

The Glades on Sylvan Lake HOA
(www.sylvanlakereserve.com)
Board of Directors Meeting
Thursday, June 17, 2010 at 7:00 p.m.
Sylvan Lake Park Recreation Complex

AGENDA / MINUTES

- 1) **Call to Order**
 - Meeting was called to order at 7:04PM. President Dan Macaluso and Vice President Adrienne Zecca were in attendance. Secretary Tony Cerino emailed he would be unable to attend. Charlie Shaw, the Sylvan Lake Reserve Webmaster and two other homeowners were also present.
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- 2) **Approval of Meeting Minutes –May 20, 2010**
 - Adrienne Zecca moved to approve the 05/20/2010 Board Meeting minutes as recorded. Dan Macaluso seconded the motion.
- 3) **Open Floor**

A new homeowner was welcomed and matters regarding the ARB process/ requirements and other activities in the community were generally discussed.
- 4) **ARB Application Review**

4 Applications were reviewed and approved

 - 542 Avon Glade – New Roof, Porch, Paint
 - 688 Glade View – Black Aluminum Fence, Children's Play Set
 - 6671 SWD – Remodel, Amended Path
 - 6867 SWD – Pool & Enclosure
- 5) **Violation Review Notice**
 - The violations have been greatly reduced as homeowners have begun to address the lawn problems largely caused by the extremely harsh weather this winter. The importance of contacting the management company if a violation letter is received was stressed so that additional letters may be suspended and fines avoided.
 - The DEC Committee – Update. The Committee has not had to hold a meeting as yet since currently there are no homeowners who have repeated or continued violations that may warrant assessing a fine at this time. It was requested that the operating procedures of this committee be entered into the minutes so that they are available if a homeowner wants to review them. These procedures will be added to the end of these minutes.

6) **Business**

- **Financial**

- **Budget, Assess Review**

- The current budget, HOA Assessment collections, and financial position were reviewed. The current financials are posted on the website for homeowner review.

- **HOA Assessment Delinquency Review**

- The HOA Assessment Delinquency Report was reviewed. The association has filed liens on a few homes in the community for unpaid assessments however since assessments were due on February 1, most homeowners have paid by this time. There are a few homeowners who owe late fees and interest will continue to accrue until these fees are paid.

- **Social Committee Events**

- The Yard Sale that was held on June 12 was very successful. About 45 homes participated. Thank you to Peggy Muniz for coordinating this event for us.

- **Yard of the Month**

- 617 Sylvan Reserve Cove had been chosen for the May YOM. Candidates for June need to be submitted to the Secretary.

- **Website**

- **Status, Updates**

- Charlie Shaw provided the current statistics including number of visits, emails, and other website activity. Approximately 78% of the SLR households have registered to receive email notices from the association.

- **New Projects**

- **Beautification**

- **Walden View Entrance** – The plans for updating this entrance have been finalized and work is scheduled with Valley Crest to begin June 28/29. The Landscaper's initial estimate for this job was over \$8,000. Continued work by the Board with the Landscaper has resulted in cutting or saving the HOA over \$4000.
 - **Entrance Cleaning** - Power Washing of both entrances will proceed immediately after new Landscaping of the Walden View entrance is completed
 - **Walden View Pond:** Benches have been purchased and a design and irrigation plan was drawn but a discussion about the considerable savings the HOA could attain if some community

members were willing to volunteer some time to spend to participate with this effort. A homeowner suggested the Board advertise perhaps in the Newsletter for a "work weekend " crew to help implement the Walden View Pond plan.

- **Community Road Repair**

- Charlie Shaw has continued to meet and follow up with the Seminole County Roads Dept. This work includes:
 - Resurfacing the previously repaired (but uneven) areas in the roadway on Sylvan Woods Drive & Walden View
 - Repairing the Driveway on Walden View
 - Repairing the sidewalks by the storm water manholesThis work has begun but is still in progress.

- **Wekiva Parkway Community Coalition (WPCC) (www.sc-wpcc.org)**

- Public Records Request
 - The details and outstanding issues have been resolved and they are proceeding with the request.
- June 8, 2010 SCEA meeting was held. The WPCC was represented and Charlie Shaw addressed the Authority regarding continued concerns beyond alignment, including the specifics required for sloping road design to acquire the indicated Parkway look and feel. He stressed that issues get into costs, rights of way, and go beyond aesthetics. The video of the SCEA meeting can be found on the WPCC website in the "of interest " column. It is a 28 minute video, but Charlie's presentation starts about minute 18:00.
- Interlocal Agreement.
 - After reviewing the proposed agreement received from the OOCEA, the SCEA and SCBCC inserted language which requires that Seminole County have a seat on the OOCEA (Orange County Expressway Authority) for the agreement to be implemented. The agreement with proposed changes was sent back to the OOCEA on 14 June.

- **Newsletter – June**

A homeowner suggested that attending the meetings he's learned of many maintenance and beautification projects that are occur, but that some of these might be a topic for the newsletter so more homeowners may become aware of them.

(examples include – installation of updated fountain head in Glade View Pond; New Tree at Glade View Entrance; recent removal of fallen tree from storm damage; retention pond maintenance underway; Walden View entrance work to begin; Power Washing plans for both entrances; Walden View Pond plan – Team Leader (Dan M.) looking for homeowner volunteers to help lay irrigation pipes.

- **Community Covenants** – nothing to report

7) Adjournment

- Dan Macaluso motions to adjourn meeting at 8:35PM. Adrienne Zecca seconds the motion.

Addendum to the Minutes:

At the February Board Meeting the following was reviewed. This document describes the Operating Procedures for the Declaration Enforcement Committee.

In accordance with our governing documents Rules and Regulations may be established to address and clarify the details of how specific responsibilities within the homeowners association are implemented. These rules may be established and revised from time to time by majority vote of the Board.

