

PALM VILLAGE RANCH HOMEOWNERS ASSOCIATION  
BOARD OF DIRECTORS MEETING  
THURSDAY, SEPTEMBER 25, 2014

President Sandy Landis called the meeting to order at approximately 6:29 p.m. The roll was taken by Walter Bell. The following members were present: Fred Sterling, Sandy Landis, Carl Fritz, and Dave Berglund (by phone). Bobbi Wilkins and Susan Solloway were absent.

President Sandy Landis asked for a motion to dispense with the reading and approval of the August 28, 2014, minutes as written. Motion was made by Fred Sterling and seconded by Walter Bell. Motion passed by unanimous vote.

Treasurer's Report: Sandy Landis said that there were copies on the table for anyone who would like a copy. She reported that we have in the Operating Checking Account \$42,014.71, the Social Checking Account is \$6,779.33, the Money Market Account is \$182,343.41, the Reserve Business Account is \$197,985.62, Asset Reserves Account (which is the 3 lots owned by the Association) is \$48,500.00. Total Assets are \$261,687.00.

President's Comments: Sandy was asked at the last meeting how the value of the assets were assigned. In December 2012, B.J. and Jerry Bolling were going to purchase lots 120 and 121. They decided against purchasing them so the owner gave them to the Association. In that meeting the Board decided that there would be a proposed asking price of \$8,900.00 per lot. It is not known how it ended up being \$10,000.00 per lot. It was probably for wiggle room. As for lot 251, that was part of a settlement with the Association and the developer Leo Blair. Included in the settlement was \$50,000.00 cash, title to lot 251; and they forgave the outstanding mortgage on lot 22. The value of this lot was probably established according to what lots were selling for at that time – which is only a guess on Sandy's part.

Old Business: We were asked to put back on the agenda to discuss again the removal of the cattails. There have been questions as to why we are not going ahead with this, since it was the understanding that this had been approved. Sandy asked if anyone had any comments or questions as to why we decided to wait? Walter asked why did we not send letters to everybody? Sandy told him that we sent letters according to the motion. That it would be approved with the stipulation that the majority of the owners on the pond would vote to have the cattails removed. The letters were sent to the ones on the pond per the motion as they would be the ones impacted the most. This is a maintenance issue for the Association, same as it would be for the shuffleboard courts and the swimming pool. Walter wanted to take the cattails out of all sides instead of just the three sides. There were people that did not like the idea of them all being taken out. Our rules state that we can only take out 80%, if we leave the north shore that would be the 20% that needs to be left. Dave Berglund still wants to wait until the October board meeting when we are all face to face to discuss this. He still has some issues and questions. Fred stated that this had been approved and the letter that went out stated that if we got approval of the majority of the owners on the pond, then the cattails would be taken out. Dave Berglund said that this is not the way he understood it. Sandy told him that the way it was understood the night of the meeting was it would cost \$3,000.00 to remove the cattails and that we would do that with the stipulation that the majority of the owners on the pond itself voted to have them removed. That is what the letter to the owners stated. Dave Berglund and Carl want to wait another month as this is not an emergency situation.

Mike Childs stated that there was a lot of time spent researching this retention pond as it was built to retain dirty storm waters, and he agrees with cleaning it up. But, he stated that we need to clean up the swamp back of the homes on 44<sup>th</sup> Boulevard. Sandy told him that we have been thinking about that; and in fact, Ed Cassetty is back and he has a solution that he thinks will take care of the ditch. It is a type of herbicide that will kill the vegetation in the ditch and take care of that growth. This matter is now being addressed. Mike thinks that this should be a priority before the cattails, as this is Association property which must be maintained. The large amount of rain that we have had caused the mess in the ditch. Mike thinks we need to check with Mr. Pearce to see what he wants to do, as he may want to dig a pond to retain his water. If he plans on hooking into our ditch, he can have water and that would keep our ditch dry. Sandy let Mike know that we have been giving a lot of consideration to cleaning up the ditch. With Ed just returning recently, he has volunteered his expertise. He thinks it can be done in a couple of days with a few guys willing to help. So, with his expertise we can go forward and get this problem solved. Sandy said until the water table goes down the ditch wouldn't dry out. Carl disputed what she said, saying that it has nothing to do with the water table. Fred agreed with Sandy about the water table. Carl stated that this is a dry ditch, and it is supposed to be dry. He said that we do not have a good understanding as to how this system is supposed to work. Carl said that we are supposed to keep water in the retention pond to a certain level; and at that time, it is supposed to overflow into this ditch. Fred interrupted Carl trying to explain his understanding of the system. Carl told him that he was talking. Sandy asked them to keep it civil. Carl agreed to keep it civil. He stated that this has been going on for nine years and he said he personally is tired of it. Something is going to have to be done about it and will have to happen soon, as we have a mess back there. We have mosquitoes, frogs, stink; and he thinks we have alligators as well. Jerry Bolling stated what we also have the same in the pond. Carl stated that he did not care as the pond is going to entice alligators. Someone asked where the water was supposed to go. Carl again said this is a dry ditch and there isn't supposed to be any water in the ditch. Carl again stated that we need to understand how this system is supposed to work.

