



**AUTUMN WOODS HOMEOWNERS ASSOCIATION, INC.  
BOARD OF DIRECTORS MEETING  
May 14, 2019**

**Call to Order** – The meeting was called to order at 6:30 PM. by Frank Miller, President.

**Roll Call** – Frank Miller, Arleen Love, Linda Laguna, Hal Ziecheck, James Callan, Heidi Pukas, Stu Kaminsky. Steve Paley was absent. Nancy Lucas, LCAM, Jaime Ballard was also present from Management and Associates.

**Proof of Notice** – Proof of Notice of the meeting was presented by Nancy Lucas, LCAM.

**Reading and Disposal of Any Unapproved Minutes:** Hal Ziecheck made a motion, seconded by Jim Callan to approve the minutes from 4.9.19. All in favor. Motion passed unanimously.

**Presidents Report:** Frank Miller, president's report attached. .

**Treasurers Report:** Report read by Nancy Lucas, LCAM.

**Manager's Report:** Nancy Lucas went over delinquent accounts.

**Committees:**

**Compliance:** Jim Callan reported on a few of the owners that have been sent to the attorney for non-compliance.

**Finance:** No report

**Community Relations:** Linda Laguna reported that the committee had met with three new owners.

**Maintenance:** Hal Ziecheck reported a timer has been installed on the tennis court and basketball court lights and the lights will be going off at 9 PM. Have received 2 parking lot paving proposals, waiting on one more. The resurface of the Tennis and Basketball courts has been put on hold at this time. The oak tree on Glenside will be replaced under warranty. New shrubs and grass will be installed around the gazebo. The fence at the back of the park in on a Pinellas County easement.

**Website:** There is a new website. [Autumnwoods fl.com](http://Autumnwoods.fl.com)

**ARC:** None

**Old Business:** None

**New Business:**

**Review Special Meeting Recap:** This matter was discussed in the president's report.

**Results From Rabin Parker FS720.303(6)b:** This matter was discussed in president's report.

**Approve Audit Proposals:** Linda Laguna made a motion, seconded by Arlene Love to approve the audit proposal from Bashor & Legendre, LLP for the amount of \$4500.00. All in favor. Motion passed unanimously.

**Budget Prep:** Nicole Plihal and Rhonda Caldwell volunteered to be on the Budget Committee and work with Steve Paley on the 2020 Budget.

**New Volunteers:** Frank Miller thanked the owners that have come forward to volunteer in different committees in the community.

**New Committee/ Event Committee:** Beverly Pizzanno and Theresa Ronayne have volunteered for the Even Committee.

**Adjournment** – Jim Callan made a motion, seconded by Heidi Pukas to adjourn the meeting at 7:50 PM. All in favor. Motion passed unanimously.

Submitted by: Nancy Lucas, LCAM

Approved by:

A handwritten signature in black ink, appearing to read "Steve Paley", written over the "Approved by:" text.

Open Discussion after adjournment: Beverly Pizzano commented on when calling the Management and Associates office the receptionist ask too many questions. Also commented on too many non-compliance letters going out to the community.

Nicole Plihal brought up lawsuit against her and her husband. This could not be discussed. It was going to be discussed after the BOD meeting at a closed meeting.

Lake dredging was brought up. Also stated that the lakes need to be aerated to bring life back to them.

Steve Paley works closely with Pinellas County.

Liability insurance was brought up for community events. Nancy will check into this with Scarr Insurance.

## **Autumn Woods Presidents Report May 14, 2019**

During the past several weeks the board has been distracted from executing the projects planned and budgeted for in 2019 for the improvement and well-being of the community. Concern, interest and participation by resident members is always welcome and must never be taken lightly. The future of Autumn Woods remains bright.

Distractions have been as a result of rumor, innuendo and mis information passed throughout the community. Some homeowners disagree with the board actions and budget increase that was planned and approved by the board at the November 2018 annual budget meeting.

Item 1.

**Questions have been raised and rumors circulated of impropriety to include but not limited to “slander and defamation” that members of the board “did not have authority”, “acted illegally” to increase the annual membership dues and have even gone so far as alleged that board members had “pocketed funds”. The board is empowered to adopt a budget as defined in Florida Statute 720.303 and Article IV section 3 of restated declarations of covenants, conditions and restrictions for Autumn Woods. I clearly empathize with the board’s frustration regarding the matter of the budget however I will again remind each member that the board continues to have a responsibility to fulfill our duties as board members.**

Subsection A “In addition to fees for maintenance and other operating expenses, the board of directors may include funds for reserves in the budget. These reserve accounts may be designated for general contingencies or for specific repair or replacement project. If designated for specific projects the funds are not to be used for other purposes unless such use is approved by a majority vote of those members participating in the vote on such issues, in person or by proxy”.

Subsection B “In the event the budget requires an increase in maintenance fees of more than 15% over the prior years budget the membership of the association will have the authority to reduce the increase to a 15% increase if such action is approved by 51% of the membership at a special meeting called for this purpose”.

The general membership does not vote to approve the budget, the board does. The budget is established, presented and approved solely by the board. However, the membership can request a “special meeting” and vote to reduce the increase to 15% with a 51% approval of the community.

The legal opinion and analysis provided on May 14, 2019 by the memberships legal counsel (Rabin and Parker) clearly stating “that the board had the discretion to establish and fund the reserve accounts shown in the 2019 budget, and that it did so in full compliance with governing law.

