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# VICTORIA PARK II PROPERTY OWNERS ASSOC., INC.

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## UNAPPROVED MINUTES

**Meeting Date:** April 15, 2009      **Time:** 6:30 P.M.

**Location:** Orange Blossom Government Center

**Purpose:** Board of Directors Meeting

**Notice:** Proper notice had been posted as required

**Present:** Bill Senkevich, Ed White, Susan Kent Connell, Michele Boughton, Ray Gonzalez, Lera Brial, Andrea Breznay

**Also Present:** Debi Taliaferro and Krystal Smith of Detali & Assoc, several interested owners.

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**Certify Quorum:** Seven members were present thereby establishing a quorum.

**Call to Order:** The meeting was called to order at 6:35 PM by Bill Senkevich

### **Discussion with Ashley Lupo:**

Ashley Lupo introduced herself and discussed her experience at Roetzel & Andress. Ashley also described her history working with Victoria Park II.

Bill Senkevich went over a brief list of questions the board members had prepared for Ms. Lupo.

Ashley explained that the Sunshine Law dictates that all meeting of the Board of Directors must be properly noticed and open to all members of the association. The only exception is an attorney meeting regarding upcoming litigation and personnel issues. Those are the only two occurrences in which a closed meeting is allowed – however, the meeting must continue to be noticed.

Ashley commented that email correspondence needs to be non board business. She explained that replying to all in emails, having lengthy discussions and making decisions constitutes doing Board business via email and that should be avoided.

Ashley had been the attorney for Victoria Park II since 2002 until June of 2008.

Ray questioned the cost involved with amendment changes. Ashley commented that this is a simple procedure as long as the amendment is not a document re-write.

Bill explained that there had been a recall last year. He questioned whether or not the current Board should pursue recouping the legal fees from the petition signers after the arbitrator provides a decision. Ashley explained that she would not advise pursuing fees and spending the money to recover those fees, as it is unlikely that the Board would be able to recoup the fees. She advised that the Board look at the cost benefit prior to pursuing the issue any further. Ashley also explained that the Division after rendering a decision can set a reasonable amount of attorney fees.

***Motion made by Susan Kent Connell to retain Ashley Lupo of Roetzel & Andres as the association attorney, seconded by Ed White and passed unanimously.***

### **Approval of Minutes from March 18, 2009 Board Meeting:**

***Motion made by Ed White to waive the reading of the March 18, 2009 meeting, seconded by Michele Boughton, approved unanimously.***

***Motion made by Ray Gonzalez to approve the minutes as presented, seconded Ed White, approved unanimously.***

### **Financial Report:**

Debi Taliaferro reported that 25 final statements had been sent to owners that had a balance in excess of \$700. Of those owners 1 has paid in full and 2 have made partial payment. The other owners will be sent to the attorney for a collection letter.

Statements have also been sent statements to those owners that have not made any payments towards the 2009 Annual Fees. Those owners have until the end of April to make an effort to pay the 2009 fees. Those owners will receive a final statement indicating that they will have 14 days to pay before being forwarded to the attorney.

### **The financial report for February 28, 2009:**

Operating Funds totaled: \$82,193.29

Reserve Funds totaled: \$51,924.19

Reserve equity totaled 554,277.68 indicating a due to reserve of \$2,353.48

The association ended the period with \$8,352.08 in accounts payable and \$62,811.03 in receivables.

There is \$809.01 net income for the end of the period. There is also \$17,283.13 in prior year surpluses, of which \$13,709 is to be utilized for the 2009 expenses. This amount was used to reduce the 2009 fees to the same rate billed for 2008.

### **Management Report:**

Krystal Smith reported on many various issues.