Sandy said the representative that came out from South Florida Water Management explained it all. Carl interrupted her and stated that she told us exactly what she was told to tell us. Sandy questioned Carl as to what he was saying. He said that we are very negligent. Sandy asked him what was he saying about her testimony that night. He said that he thought she was set-up. Sandy asked Carl by whom and how he knew this and did he have any facts. He denied having facts. He asked why she came here that night? Sandy said she came to explain to us how the water table worked; and why even if we asked for a permit to modify our system, we would probably be turned down because of the way that everything is set up for the flood control. SFWMD explained all that three and a half years ago and it was a done deal. Carl told Sandy that this problem is not going away. Sandy told him that there is nothing that can be done when it is the water table. Carl stated that what we need to do is get South Florida Water Management in here and negotiate an inspection. Sandy told him that he must realize what would happen with that inspection. All he wants to do is compare it to the last inspection. Carl said that it is not in conformance. Sandy asked him if he realizes what South Florida Water Management said that night. If there was an inspection and she saw the docks and seawalls, that fines would be issued for each of them per day. Carl said he did not believe that to be true. Fred asked him if he would like Gary Priest to come up.

Carl said he has read the letter that Don gave him from Gary Priest. When Carl came to tonight's meeting he was not going to say a word, but this is getting ridiculous. Sandy said that she totally agreed. Don said that we have a little issue with some water drainage and he had South Florida's Gary Priest come out. Carl interrupted Don and said that he knew Gary as he and Marty Schy spent a whole day

with him. Sandy told Carl that Don had the floor. Don asked Gary to look over the whole system that we have, which he did and he made the comment again that everything depends on the water table. That we can block off this pond all we want, but water is going to stay in the ditch. He also looked up and down the ditch and saw that there was water in there and that was what he expected to find. He also expected water to be in our sewer drains due to the level of the water table. The only comment he made was that we need to get the weeds out, and we have been working on that. Don did not believe that the lady from South Florida was paid off, or she was convinced and intimidated enough that she was told to lie to us about it. She explained it and it made sense. Gary Priest explained it all over again. Don did not bribe him or lead him on, he just ask him a question. We can do it again, but in addition to that, let's say that South Florida is wrong. About the water table. Don has done some other research, he does not think doing anything to the pond or inlet is a solution. However, he has looked into some gate valves that would be put on the south side, that would keep the water in the pond and the water out of the ditch. Does the Association want to pay to install the valves to prove that Carl is right or wrong, or that South Florida is right or wrong? Don believes that the valves are going to cost three to four thousand dollars to put in. If we want to do this, we would have to go to South Florida and work out an arrangement. They would probably be reasonable enough to say from time to time you could close that valve and stop the water to dry out the ditch, if indeed that would work which they have told him that it would not. But, everything he has seen and heard, tells him we are not going to get water out of the ditch no matter what is done until the pond goes down below the tube, which is also going to be the bottom of this ditch. Carl asked where the water table is coming from. Don told him it was coming from everywhere. Carl asked Don why Lake Okeechobee is at fifteen feet and we are down here at twelve and half. Don asked Carl if he had measured it. Carl said he was only guessing that it was at twelve and half when it is supposed to be a fourteen and a half or thirteen and a half. Don told him that he could go out in the field here and dig down, and soon that hole is going to fill up with water to the level of the ditch here. Carl said that no one is disputing that, and with what the lady explained the day she was here, that he has no problem with that. The things that she forgot to mention was that this thing does not happen immediately, but takes years for this water to fluctuate and go down. Carl stated that ten years ago when he moved here there was no water in the ditch, and the pond was at least eighteen inches deeper than it is right now and there were no problems. Carl did not want to go into what happened, but for some reason, the pipe is below where it is supposed to be. When Carl and Walter went over there and looked at the pipe, the water was actually running in from the road, he says that this is not a discharge pipe, it's an inlet.

