



Homeowners' Association, Inc.

P.O. Box 1773

Mango, FL 33550

www.timberpond3.com

Annual HOA Meeting December 6, 2011

The meeting was called to order and seconded at the residence of Michael and Lisa Odorczyk at 7:10 pm. Current Board members in attendance: Tammy Hubbert, President; Curtis Brown, Vice President; Denise Skillman, Treasurer; Lee Anne Corbin, Secretary; Lisa Odorczyk, Architectural Control Committee Chairperson. Attorney Allison Brandt also attended at the request of the Board.

Tammy introduced the Board members and Attorney Allison Brandt, who recently has handled issues that the Board had been unable to resolve. She also introduced the Architectural Committee members, Delores McKay and Lisa Smith, commenting that Delores has been a great source of history and vendor contacts for the HOA.

Tammy reviewed **2011 accomplishments** as noted in the recent annual newsletter:

- Christmas decorating contest was held
- Welcome kits and visits to three new homeowners
- New "No Solicitation" signs made and hung at entrances
- St. Pete Times newspaper box installed (Telfair and Windhorst)
- Spring Clean Up throughout neighborhood
- 28 Palm Trees on Telfair trimmed (and 2 removed due to potential damage)
- Telfair wall and sidewalks pressure washed
- Sidewalks in front of all the common areas pressured washed as well as all the man hole covers.
- Fall Community Garage Sale
- Hired a new landscaping company
- Explored solutions with the county and Code Enforcement for addressing mosquito problems and kudzu (wild vines) in the common areas
- Initiated and monitored the cleanup of properties that had not maintained lawns, fences, etc.
- Addressed numerous comments, complaints, and property violations submitted by homeowners

Tammy noted that the Board reviewed all properties in Timber Pond III and sent approximately 25% of all homeowners a letter during the summer requesting improvements in lawns, fences, paint, etc. She stated that we've seen some good improvement.

Tammy told attendees that an **attorney was obtained by the Board** to: collect outstanding 2011 dues, ensure residents pay 2012 dues and comply with by-laws, may need to review and updated the by-laws which are now 20 years old.

Proposed 2012 Budget: Tammy introduced the budget and Denise reviewed each line item. The Board proposes leaving HOA dues at \$75 for 2012. Next inspection of drains not needed under 2016 (per SWFMD) so \$300 in proposed budget not needed.

Tammy stated that the proposed dues will cover the 2012 budget and money will also be recouped from foreclosed properties for past dues and/or lawns the HOA has maintained. Denise noted that no money has been received in 2011 from closings on foreclosures, although the Board has collected some past dues.

Budget related questions:

Q: # homes foreclosed and # who have not paid 2011 dues?

A: 3 currently in foreclosure and 9 that have not paid dues.

Q: What does SWFMD require?

A: SWFMD requires the HOA to cut back landscaping, remove trash, clean up the drain areas within the conservation areas. Board received letter from inspector saying we don't need inspection for 5 years. Homeowner Debbi O'Reilly stated that they have to clean up trash frequently at drain near their home. Board can ask the HOA lawn care service to check and clean drain areas more often.

Tammy read Section 10 of the By-Laws related to homeowners not removing vegetation in the conservation area. She stated that the common areas are owned by a private individual and the HOA's hands are tied related to controlling vegetation (wild vines, kudzu, etc.) in those areas. Tammy suggested this be taken as an action item by the incoming HOA Board.

Q: Do common areas fall within the Deed Restrictions?

A: Attorney said that deed restrictions only apply to homeowners and the owner of the common areas is not a Timber Pond III homeowner. Attorney suggested that affected homeowners could get together and file an injunction to get the private owner to do something (about the overgrowth of vines, etc.).

Homeowner Brian O'Reilly stated that **sediment is an issue** and said it is the HOA's responsibility to keep storm drains flowing freely. Tammy agreed. Brian commented that water pools in some areas and breeds mosquitoes. Discussion was held about what, if anything, should be added to the budget as a reserve to clean up drains and sediment. Vice President noted that the issue does not affect all homeowners. It was suggested that all homeowners be notified about this issue in 2012 and the possible need to increase HOA dues in 2013 to pay a vendor or landscaper to dredge sediment.

Q: Does SWFMD provide any assistance to tell us the risk/likelihood of having issues related to the sediment and drains?

A: SWFMD actually hires the engineer who does the inspections.

Q: It was noted that \$10,228.46 was spent during 2011, but the proposed 2012 budget exceeds what will be collected in 2012 dues. The Board was asked to explain.

A: HOA currently has an account balance plus also expects to recover some money in 2012 from legal actions. The Board feels the proposed dues and budget are appropriate.

Q: Does the legal fee line item need to be voted on to add it to the budget?

A: No, HOA Boards have added line items in the past without homeowner votes/approval. This was confirmed by the current Treasurer and a homeowner who previously served on the Board.

Q: The proposed legal fee budget is \$3,000 but actual legal expenses could be higher. Will \$3,000 cover court costs?

A: No. However, the Attorney said letters that have been sent to homeowners have brought results and we hope to avoid court costs.

Q: How can the HOA ever raise dues if we never have a quorum at the annual meeting?

A: The HOA will need to send a letter to all homeowners proposing an increase in dues, call a separate meeting for voting purposes and allow homeowners to vote by proxy. The Attorney read a section in the By-Laws which states that 10% of the homeowners constitutes a quorum (i.e 14 homeowners are needed to hold a meeting and have a vote on behalf of Timber Pond III. Then a majority of attendees is needed to approve the budget).

A suggestion was made to have any increase in HOA dues put into the emergency fund. One homeowner stated that it is not fair to increase dues since a letter was already sent out to all homeowners proposing \$75 for 2012 dues. A motion was made and seconded to hold a follow up meeting in 30 to 60 days to discuss an increase in dues. All were in favor. A Board member noted that 3 or 4 homeowners have already paid the 2012 dues.

Treasurer made a motion to approve the budget as proposed and it was seconded. 14 attendees voted in favor of the proposed budget, 5 opposed. **The 2012 budget was approved.**

Tammy summarized concerns about the budget not having enough emergency funds and made a motion not to call a special meeting in the near future and to delay an increase in HOA dues until the next Board reviews the budget and proposes an increase in dues to all homeowners next fall. This was seconded. All voted in favor except one attendee.

Board Vacancies: Tammy stated that we must seat a new Board with 5 Board members. Delores McKay accepted the Vice President position, Lisa Odorczyk accepted Treasurer. Nominations were made for President, Secretary, Architectural Committee Chairperson openings. Frank Doto was elected unopposed as President, Lisa Smith volunteered to serve as Secretary, Millie Warren agreed to serve as Architectural Chairperson. Sharon Fox and Jean Doto volunteered to serve as Architectural Committee members. A motion was made and seconded to approve all the officers. All were approved.

Open Discussion:

Homeowners Debbi O'Reilly thanked Tammy Hubbert for her hospitality and bringing us together as a neighborhood the past couple of years.

All attendees agreed that e-mail communications from the HOA are good.

A drawing for gift cards was held and gifts cards were awarded to Rob Allen, Delores Thornton and Tammy Hubbert.

The annual Christmas decorating contest will be held on Saturday, Dec. 17, 2011.

Denise further explained Attorney Allison Brandt's role for the HOA and the expectation that she can help get foreclosure cases moving and collect unpaid HOA dues.

A motion was made and seconded to adjourn at 8:45 pm. The old and new Board members will hold a transition meeting within the next few weeks.

Signed by:

Minutes approved by:

Lee Anne Corbin, Secretary

Tamara Hubbert, President

Attachment: 2011-2012 Budget