

# MAGNOLIA LAKES H.O.A.

Board of Directors Meeting  
March 3, 2005

Pursuant to Law and the By-Laws, the meeting of the Board of Directors was held on March 3, 2005, at 6:30p.m. at the Eau Gallie Baptist Church at 1501 W. Eau Gallie Boulevard, Melbourne, FL 34935

## **Officers Present:**

President: Marge Jinkens

Vice President/Asst Secretary: Marshall Potter

Treasurer: Richie Engel

Asst. Treasurer: Steve Barth

Secretary: Barbara Stepanian

Director: Bill Cook

Director: Ericka Boggs

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

The Secretary read the February 2005 minutes. An addition was made by Marge Jinkens to add that Raintree Pest Control was given a 6-month contract. A motion to accept the November Minutes was made by Steve Barth and seconded by Marshall Potter. The motion carried unanimously.

## **Reports:**

1. The treasurer's report was given by Richie Engel. It was discussed to close out the savings account, as was agreed to during the February meeting. The savings amount will be transferred into the checking account. A motion to accept the treasurer's report was made by Marshall Potter and seconded by Barbara Stepanian. The motion carried unanimously.
2. The 2005 Annual Assessments report was given by Richie Engel. To date, 79 homeowners have paid. Marge Jinkens addressed the homeowners, stating that an effort had been made to secure a larger venue for the meeting. Although they were unable to accommodate her request, she made arrangements to include more seating. It was noted that the interest in and turnout for the meeting was welcomed.
3. A report on the pool was given by Steve Barth. The pool pump broke and had to be replaced. The pump was under warranty; but a service charge was assessed. The replacement pump was made by a different manufacturer, so future problems should be alleviated for a nominal period of time.
4. A report on the Front Entrance & Common Area Lawns was given by Bill Cook. It was reported that the weeds and ants issue was resolved while he was away, and there was nothing more to add. Marge Jinkens reported that due to the accident at the wall entrance, the irrigation system, lighting, electricity, and landscaping needed to be repaired. There was discussion about the responsibility of the front entrance. It was determined that Bill Cook would coordinate the additional front entrance projects.
5. A report on the ponds was given by Ericka Boggs. Ms. Boggs reported that the Ponds looked good, except for the grease and oil debris from the construction projects. Fish are rebounding from the algae bloom. It was noted that there are chemicals that could be added to the ponds if needed. However, the developer(s) would not respond to her calls and have been unavailable for resolution on any pond issues.
6. A report on the Rules & Regulations committee was given by Marshall Potter. It was reported that the committee has not met this year. Mr. Potter articulated article XI, section 11.0 and 11.1, of the By-Laws, and clarified state statute 720.303, regarding the 14-day notice. This notice applies to the Board of Directors when adopting rules governing the use of property or voting on assessments, but does not apply to the Rules and Regulations committee. It was noted that Rules and Regulations couldn't contravene, amend, nullify, or modify any existing Covenant or By-Law.

## **Unfinished Business:**

1. A report on the New Construction was given by Marshall Potter. It was noted that new homes have been built, roads have been paved, and new construction is rapidly moving forward. As a response to the request of a few homeowners to express their dissatisfaction with the developers of the Eau Gallie Business complex, a letter was drafted and sent to the City Council on January 20<sup>th</sup>. A reply from Cynthia K Dittmer, the Planning and Economic Development Director of the City of Melbourne, was read. It was noted that the developer has told the City staff that they intend to install the fence during Phase 1 of the project.
2. Rich Engel reported that there is no change to the delinquent homeowners. It was noted that one lien has filed for bankruptcy.

3. Yard Sale - Ericka reported that Florida Today newspaper has been contacted and that the Yard Sale will be March 12, 2005. The advertisement will run from March 9<sup>th</sup> through March 12<sup>th</sup> at a cost of \$79.23. Also, letters regarding the yard sale will go out to all homeowners.
4. Steve Barth presented bids (copies attached) for fence to be replaced at the City's lift station located near the entrance of the Community. The cost of the several different bids, and types of wood and vinyl fencing to be considered were discussed. A motion was made by Steve Barth to let the City of Melbourne install a fence at no cost to the Magnolia Lakes Homeowners Association. Richie Engel seconded the motion. The motion carried with a vote of four (4) to two (2). The two (2) nays were Ericka Boggs and Bill Cook.
5. Marshall Potter reported on hurricane damaged roofs/vents. Mr. Potter has been in contact with various Senators and Representatives. An email has been sent to the County Commissioners, City Council, Senator Mike Haridopolis, Rep. Mitch Needleman, as well as others. Feedback has been good and Mr. Potter will continue to work with Legislators to improve the building codes.
6. Richie Engel reported that there is no more Community Watch. Its volunteers have disbanded.
7. ARC applications were read by Richie Engel:
  1. 1205 White Oak Circle - Pool Plan — subject to City and County permits. Approved.
  2. 4671 Blackmore Court - Removable basketball hoop in front drive and back yard when not in use. Will not be visible from street. Approved.
  3. 4653 Blackmore Court - Fence Plan subject to city permit. Approved.
  4. 4671 Blackmore Court - Repaint hurricane damage south and west walls exterior (same color) and varnish fence. Approved.
  5. 4671 Blackmore Court - Replace front door, replace slider with French door. Both doors to be painted white. Approved.
  6. 1250 White Oak Circle - Hurricane shutters- accordion—color: white. Approved.
  7. 1189 White Oak Circle - Install hurricane shutters on exterior of windows. Color will be white. Upper story to be roildown style, ground floor will be accordion. Approved.
  8. 1113 White Oak Circle - House to be painted-base white, trim Ontario blue. Colors are similar to existing colors. Approved.
  9. 4669 Blackmore Court - House to be painted same colors. Base — white and trim Dover Gray. Approved.
  10. 4612 Radford Lane - Repainting house colors are same as original colors. Approved.
  11. 1212 White Oak Circle - Install two round sun tunnel skylights. One kitchen and one in back dining room. Approved.
  12. 1121 White Oak Circle - Install accordion and panel hurricane shutters. Approved.
  13. 4652 Blackmore Court - Accordion shutters, white with clear removable panels. Approved.
  14. 4600 Radford Lane - Install solatube — kitchen. Approved.

There was a question regarding the necessity of an ARC application for those members who were painting their houses the same existing color(s). It was noted that changes to the exterior to the home require an ARC application. There was a question as to the list of the Homeowners violation letters. It was noted that the letters were on file.

8. Marge Jinkens reported that two Homeowners requested to review, and copy, HOA documents. They were notified within 10 business days and have since reviewed the files and/or have made copies of them.

**Homeowners Concerns:**

- B.J. LaClair requested to be placed on the agenda – Ms. LaClair addressed the Board of Directors, and the Homeowners, as to the nature of her resignation. She commended Mari Hiltz for her efforts to reach out to the community, but stressed she did not sign any petition to recall the directors. She asked for the community members to utilize their energy in a positive manner for the needed amendment changes, and not to act against the directors for doing what was required of them according to the Covenants.
- Kyle Crooks requested to be placed on the agenda – Mr. Crooks was not available to address the Board of Directors.
- Many other issues were brought before the board of directors including bugs, disabled vehicles, rentals, violation issues, grass maintenance, exterior color, screened enclosures, door colors, previous ARC approvals, assessments, and these issues were discussed in length.

A motion was made by Marshall Potter to adjourn. The motion was seconded by Richie Engel at 9:00 p.m. The motion passed unanimously.

Respectfully submitted March 4, 2005.