses. This resulted in water seepage under the roof. We are now left with black mold and rotten boards. So, the roof from the peak to the bottom edge on the south side is destroyed wherever the solar system was.

Our neighbors to the north, Seminole Cove, installed a metal roof about six years ago on their clubhouse. Three months later they put the solar system back on the roof but it was installed poorly. The 40-year warranty on their metal roof is now void because the manufacturer said you cannot drill through a metal roof and expect them to warrant the product. There is a lesson there.

Ford Cook reports he drove to Stuart to visit the company that installed the PVR solar system in 2011. He showed them the photos of the damage and spoke of the faulty installation. They pulled out their files and it turns out their files showed they tried to come back to PVR on four different occasions at the request of the HOA, but they reported they were called off three times. The HOA subsequently called American Roofing and along with some members tried to fix the system. Ultimately the pool was shut down because of major leaks the members were unable to fix. The solar system company came out and said the HOA had voided the warranty, you cannot touch the system. In writing on the invoice, the company said they would no longer service or warrant the system. Now in 2017, the PVC on the roof has become very brittle, and along with other degradation, the system has met its time limit.

The HOA cannot put that solar system back up because it will void the warranty for any new roof we install. So we have a major decision to make tonight. If the HOA goes with a shingle, you only get

so many years on the guarantee. A metal roof has a 40-year warranty. We need to protect this investment.

If we scrap the solar system, we will need to go back to the LP pool-heating system which we use on cloudy days which works on its own. We can probably take up the slack with the new solar cover we have on the pool, which protects the temperature of the water and picks up solar to heat the pool. The old pump for the solar system will be saved to be used as a back up for the pool pump.

So let's get the damage repaired on the roof and the trusses, and do it right. Because hurricane codes have changed since this clubhouse was built, all boards need to be screwed and repaired according to the current codes. The remnants of the solar system and the old roof will all be hauled away by the roofing company we choose.

From the reserve figures reflected in the budget for the clubhouse roof and the solar system, it looks like we have just enough to repair the damage and replace the roof. We have three proposals from local roofing companies to do the work we have described, including repairing the water damage.

- Luviano Roofing at \$33,000
- Big Lake Roofing at \$33,200
- American Roofing at \$34,000

The subject of asking the membership for a one-time special assessment to meet this expense was raised. If we assessed per lot, at \$100 we would raise about \$24K. It was argued, it takes a long time to build those reserves back up. On the other hand, the roof will be warranted for 40 years, and the solar system is coming down. It was decided no special assessment will take place at this time unless we get a financial surprise when the new roof is installed.

After discussion, the board chose Big Lake Roofing who has been in business for over 25 years, and the painted Gulf Rib Metal Roof system warranted for 40 years. The wood used for repair is included in the bid, but painting of exterior wood needing to be replaced is not included in this agreement. The gutters are not affected by this scope of work.

Rosalie Stinson asked how long the work would take. We are in hurricane season and don't want exposure for longer than necessary. The estimate is 5-7 days to do the repair and install the roof.

Bobbi Wilkins moved that the board accept the 40-year metal roof bid offered by Big Lake Roofing for \$33,200, and that we begin the process immediately. If we need an assessment we will do it later to be determined. Joe Cirillo seconded the motion. Motion passed.

Roads

Joe Cirillo reports on the roads. He has been getting complaints on holes in the roads from people out in the community. They need to be fixed right away by doing what we can with what we have. Joe recommends that we need to get the prices on sealing the blacktop. Ford suggests getting the prices, but not scheduling the work until next year when we get the new roof out of the way. Also, there is a flurry of building going on right now and in the next few months. The construction equipment will tear up any new sealing we put down. We last did sealing in about 2014. When we

do whole new blacktop, the base will need to be taken down a few inches. Joe and Ford will patch the worst spots now.

Committee Reports

Social committee: B.J. Bolling

- Tuesday, July 4: Fourth of July picnic, clubhouse provides the brats and burgers.
- Friday, July 7: GEO (Girls Eating Out) will go to Brown Cow this month. Be at the clubhouse at 12:30 p.m. if you want to carpool. Lunch is at 1 p.m.
- Tuesday, July 11: Ladies Tea is at 1 p.m. The social committee will do the planning for the following month after the luncheon. Hosted by Perky and Mary F.
- Saturday, July 15: Mexican pile on. B.J. Bolling is hosting.
- Thursday, July 27: Board of Directors meeting at 6:30 p.m. All encouraged to attend
- Cards: there are afternoon and evening games, euchre and poker. The calendar is on Palmvillageranch.com on the home page.
- The neighborhood yard sales are scheduled for November and February. The November yard sale is subject to interest from the membership. Tell B.J. if you want a yard sale in November.

Compliance: Rosalie Stinson reports she and Marilyn Yoder went out in the last few days and there were only three lights out. One of the three lights belongs to the HOA. She sent out eight letters.