Walter asked if the level of the pipe and the inlet have been checked, which Sandy said that they had been. Don said they are not supposed to be the same, but they are. The pipe is actually supposed to be about seven inches higher in the pond than the one in the ditch. Don said, if you would go out and look at the water levels, assuming that this is all one level, they are all the same. Walter said that they are not all the same, as they are not the same as in the Whidden ditch, which if the water table is the same, and the water moves up and down they should all be the same. Fred stated that the Whidden ditch has been closed off. Walter said that there was water running through it two days ago. Carl stated that Sandy said if the water level was raised another eighteen inches that the water would be lapping at her back door. Carl said that was not true. He said when they were over there looking at the water level that it was within two inches of being exactly where it is supposed to be, based on what they looked at and what it had been before. He stated that he knows exactly what happened; but if we were to raise that water level and keep it the way it was this past weekend. . . .Carl told Jerry Bolling that he was talking, and asked Jerry "what is this" (a non-verbal hand gesture was made by both) which Jerry said it was whatever he wanted to take it as. Carl asked him if it was his IQ. Sandy asked that they keep it civil. Carl stated that he was getting frustrated and that nobody wants to give. We are making a good

argument here about the way the pond should be. We have a serious problem here and we all know why.

Dave Berglund interrupted stating that it sounds like we have several serious issues going on and asked if we could put the cattails off until next meeting? Sandy said that yes, we have gone way past the cattails issue. Dave Berglund said he would be willing to help facilitate a committee to work on these two issues (pond and ditch), get the right people together, work something out; and bring it to the Board when they come up with a solution. He asked if this would be something they would be interested in doing? Sandy said yes, and what we were going to propose tonight was to get the Board to approve having Ed get the weeds out of the ditch. Now, as far as the other is concerned if the Board wants, she will call Gary Priest or someone, and have them come out and make a presentation that will answer everyone's questions again, and maybe we can finally close this out. What she would like to do is put a motion in front of the Board to have Ed work on killing the weeds in the South ditch. Sandy asked for a motion to have this done. Walter Bell made a motion and Fred seconded the motion. Sandy asked if there was any discussion in regard to the weeds in the South ditch. Carl said he would like to ask Ed a question. He said he had no problem with getting rid of the weeds, as long as that is what we do. Carl said that all we are going to do is kill them and then leave them lay there, which is no different than what we have now except that they are not going to be green. Ed said that they will just die down and that will build up more muck in the bottom. There isn't enough water flow there, that when you kill the stuff that it will wash down. Another concern that Carl has is if we keep adding muck to this ditch, that the design of the ditch is going to change. He said that the depth of the ditch is specific, that it is on the drawings; and that if we change that it will alter the overall design of the system. Ed agreed that this was true and said that even when Charlie's goes in there with their weed eaters they do not rake it out. This is going to be a constant thing for the future. Walter said that then sometime in the future we may need to dredge, which Ed agreed. Dave Berglund asked a question about the ditch. Last spring the county came in and maintained the ditch to the east side of the village, is that something that needs to be done to our ditch? Sandy told him that we could not dredge, according to South Florida Water and the county only does the Whidden ditch, the do not do the South ditch as we are responsible. Dave Berglund said that he understood that we are responsible for it, but could he same type of work be done is what he was asking. Sandy told him that we can't dirty the water and we can't dredge. There are very few options. She said she could call South Florida and see if they can give us guidance as to how we could do this. If we can find a reasonable way to handle this without causing us more issues, we will present it to the full Board.

Dave Lucas said that he used to do this kind of work for several years, which he feels he knows halfway about what he is talking about. He said for several years he would keep his part mowed. He agreed with Don that the level of the lake is the level of the ditch. It is not a catch all or a catch basin; it actually retains the water. If you would restrict the water flow from the pond for a week, the ditch will dry out. He said if we could not get together on some kind of a spillway, he is in total favor of the gate valve. Sandy told him that is a different issue right now that we need to deal with the motion on the floor.

Dave Lucas said if you go behind his house, it's beautiful. He keeps it mowed with his weed eater, all the weeds are gone even on the bottom. He has sprayed with Roundup and it kills them. The only thing he has had to do when the water was deep was put on some boots. Once it is gotten rid of and kept clean the problem would go away and we would not have to worry about it building up. Dave Lucas thinks we are trying to fix it by thinking about it wrong. It is real simple if we just deprive the water from going into the ditch, that would make the ditch literally dry up. Fred said that when they put the elbow there,

South Florida Water Management said to take it out. Dave Lucas said that they did not, the only problem they said was that it could cause a vortex.

Sandy said that we had to get back to the motion that was on the floor. She asked if anyone wanted to modify it in any way or leave it the way it was? Motion passed with Dave Berglund opposing. Sandy asked Ed to get a crew together. Dave Lucas said there was a problem and that the people on the ditch have as much priority as those who live on the pond. He thinks that we need to fix both problems at the same time. Sandy thanked him for his comments. Jerry Bolling made a comment that when we get rain every day, and we get excess amounts, the pond gets up within one foot of going over his seawall. When the wind blows twenty to thirty miles per hour, it will splash up to the edge of the seawall. When it does not rain for a few days, it takes a couple of weeks for it to go back down to its normal level. So we have got to consider how long it is going to take to go down and how high it's going to go. Otherwise, someone is going to be paying for some property damage. Walter asked where the level was now? Jerry told him to come over and see the water marks where it has been and where it is now on the seawall. Sandy said that at one point it was at the bottom of the docks.

Social Committee: Rhonda gave the report in Bobbi's absence.

- Friday, October 3 – GEO at Kahootz. Meet at the clubhouse y 12:30 p.m. or Kahootz by 1:00 p.m.
- Wednesday, October 8 – 1:00 p.m. starting crafts. We'll be making cupcakes for the fashion show. This year's theme is "cupcakes".
- Friday, October 17 – Mexican Pile On. Cost of \$7.50 per person. Money needs to be to B.J. by October 13 so she has money to work with and know how many will be attending.
- Thursday, October 30 – Board of Directors meeting at 6:30 p.m.
- Saturday, November 8 – Yard sale with a preview the previous day.

Compliance Committee: Tom Wilkins/Jerry Bolling. More than 20 notices were issued. Some have already been addressed. Door hangers were left on the doors of those who are here. Those who were not here got mailed notices.

ARB Committee: Walter Bell – Nothing to report. Carl said that Bomersbach's addition was completed. Brenenstuhl's (who bought Floyd Levens home) have rebuilt the stairs and are doing a lot of work on the inside.

Membership: Sandy said the only thing she was aware of was that Susie Solloway's home sold and was supposed to close sometime this month.

Website: Rhonda Smits – Nothing to report.

Clubhouse: Don Landis – Nothing to report.

Pond and Sprinklers: Don Landis – Nothing to report.

Front Entrance: Don Landis – Nothing to report.

Pool: Nothing to report.

Don has a suggestion for Walter. He has drawings and elevations and will be glad to give him copies which shows the v-notch on the weir at 14.5. If he was to go down and measure where the water line is at the v-notch, that would give him an elevation of the pond water. Walter agreed. If the water was at the level of 14.5, wouldn't the pond level be the same? That should be a reference point for you. You could go and look at all these pipes and see where they are. So, if you would want to find out if that pond pipe has been lowered eighteen inches, as some people has happened, you can go and prove that they are full of it. Walter said he was down looking at the v-notch two days ago, there was very little water running through there, probably about sixty gallons a minute, roughly. Carl said that it was a foot over the v-notch. Don referred to Carl's statement that it would take years for the water table to stabilize. But, Dave Lucas just said it would be a week or so. Don wondered who was correct. Carl said if you stopped the water from going into the ditch, the ditch would dry up in about a week. Don said that Mike had a good idea of a temporary cap on it. Don said he was not opposed to a viable solution, one that is based on facts.

Carl said he would like to propose that we have the hardware to do it, and just do it and see if this problem goes away. Don said that we have been told not to do this. Carl said that we have not been told this. Carl said that what Don read in the letter is subject to interpretation, which said that Gary Priest would not give his approval, that is all that it said. Sandy said that this means that we cannot do it. Carl argued that this is not what it means. Sandy again told Carl that it states that we cannot do it and we are under their control. Again Carl argued that the letter said he was not going to give his stamp of approval, that he is not going to say yes or no. The letter said we had to remove the ninety. Carl said the reason to remove the ninety was because the Board at the time said to take it out. Carl said that he and Marty had the fellow down here from South Florida Water Management.