- Proposals for chain link and decorative fencing around the pool equipment have been received.
- Prepared job description for weekly cleaning of the pool area and baths.
- The lock at pool has been repaired and there have been 20 keys ordered.
- The men's urinal at the pool bath has been repaired, however there is still some drywall that needs to be replaced. That should be completed within a week.
- Contacted Frontier Lighting to come up with a plan to shield the light shining into residents' home – Frontier Lighting suggests painting one side of the globe with black oven paint, this is used for lights fixtures on the beach to comply with sea turtle rules
- Conducted an initial drive through with Lykins and Andrea Breznay and have begun preparing a mailbox "punch list" with information from the drive through as well as correspondence from owners

### **Emergency Expenditures:**

Bill reported that there were no surprise expenditures since the last meeting.

### **Review of Budget:**

Ed White commented that three members of the Board met regarding the state of the budget. He commented that there are items on the budget that if the Board chooses to not proceed with expenditures can be reduced, therefore allowing the association cash to last throughout the year. Items suggested for expense reductions include turning off the heater in the pool, tree trimming on an as needed basis, special event deferment and suspending the lake contract for 3-6 months during rainy season. Susan volunteered to make copies at no cost for any mailings instead of the management company.

### **Old Business:**

### **Fencing around Pool Chemicals:**

The Board discussed that possible of the fencing in of the pool chemicals. There are other options which include a garden shed. Ed White will investigate and report at the next Board Meeting.

**Committee Discussion:**

Bill commented that there are still not a lot of volunteers. Ed White commented that there are three members of the association that have volunteered for the fining committee. The three members that have volunteered are three former Board members. Ray Gonzalez commented that he is against appointing prior Board Members to the fining committee. Michele is also against appointing prior Board Members. There are no volunteers for the ARC Committee.

***Ed White motioned that the association suspend appointing the fining committee until needed, seconded by Ray Gonzalez, approved by a vote of 6 to 1, Bill Senkevich opposed.***

Emily Driscoll, Renee Moisan both present at the meeting and both volunteered for the ARC committee.

**Pool Security:**

The issue will be tabled until the 2010 budget.

**Update on Mailboxes**

Lera Brial commented that there have been some of the light fixtures that are cracked and broken. Factory First was contacted and they will be replacing those lights. Lera also commented that there are only 10 additional ordered which seems to be too few since the fixtures come from China.

Management reported that the Warranty has been received and the paint specs will be provided. There is no lead in the paint.

**Website:**

Andrea Breznay commented that John Jarvis was still hosting the website and the Board was making updates as needed.

**New Meeting Location:**

The library is available until 8:30 pm at a cost of \$10 per hour. The government center is available and is free of cost. The association will continue for have the meetings at the government center.

**New Business:**

**Park Hedge Trimming:**

A discussion took place regarding trimming the large hedge between the park and a members back yard. It was suggested that the hedge might belong to the owner and not the association. Issue was tabled.

**Shield Light Pole Shining:**

***Motion made by Michele Boughton to spray paint the light as suggested by the lighting company, seconded by Ray Gonzalez, approved unanimously.***

**Fishing Pier/Docks Hours of Operation:**

Discussion commenced regarding the hours of operation. The issue was tabled until Susan Deshong was present since she lives next to the lake and could give more insight into the need for posted hours.

**Mailbox Late Fees:**

Andrea asked that management research the number of owners that have already paid the late fees for the mailbox. That information will be provided at the next meeting and then a decision will be made.

**Other Business:**

Police Car – The Board received an anonymous complaint regarding the police car that parks on the grass of his home and sometimes blocks the sidewalk.

Newsletter – The newsletter is close to completion. Lera Brial suggested that the Board wait to mail and incorporate into the quarterly newsletter planned for June.

**Owner Comments:**

There were no owner comments.

**Next Meeting:** The next meeting will be held Wednesday May 20<sup>th</sup> at 6:30 PM at the Government Center.

***Motion made by Ed White to adjourn the meeting - approved unanimously.***

**Adjournment:** The meeting was adjourned at 8.50 PM.

*Minutes submitted by Debi Taliaferro, Detali & Associates, PA.*