Homeowners are responsible for only the light in their front yards beside the driveway. The HOA is responsible for the lights in the side yards on 44th and the front entrance and around the clubhouse.

ARB: We had no ARBs this past month

Membership: Bobbi Wilkins reports that three lots were purchased in PVR today. Four houses are in the process of being built right now. Two more lots are scheduled to be sold in July. Stephen and Arlene Lucarelli are purchasing the Glen Mounce house, at 4280 SW 9th Way. Mike and Ann Barton are purchasing lots 40, 41 and 42 on 44th Blvd. next to Lee and Wendy Woodman. Sam and Diana Vuleta are purchasing lots 128 and 129 on 10th Way.

Ford Cook has been asked by three people if we are ever going to put in a dog park. The answer was an overwhelming NO. Discussion resulted in a lot of reasons not to do this.

Website: Rhonda Smits wants to be taken off responsibility for the web site. Diane Timmons is going to remove the blog and the request for information. They will have an email to send to that is monitored. Diane suggests rebuilding the web site using a simpler interface in the future.

Sunshine committee: Four get well cards and one sympathy were sent out.

Clubhouse and common areas

Clubhouse: Joe Cirillo reports he sprayed the streets for weeds and the canal behind the clubhouse on June 28. Ford Cook on June 29, sprayed the Widden canal because weeds were blocking the weir. The flapper would not open because of weed growth. The county is coming through to clean the Widden canal with a back hoe.

Joe Cirillo on the front entrance: The pavers are installed. Everyone agrees it looks good. The trees have been cut down at the front entrance. Charlies will come soon to take the stumps down and put some grass there. The pump for lawn irrigation has been turned back on.

Pool report: Abner Stoltzfus reports the deck has been patched and painted.

New business

Fred Sterling says the contract for the lawn service for the neighborhood is up for renewal in October 2017. Requests for bids should go out in July. Bobbi Wilkins has created a proposal document which details exactly what we are looking for from a lawn service on a per-month and per-year basis. We need to make sure certain areas in the community are listed in the new mowing contract. These need to be listed in detail on the request for proposal. For example, they are not mowing around the pond, on the Whidden ditch they don't get far enough, they are damaging skirting on houses. We cannot accept inferior service such as we have now. Ford Cook proposes we plan to bring the services that bid on our job in to a board meeting and have them explain exactly what they are going to do for us. And, we will explain exactly what we expect from them. We need to ask if they are willing to do the mowing across the ditch that actually belongs to Ousley Estates (north ditch to the water line). Ousley never mows that area.

Ford Cook and Joe Cirillo are proposing a written customer complaint/suggestion form and have created a sample. People tend to stop board members in the community and verbally complain, but then there is nothing in writing. People from the audience say we already have a box for input located in the back of the clubhouse which goes unused. The new form asks for name and contact information and details about the complaint or suggestion. The form states at the top, "verbal complaints to board members or the Palm Village Ranch HOA will no longer be accepted." The declaration at the bottom of the form formalizes the complaint and declares the complaint true and may require documentation. The homeowner(s) sign the form. We can review these complaints at the board meeting. Joe Cirillo adds that any complaints about the lawn service should be put on this form. Tom gets stopped repeatedly when he is here and it takes up his time. Fred Sterling says the form is the only way we can keep of record of complaints and their resolution. The form also gives us a mechanism to alert all board members to the complaint.

For example, it was called to our attention that one of the urinals had not been flushed and smelled bad. The lawn service guys use the clubhouse bathrooms. We can make the clubhouse bathrooms off limits to the lawn service guys. There are even signs up to remind people to flush. Abner remarked that when the pool is being serviced or filled and the water is running, the urinals will not flush. The pool hose takes up all the water pressure. That brought up another concern.

Ford Cook asked where are we getting the water to fill the pool? Abner does not know where it comes from. Ford asks are we paying sewage fees on filling the pool? He will look into it and call OUA. Paying a sewer fee on pool fill is not right. We should have a separate meter.

Fred asked for a motion to accept the complaint form. Bobbie moved to accept the complaint form. Rosalie Stinson seconded. Motion passed.

Rhonda Smits from the audience asked the board to notice she has been refreshing the valances over the windows. She has taken the material off and plans to paint the valance white. She will take the expense from the social budget.

An audience member asks if the lawn service is going to cut the weeds down from around the lake? Answer, yes. Fred Sterling responded that he knows three good lawn service companies that we need to send requests for proposal. Kings Bay left Charlies for two years, suffered with another service, and then took Charlies back.

At 8:10 p.m. Ford Cook moved to adjourn the meeting. It was seconded by Bobbi Wilkins. Motion passed.

_____ Submitted by Diane Timmons, Secretary

_____ Approved: