**Trailside HOA Board Meeting Minutes**

01/10/24 (Wed) 6:00 PM Robert Morgade Library, Anderson Community Room

 5851 SE Community Dr; Stuart, FL 34996

Meeting called to Order 01/10/24 (Wed) at 6:00 PM

Moderator: Kerry Meier

Board Member Quorum Determined:

Present: Sharon Massaglia, Kerry Meier, Roman Pryputniewicz, Kyla Shay

Absent: Josephine Freeman, Lorrie Gigele, Cindy Teeters

Board Meeting minutes for 11/21/23 reviewed. No corrections. **Moved** to accept as written by S Massaglia; **2nd** R Pryputniewicz; **Voted**: motion passed.

**Unfinished Business**: none

**Old Business**:

1. Status of Canals, Culverts, Weirs, and Canal Bank/Culvert Erosion

**Status**: Planning, priorities, and additional quotes have commenced and are in work.

**Action:** Continue planning, priorities, and additional quotes.

1. Status of Cease and Desist of two non-compliant lot owners

**Status:** Issues have been addressed.

**Action:** Close this agenda item.

1. Status of HOA Document updates

**Status:** Attorney continues to work this in between other Trailside legal issues. Draft expected within 1 month.

**Action:** Upon HOA receipt of draft, each board member to promptly review and document comments in preparation for board HOA doc workshop.

1. PalMar status

**Status:** This is in the hands of various governmental entities. PW Gate 1 installed beginning of July 2023 and is not locked. FWC is writing tickets. Z. Gaza has sued saying he has 10 beehives and requires access, court gave temp injunction and with no court date. SWFMD long term plan, acquire the area east of Trailside Run to facilitate water sheet flow for Loxahatchee. Also, a conservation group is buying a large tract within Palmar.

**Action:** No further actions, close this agenda item.

1. Violation Status

**Status:** New Property violation notices sent on 08/21/23 Mon to a total of 30+ lot owners

**Action:** Assess corrective actions at the next violation drive around. Close this agenda item and report after the next drive around.

1. Wetland Survey

**Status:** Violation notices sent, SWFMD gave time for 6 lots to correct violations. SWFMD, Adam Yingling, and Lindy Cerar (Martin Cnty Growth Mgmt) visiting soon**.**

**Action:** Receive outcome of visit from SFWMD

**New Business**

1. Year end Financial Status

**Status:** Balance Sheet has been verified, reserves have been fully funded per 2023 budget, Balance Sheet will be posted to website in approx. 1 week.

**Action:** Post the balance sheet to the community website. Close this agenda item.

1. Lot owner statement delivery via email

**Status:** Board has received requests from several lot owners to have their billing statements emailed. Our current version of Quickbooks, requires NO monthly fee, does not have this capability. Emailing would be a manual process of printing the statement, scanning to a file, creating an email to the lot owner, attaching the file, sending, and documenting the electronic submission. This would be an additional processing task for our administrative assistant. Upgrading Quickbooks with this capability would cost approx $200 / month.

**Motion**: “Email statements upon receiving a signed and dated Statement Email Request Form providing the email address and acknowledging a ***$10 per statement*** email processing fee to be added to each statement.” **Moved:** K Meier; **Second:** S Massaglia; **Vote:** motion failed

1. Trailside HOA Annual meeting

**Status:** The 2024 Trailside HOA meeting will be conducted in the 2nd half of March at 6:00 PM. Date and location will be announced after obtaining a meeting facility. Anyone interested in running for the board must notify the board in writing 30 days before the annual meeting. This provides adequate time for generation of the ballots, the tabulation sheets, and related preparations. Note that all (new) board members are required by state statute to:

1. Within 90 days, submit a signed and dated letter to the HOA board that they have completely read the HOAs governing docs, and
2. Within 90 days, submit proof of completion of an approved HOA certification course.

**Action:** Schedule the meeting facility and email the Annual Meeting Date to the community.

1. Fireworks

**Status**: **Fireworks are not allowed in Trailside**, an Equestrian community. New Years Eve (commercial grade) fireworks were set off causing cows on 4 lots to break through fences. Martin County Ag Deputy called, witnessed fireworks, lot owner kept their front gate locked. Board member suggestions to add to violation fine list.

