

Magnolia Lakes H.O.A.
Board of Directors Meeting
March 4, 2004

Pursuant to Law and the By-Laws, the meeting of the Board of Directors was held on March 4, 2004 at 6:30 PM at the Eau Gallie First Baptist Church at 1501 E. Eau Gallie Blvd.

Officers Present:

President: Ralph Nygard
Treasurer: Richie Engle
Director: Marshall Potter

Vice President: Peter Hartshorne
Director: Steve Barth
Director: Marge Jinkens

Officers not present:

Secretary: B.J. LeClaire (???)
Director: Mari Hiltz

Director: Richard LeClerc

The President called the meeting to order determined that a quorum was present and that business could be conducted.

A motion was made and seconded to appoint Marshall Potter as acting secretary for the meeting. Motion passed.

A motion was made and seconded to nominate Marge Jinkens as a new director to the Board, replacing Michelle Sharpe who resigned. Motion passed.

A motion was made and seconded to accept the February 2004 minutes, with the change including Steve Barth's name as a By-laws Revision Committee member, as per a November motion and the November meeting minutes. Motion passed.

A motion was made and seconded to accept the February Income and Expense Report provided by Treasurer Richard Engel. Expenses for the month totaled \$3,239.44 with total assets at the end of the month of \$43,332.99. Motion passed.

Unfinished Business:

1) Pool Deck Resurfacing: Steve Barth noted that the pool deck was resurfaced as scheduled, that signs were repainted, and that light bulbs were changed.

2) Street Lighting Issue: Ralph Nygard indicated that he had not contacted the engineering department for an appointment to assess the street lighting in our community. Discussion of making known to the community the time, and date, of a future survey were discussed in order to coordinate when to turn off our outside lighting systems. Issues about lighting on the back part of North White Oak Cr. were discussed. Also, issues of garage doors being left open during the night were brought up. Ralph Nygard said he would contact the proper department person to have a lumens survey taken care of.

3) Traffic Calming: There was a recommendation by the President for the Board to consider other steps to reduce speeding in our community. Discussion of lowering speed limits, placing more signs, and having law-enforcement patrol the neighborhood came about. Marshall Potter gave a report on his findings about where the community stands on the issue of speed humps. 64% of the 28 homeowner's he surveyed are in favor of the proposal, 25% oppose it, and 8% are undecided or have no opinion. A motion was made and seconded to allow the City of Melbourne to continue their Traffic Claming Survey. Motion passed.

4) Covenant Changes and Community Survey: In his absence, Dick LeClerc, chairman of the Covenant Revision Committee, provided Ralph Nygard with a copy of the revisions to the proposed Covenant changes. The president procured copies to the Board for approval. Additional revisions were made. The word "By-laws" was changed to "Covenants." The word "Petition" was changed to "Ballot." The last sentence of the first paragraph was stricken. The word "Control" in the first Amendment was stricken. In the Second Amendment, the fence height was modified from 6'2" to 6'. The Third Amendment was voted down unanimously. The Fourth Amendment passed without revisions. The last paragraph on the petition was stricken. And a decision to strictly adhere to the rules of amending the By-laws, including providing the original language of the current Amendments along with each new Amendment, as well as including official ballots, was made. The revisions to the proposed Covenant changes are to be retyped and forwarded to the Board for final approval before they are delivered to the community for a vote.

New Business:

1) Architectural Review Application Approvals - Mr. Rich Engel, ARC Chairman.

The Board approved both applications that were presented.

- 2) **Dumping in Common Areas:** Several issues including rocks being dumped into the lake, water plants (also know as "cat tales") being grown on the lake, and trees being planted in the lake's common areas were addressed. The board agreed to give a notice of violation to the violators before proceeding with financial or removal action.
- 3) **Question Regarding Homeowner's Assessments:** There was a question about the cost of homeowner's dues by a resident. Rich Engel made it clear that the assessments total \$200 per year.
- 4) **Legal Council of Lien Action:** A recommendation to approve and ratify new rules under the Article of Incorporation was given by Richie Engel. Discussion followed on how to properly enforce and make such rules. The President recommended a lawyer that deals exclusively with HOA's. A motion was made and seconded to seek his legal council to help start a lien action process against outstanding violators. Motion passed.
- 5) **Cat Issue:** A homeowner took in a lost cat and would like the owner to pick it up. It was found that this cat was in fact a stray.
- 6) **Adjournment:** A motion was made and seconded to adjourn. Motion Passed.
The next meeting will be held on April 1, 2004 at the Eau Gallie Baptist Church.

Respectfully submitted: March 4, 2004.

Marshall Potter, Acting Secretary

Ralph Nygard, President