

Trailside HOA Special Board Meeting

02/08/23 6:00 PM Robert Morgade Public Library, Conf Rm 1, Stuart, FL

Call to Order 02/08/23 (Wed) at 6:00 PM

Moderator: Kerry Meier

Board Member Quorum Determined:

Present: Sharon Massaglia, Lorrie Gigele, Kerry Meier, Kyla Shay, Judy Schulte, and Josephine Freeman

Absent: MJ Duthie

HOA members present: Dean Freeman, Christine Hendler, Christopher Shuman, Diane Meier, Max Duthie, Mark Spiritis, John and Marynell Weschler, Roman Pryputniewicz, Robert and Tammy Ambrosias, Cindy Teeters and Todd Earl

02/08/23 Board Meeting agenda reviewed, no additions or amendments. Motion to accept by Lorrie Gigele, Seconded by Sharon Massaglia & Judy Schulte. all approved. Motion passed.

02/07/23 Prior Board Meeting minutes for 1/24/2023 reviewed. No corrections. Moved to accept as written by L Gigele, 2nd S Massaglia, voted, all approved.

Unfinished Business: none

Old Business:

1) Status of Trailside Community Front Entrance Asphalt Paving and Road Patching:

K Shay reported that patching and front entrance demo and paving starts Friday Feb 10. Assume 1 full week of work. Many areas to patch are only 1" with little base. Note that future road paving may require all asphalt to first be removed.

Action: none - closed

2) Status of Canals, Culverts, and Weirs:

No updates at this time

Action: board is continuing to obtain costs, determine priority lists, and work required.

3) Fines Committee – define fines menu (what and how much):

K Meier presented overview of the process. Board discussion. Lorrie Gigele suggested a 3 day window at the end of 10 day violation letter period before lien letter goes out. Lien letter will be sent via certified and regular mail.

Fines Menu discussion: some of the low areas are underwater for long periods of time, therefore use common sense will be used to establish non-compliance. Some community input and questions on who owns the fencing between lots. Board reiterated that this is a neighboring lot owners issue and not under HOA purview.

Process: K Shay will drive around taking pictures and/or video, goal is within 2 days to transcribe notes into individual letters with photos, date of letter + 3 days for postal service (for the start of 14 day correction period), letters are mailed at a USPS station.

K Shay to conduct violation drive around next week: J Schulte, S Massaglia, and R Ambrosias volunteered to accompany and assist.

Moved by S Massaglia: "accept the fines comm policy as presented for fence lines, fields and white fencing damage." 2nd J Schulte. Motion passed unanimously.



4) Status of Cease and Desist Letter to four lot owners from HOA Legal Counsel dated Nov 14, 2022:

- 1) Cindy Teeters has addressed and resolved all actions as listed in her Cease and Desist. Board noted has gone above and beyond the listed items: she has liability insurance naming the Trailside HOA, she requires vehicle windshield/mirror tags for her clients, and other additional requirements.
- 2) Nate Manao no longer has an equine lease and that issue is closed. He does however still has renters who have met with the board for presentation of Trailside Rules and Regs.
- 3) J Ward responded with "friend boarding at the barn" and rental is to one person renting the apt in the barn.
- 4) Duthie's no longer have equine leasing.

Action: K Shay will request direction from counsel for next steps concerning N Munao and J Ward.

There was also discussion about J Ward having 42 loads of dirt delivered.

Action: K Meier to follow-up with ACC Committee, M Duthie and M Spiritis, and have them address.

5) Status of Trailside HOA Materials storage building, Trailside HOA Office and office equipment, and Trailside HOA Property Manager:

K Shay reported that one property management company's quote rec'd for \$37K plus ~\$239 month. Quote Received from First Residential Services. Two more property mgr quotes expected. Storage bldg: needs ground level access due to 16' fence rails, one quote with outside access \$279 month.

Action: Board will continue to obtain quotes to determine options for recommended path forward.

6) Fulfillment of HOA financial information request by Max Duthie at 01/05/23 bd mtg:

All requested info was included in the meeting packet. M Duthie verbally stated the packet "looks good"

Action: none - closed

New Business

1) Lot #8 Notice of Foreclosure and Lien:

K Shay served with notice of foreclosure on lot #8 (Dr. Gordon). HOA is now second in line for payments. HOA is currently owed \$3K.

Kyla stated this is the reason owner payments must be made promptly each quarter. Kyla presented potential future late payment process: late payments will be noticed by the HOA upon the 10th of the month and "pre" notice provided to counsel. Kyla prefers to formally request counsel engagement on the 16th due to historical receipt of dues. Lorrie suggested using counsel recommendation of the 10th. Counsel then sends notice to lot owner stating they have 30 days to pay. After 30 days and no payment, lien will be levied on the property. Kyla also stated that NO phone calls will be made to lot owners by board members or others. Calls by non-board members institute board sanction and hence board responsibility. Lot owners claiming harassment, inappropriate behavior/language, etc would be conveyed as HOA board action. At this point notices will have already gone out 2 or 3 times over a period of months for the lot owner to pay their quarterly dues. We currently have 5 or 6 chronically late payers.

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Action: K Shay will draft the policy for review at the March Community meeting. HOA needs to provide the new policy to community and present at the March Community meeting. Further discussion tabled until we have a documented process.

2) Lot owner responsibility with Ag exemption leases:

Attorney recommendation is everyone who has an Ag lease, have the animal owner have liability insurance on file with HOA. This applies to equine and 4 legged farm animals, livestock.

Action: K Shay is looking into liability insurance options for homeowner owned animals.

3) Request for HOA board member ballots:

Kyla presented the process for board member ballot requests: approx 02/15 an email will be sent for BOD requests with a 02/25 deadline for a response. Approx 03/07 annual packets sent out with proxies. Mail-in ballots must be received by COB of March 27th. Annual mtg will be Mar 28th.

Action: K Shay to proceed with the above process.

Member Comment Segment:

M Spiritis: asked if Kyla would charge a fair price for storage and continue to keep the materials in her storage shed. Kyla stated she would not do this and would consider it a conflict of interest to accept payment from the HOA.

D Meier: stated the HOA owes Kyla \$300K for all of the work and storage.

S Massaglia: Sharon calculated that over \$600K is due to Kyla for her number of years of service.

Date, time, and location of the next board mtg: 03/07/23 or 03/08/23 (Tue or Wed) 6:00 PM

Location: TBD pending available facilities

Date, time, and location of the HOA Annual Mtg: 03/28/23 (Tue) 6:00 PM

Location: Elisabeth Lahti Public Library, Indiantown, FL

Moved: by S Massaglia "to closed the meeting": 2nd J Freeman, voted, motion passed unanimously. Meeting closed at 7:40 PM.

Minutes have been filed in the corporate record for 2023.

Respectfully Submitted,

Kerry Meier

For and on behalf of the Board of Directors