**Action**: Further discuss situation with legal counsel. Further discuss at next HOA board meeting.

1. Lot Owner Livestock Fencing Responsibilities

**Status:** There have been a number of recent occurrences of cattle getting loose due to deteriorated fencing failures. Close calls have been reported with black cattle on the roadway at night. Loose cattle are a hazard and liability risk to vehicles, pedestrians, bicyclists, and horse riders. Therefore the violation drive around will include exterior fencing inspection for lots containing livestock. Refer to FL Statute 588.01 and 588.011.

**Motion**: “For lots containing livestock, exterior fencing will be inspected. Fencing with two consecutive broken fence posts, deteriorating/rusting field or barb wire fencing, and/or broken gates, will be noticed.” **Moved:** K Meier; **Second**:S Massaglia; **Vote**: motion passed.

**Motion**: “Amend the Trailside Rules and Regulations to state that livestock fencing must be constructed with 1) minimum 5 strand barb wire; OR 2) field fencing topped with either barb wire or 1”x6” (nominal) fence boards, referencing FL State Statute 588.01 and 588.011”. **Moved:** K Meier; **Second**:S Massaglia; **Vote**: motion passed.

1. Rules & Regulations Updates regarding Loose Cattle / Livestock

**Status:** Due to the number of recent occurrences of loose livestock and lack of response of some ranchers, Trailside Rules & Regulations need to be amended to address rancher / owner non-responses, costs of returning livestock to their field, costs of emergency fence repair, repeat occurrences and emergency situations.

**Motion**: “Amend the Trailside Rules and Regulations to state lots where ranchers / owners do not respond to loose livestock within approximately 30 mins, third party cowboys / similar will be called. Lot owners will be billed $250 per hour per cowboy to round up the livestock and return the livestock to their field.”. **Moved:** K Meier; **Second**:S Massaglia; **Vote**: motion passed.

**Motion**: “Amend the Trailside Rules and Regulations to state, lots with loose livestock due to broken fencing and ranchers / owners not responding in approx 30 min, the Martin County Ag Officer will be called to address the situation.” **Moved:** K Meier; **Second**:S Massaglia; **Vote**: motion passed.

**Motion**: “Amend the Trailside Rules and Regulations to state an emergency situation where a lot has loose livestock, ranchers / owners are not responding in approx 30 mins, there are broken fences, the Martin County Ag Officer is unable to respond in a timely manner and/or other extenuating circumstances, cattle are jeopardizing the safety of the community, emergency fence repair may be requested and the lot owner will be responsible for the costs.” **Moved:** K Meier; **Second**:S Massaglia; **Vote**: motion FAILED.

**Motion**: “Amend the Trailside Rules and Regulations to state that loose cattle, caused by an open gate, occurring 3 times within a 365 consecutive day period, the Martin County Ag Officer will be immediately called to address the situation.” **Moved:** K Meier; **Second**:R Pryputniewicz; **Vote**: motion passed.

1. Rancher Cattle / Livestock Lease Responsibilities to Trailside HOA

**Status:** There are ranchers with livestock leases that do not have up-to-date phone and address information, have livestock that are not tagged or branded, and/or do not have Liability Policies in the amount of $1M / $2M naming Trailside HOA as secondary insured. This presents community safety and liability concerns.

**Motion**: “Amend the Trailside Rules and Regulations to state, lots having livestock leases must have:

1. Liability policy with a minimum amount of $1M / $2M and specifically naming the HOA as secondary insured;
2. A current copy of the liability policy on file with the HOA;
3. Operational / current emergency rancher contact phone number(s) and current mailing address; and
4. Cattle approx 1 yr old and older are to be tagged or branded.

 Lot owners with livestock leases are responsible to ensure this criteria is met.”

**Moved:** K Meier; **Second**:R Pryputniewicz; **Vote**: motion passed.

1. Request for Large Package Box at Mailbox Location

**Status:** Lot owner request received to have some type of covered ‘box’ to hold small and large deliveries left at the USPS mailboxes.

**Action:** R Pryputniewicz will look into options.

**Member Comment Segment:**

Two lot owners inquired about website access. K Shay volunteered to work with each.

Date, time, and location of the next board mtg: TBD 6:00 PM

Location: TBD pending available facilities

Date, time, and location of the HOA Annual mtg: 2nd half of Mar, 6:00 PM, pending available facilities.

**Motion:**  “Call to close the meeting” **Moved:** K Meier; **2nd** R Pryputniewicz; **Vote**: motion passed.

Meeting closed at 7:28 PM.

Minutes have been filed in the corporate record for 2023.

Respectfully Submitted,

Kerry Meier

For and on behalf of the Board of Directors