This description details the steps to be followed in the implementation of Article XV Sections 3-6. They address notices to homeowners for violations of the community covenants, requests for corrective action, hearing and fining processes.

**Sylvan Lake Reserve
Declaration Enforcement Committee (DEC) Operating Procedures:**

1. A Monthly Community review is performed by the Association Manager and a Monthly Violation report will be produced.
2. This report is forwarded to the Board and will also be reviewed by the DEC each month.
3. First time violations will receive the normal violation reminder letter with a request to correct the issue in 30 days or to contact the association manager.
4. If the violation is not resolved, Violation Letter number 2 will indicate this is the second request to resolve the violation. It will again request the issue be corrected in 30 days or a request for an extension must be made of the association manager. The letter will indicate that if no contact is made a Declaration Enforcement Committee hearing will be held where the violation will be reviewed and the homeowner can address the committee. It will indicate fines may be imposed for all violations not resolved. [This is the homeowner's first notice of a prospective hearing and fine.]
5. If still unresolved, Violation letter number 3 will serve as a second and official notice that since it has been 60 days and no contact or resolution has been made regarding this violation if no

contact is made or the violation is not corrected in 10 days a DEC hearing is scheduled for _____ (date) at the Sylvan Lake Recreation Center where the violation will be reviewed and the homeowner may attend to address the committee. The letter will also state that

- the DEC will follow the Florida state law which supercedes all homeowners association documents.
- The Florida law now allows violation fines of \$1000 be imposed for unresolved violations.
- At the DEC hearing, if a resolution is not reached a fine up to \$50/day can be recommended until the violation is corrected up to a maximum of \$1000. *
- This fine will be added to the homeowners account due to the Homeowners Association as per our governing documents. **

6. DEC meetings will normally be scheduled 5 or 6 weeks after the third violation letters are sent. The association manager will insure the DEC committee is aware of any contact made or extensions given as a result of letter number 3 so the DEC can remove them from their meeting agenda.

7. Prior to the DEC meeting, the members will be responsible for visiting the properties so they are familiar with the cases scheduled to be reviewed.

8. At the meeting homeowners who attend will be able to review their case with the members to reach a resolution. The DEC may decide the homeowner has resolved the issue and close a violation, set a specific date when the violation is to be corrected, make decisions regarding fines on all violations. If the DEC concurs with a violation where the homeowners elected not to contact the manager, or attend the meeting, a fine will automatically be recommended and imposed by the Board. If the homeowner attends, they will be given a form that documents the results or the review. A copy will be sent to the association manager.

If the homeowner is not in attendance, these forms will be mailed by the management company to the owners. Form will also indicate that the imposition of a fine shall not preclude the Association from invoking any other remedy or sanction in the governing documents or which may be lawfully imposed with respect to the same violation.

9. The DEC will submit the results of their meeting to the Board and to the association manager. The association manager will also ensure fines are given to the accounting department to add to the associated accounts.

10. The homeowner must contact the association manager to confirm the DATE the violation has been resolved and the manager or a DEC member will review the property so that the fine can be discontinued or a status reported.

11. The DEC will submit a monthly report to the Board containing anything they have to report.

* Our documents discuss fine amounts in two paragraphs in this Article. Section 4 states ".....the Board can fine "to the lawful maximum ". Until our documents are officially updated so the DEC can directly impose "the lawful maximum" the Board directs the DEC to recommend vs.

impose a fine. If the Board accepts the recommendation, it will use its authority to impose a fine up to the amount listed in the latest Florida statute. The DEC Hearing Results Form notes that the Board is actually imposing the DEC recommendation.

Section (c) currently indicates the DEC is limited to imposing a \$50 fine per violation. Until our documents are updated to match the current Florida law, the HOA position in these Rules and Regulations / Operating Procedures will be: "If after a DEC hearing is held the violation condition is not addressed or ignored, the association may view each day as a violation. As such, a DEC could recommend a penalty be imposed on a daily basis until no violation exists or up to the maximum fine permitted by Florida law."

** Section (e) states indicate "Fines shall be treated as an assessment subject to the provisions for the collection of assessments..."

Declaration Enforcement Committee Hearing Results

At the Declaration Enforcement Committee meeting of the Sylvan Lake Homeowners Association on _____ the outstanding violation for the property located at:

_____ was determined to be resolved in the following manner.

_____ The violation was resolved and no fine will be imposed.

_____ The violation will be resolved by _____ and the homeowner must contact the association manager to indicate the date the violation has been corrected. If the violation is not resolved by this date, a fine of \$_____/ day will be imposed for a maximum of \$1000. This fine will be added to the homeowners account as a debt due to the Homeowners association.

_____ A fine of \$_____/ day has been imposed for a maximum of \$1000 effective immediately. This fine will be added to the homeowners account as a debt due to the Homeowners association. When correction of this violation has been confirmed the daily fine will be limited to the amount due before confirmation has been made.

The homeowner was given notice of this meeting and was _____ present _____ not present.

This form was given to or will be mailed to the homeowner to confirm the results of this violation review hearing. The imposition of a fine shall not preclude the Association from invoking any other remedy or sanction in the governing documents or which may be lawfully imposed with respect to the same violation.

Governing Provisions: In accordance with our governing documents, Article XV Section 4, fines may be imposed by the Board to the maximum extent lawful provided the homeowner has been given notice and a hearing has been held. The Board has given the authority to the DEC to indicate the violation fine and agrees to impose the recommendations of the DEC. If a homeowner wishes to appear before the Board to present reason why fines should not be imposed, this notice will verify that Board meetings are held on the third Thursday of every month. In addition to this document, notice of Board meetings are posted at the entrances of the community and are emailed and posted on the website each month.