Item 2. Special meeting 5/7/2019

**A special meeting was established on May 7, 2019 at which time the homeowners were requested to approved one of three financial analysis:**

- 1. Compiled financial statement (required)**
- 2. Reviewed financial statement**
- 3. Audited financial statement**

A quorum was established, and the homeowners voted to accept an "audited financial statement". The board has three estimates to select from this evening. Once selected and approved the audit must be completed and results posted for all homeowners viewing as soon as possible with a special assessment in the amount of 1/162 of the total invoice per homeowner minus the amount budgeted for the required compiled financial statement.

**Additionally, at the time of the special meeting om May 7, 2019 homeowners were given the opportunity to voice their thoughts and opinions. Valid comments from the floor were taken and the board must always listen and consider all voices in the community.**

Sample questions were:

- a. What is happening with the "out of compliance" property on Chestnut Court E?**  
The board continues to act as directed in the bylaws, covenants, conditions, restrictions and rules and regulations of autumn woods. When the board does not have any response after mailing 2 compliance reminders, we request legal action be taken on behalf of the association.
- b. Why can't the board just call instead of mailing compliance reminders?**  
Over the years many boards have attempted to call neighbors regarding compliance matters and have various positive and negative responses to our calls only if neighbors are available to take calls. Many calls fall on deaf ears. When leaving telephone messages and few if any responses were received. Therefore, the board adopted 2 compliance reminders be mailed by the property managers and referral to legal if no response is received.
- c. Why is the board so picky about compliance matters?**  
As directed in the amended and restated declarations of covenants, conditions and restrictions of Autumn Woods enforcement of use restrictions and architectural control. Also stated is the owner's obligation to repair and maintain exteriors.
- d. Why did the board budget to correct erosion of "drainage ditches" the lakes?**  
In addition to the recommendation resulting from the reserve study Article VI Use Restrictions Section 2.A,2 states "each lot owner (the association is a lot owner) whose lot adjoins or abuts lakes shall keep his lot and the portion of the adjoining or abutting parcel between his lot and

the waters edge at the lake bank, grassed, trimmed and cut and properly maintained so as to present a pleasing appearance, maintain the proper contour of the lake ban and prevent erosion”.

**e. How can the board improve communication and transparency among the resident’s?**

The funds necessary to complete repairs are clearly and categorically transparent in the 2019 budget as line items. Additionally, the Vice President of the board also acting as treasurer stated in a 4-page correspondence circulated to the community the boards plan for itemized maintenance improvements on behalf the community.

To improve communication and as discussed by the board at many meetings new web address has been completed and homeowners can now recognize electronic communication as “Board of directors at autumn woods”.

**f. Why can’t we take a vote right now to reduce the budget?**

Subsection B “In the event the budget requires an increase in maintenance fees of more than 15% over the prior year’s budget the membership of the association will have the authority to reduce the increase to a 15% increase if such action is approved by 51% of the membership at a special meeting called for this purpose”.

**g. What happened to the \$80,000 passed from the 2017 board.**

Tennis court repair, insurance coverage, start of tree project, painting gazebo, replacing fence at east entry, temporary repair of front entry lighting and other maintenance items.

**h. Why do we continue to retain the current property management firm?**

The current board agrees that Management and Associates has done a good job and has no reason to terminate. The board directs the property management firm and the property managers give advice which the board can accept or reject. Property managers continue to have the difficult task of sending compliance reminders.

**i. Why did the board remove so many trees?**

After the hurricane damage sustained to community property the board investigated a tree alteration and renewal project to reduce added losses to community property and protect residents from falling trees and/or limbs. The board received a presentation by an arborist from the City of Safety Harbor and then advice, examination and permitting by Pinellas County arborists. Dead and dying trees were marked by the county and removed. Replacement trees have been planted as required by Pinellas County.

Item 3 Suggested Board considerations for this meeting

- a. **The board must review and approve one of three presented financial analysis as directed by the membership. Ensure its immediate completion and circulation to the community and provide special assessment for the funding of the audit.**
- b. **Consider and vote to release and circulate the legal opinion offered to the board on behalf of the homeowner's by Rabin and Parker regarding the establishment and collection of reserve funds.**
- c. **The board must remain prudent with community funds and clearly understand that the community still has a right to revert to a 15% 2019 budget increase.**
- d. **Consider continuing with the approved budget and wait to see if a special meeting is appropriately called for to reverse reduce the budget and passed by 51% of the community.**
- e. **Consider reducing the 32.4% budget now back to 15% and stopping additional planned projects. The 2018 assessment was \$956.00, and the 2019 assessment is \$1266.00 resulting in a \$310.00 increase per member. Reduction to 15% difference is approximately \$143.40 per homeowner. The difference between the 32.4 % in real dollars is approximately \$167 less per homeowner or approximately \$14.00 less per month per homeowner.**
- f. **Consider a special assessment to complete planned repair projects in 2020 that may still be needed.**
- g. **Discuss and clearly understand individual compliance legal actions in process and vote to take appropriate actions in a closed meeting for that purpose after the regular meeting.**
- h. **Establish a committee of homeowners (not to include board members) to explore and review community documents, make recommendations to the board for improvement. Budget additional fees in the 2020 for added legal fees to review committee recommendations.**
- i. **Establish that outgoing "President's" serve as "past President" for a minimum of two meetings after completion of his or her term to assure continuity in board transitions and planning.**
- j. **Begin the projection and review of the 2020 annual budget that was not started March 2019.**

**k. Appoint volunteers as committee chairpersons and/or members.**

**l. Consider and establish locations for future meetings.**