Carl again said that he would like to propose that we go ahead and do this. Sandy asked if she could make a suggestion. She could set up a meeting next month for someone from South Florida to come out and explain what we can and cannot do, which would be open to anyone who wanted to listen, this could be done at the regular Board meeting. If we wanted to change the level of the retention pond, what that would entail. They told us three and a half years ago, they would not give us a permit for it. If they came out and saw the docks and seawalls that we were not supposed to put in that they would fine them. She will have them come out and talk to us and give us some guidance. Carl said if what she says is true, that Bob Bellaire just put up a dock and he went and got a permit. He went down to South Florida Water Management and told them exactly what he was doing and they did not have a problem with it. Sandy said that there was a letter to us saying no more seawalls or docks could be installed. Carl said he would like to see that letter. Sandy told him she would find the letter for him. Walter questioned how Bob was able to get a permit. Sandy said she did not know how he did it, but he got one. Sandy questioned if she should have South Florida Water Management come out or not. Carl did not think we should have him come and be part of a Board meeting. If we wanted to do something like that, the whole Board needs to be involved, and we need to have a whole group of residents. Carl said doing it here in an open forum, nothing is going to get done. That we need to sit down and talk about this thing with all the facts and make a decision, that this is what he is proposing to do. Sandy asked Dave Berglund if he is still willing to be on the committee to look into the issues with the retention pond and the ditch. Dave Berglund said he was willing. Dave Berglund will be back the middle of October. Sandy said she would set up something and get people together. Maybe Dave Berglund can talk to some individuals to see whom he would like to sit in as well. As a suggestion Dave Berglund asked if we could take them out and show them what we have, with the ditch and retention pond? Carl inserted that they were very cooperative. Sandy said that they would do that, but you have to keep in mind what the representative from South Florida told us three and a half years ago. If she saw the docks and

seawalls, she would have to issue fines. Carl told Sandy that these people have seen these seawalls and docks when they have been in and out of here for years. Sandy asked Carl if he wanted to take the responsibility if someone gets a fine? Carl said they would tell us whether or not they are going to get a fine. Which Sandy replied that would be after the fact. Sandy told Dave Berglund that we would set something up and would talk with him in the meantime.

Dave Lucas said that the lady from SFWMD, when she came here, explained certain things, and he did not agree with a lot of it. He believes that Carl and Don are really close to getting something done. He said he talked to the guy from South Florida Water and got in his face and told him that what he is telling us is a bunch of "B.S." The guy said he knew where we were coming from and they are not here to make enemies. They want to get along with everybody. They know this is a retention pond, as long as we don't raise the water level and put water over on our neighbor, they are going to leave it alone. He said if it gets down too low, it could make a mess for you and unpleasant for you, but for them to come in here and say that we are violating any of their codes for the retention pond are only so that the water won't back up. Dave Lucas said we have one simple thing here, to go ahead and call the people and get them here. He said we should get a motion to put a gate valve in or put a cap on it temporarily, by the time the people get here the water may be gone. Sandy told him that we still need to find out what we can and cannot do. Dave Lucas said that we cannot just take this at face value like the guy told him, that they are not going to complain about it. That as long as we do not raise the level. Sandy told Dave Lucas that she is trying to keep us out of litigation or more problems with South Florida Water. Dave Lucas said that this is not going to flood. Sandy told him when it rained six inches one night it flooded everywhere. Dave Lucas called Sandy "honey" which she called him on. Sandy said that we have discussed this enough. B.J. questioned what Carl said about having another meeting with South Florida Water. B.J. said if we are going to have another meeting, it needs to be open to anyone who wants to come. She informed him that they are not idiots and that they can understand what is being said. Sandy told her that we would take this under advisement.

Sunshine/Welcome Committee: Mary Fritz – Get Well cards were sent to Rose Wermer, Maggie Colburn, and Barb Slafsky. Thinking of You cards were sent to Judy Plants, Pat Berglund, and Claire Foster.

New Business: Sandy asked if any of the Board members had any other new business that they wanted to bring up. Don brought up that the sign board in front of the clubhouse is deteriorating. He did some research and to replace it with a new board that is identical to the one we have is \$1,484 plus shipping and taxes. To replace the backing or the replacement felt would be about \$1,000 plus shipping and taxes. This is something to consider if we want to do this. Also KST Construction has given him a price to put a cover over the shuffleboard courts of \$17,811.

Adjourn: Fred Sterling made a motion to adjourn, and was seconded by Dave Berglund. Meeting was adjourned at approximately 7:20 p.m.

Minutes prepared by Bobbi Wilkins, Secretary

Approved on: \_\_\_\_\_