

UNAPPROVED –Minutes  
Board of Directors Meeting  
The Woods Community Association, Inc.  
February 26, 2009 at 7:00 pm  
The Woods Clubhouse

**Present** – Steve Thomaston, Rich Burna, Mary Boggs, Alison Garcia, Jim Blache, Dave Czerw, Chairperson Finance Committee; Larry DeCaires, ARC Committee; Mike Hersey, Streets and Drains Committee; Adam Giddens and Betty Hudson, Giddens Security; Jack Klotzner, Rover Giddens Security; Earl Pafford, The Woods Maintenance; Steve Loveland and Caryn Scott, Property Manager – Marsh Landing Management Company.

**Establish a Quorum and Call to Order:** President Steve Thomaston established that a quorum of the Directors was present and called the meeting to order.

**Reading of Minutes from the January 29, 2009:** Alison Garcia made a motion to approve the minutes with the change to the date listed. Jim Blache seconded the motion. All members present voted Aye.

**Giddens Security Report – Betty Hudson**

Betty Hudson reported that there were 36 tickets with no tows this month. We have had no reports of any car burglaries. There was one bicycle stolen out of a garage, unsure if the garage was left open. Rovers are present on property 7 days a week at this time.

**Manager’s Report – Caryn Scott, Marsh Landing Management**

- Property inspection:
  - 30 new violation letters sent
  - 26 second violation notices sent
  - 5 Final notices prior to being sent to attorneys
  - 52 removed/compliance
  - 8 need to sent for attorney letter
- Delinquency Attached as of 2-26-09- \$71,573.63
  - \$37,203.77 at the attorney’s office
  - \$ 296.49 under bankruptcy
  - \$34,073.37 Current delinquencies

Description of Delinquency:

Balances older than July 1, 2006: \$2,299.24

Legal Fees outstanding: \$8,950.42

Late Fees Outstanding: \$9,349.40

Quarterly Dues Outstanding: \$50,730.57

Misc charges: 120.00

Aging Breakdown:

Current Month	30	60	90 (+)	Total
2,001.00	23,727.00	787.00	45,058.63	71,573.63

We did call small balance owners as noted on the delinquency report.

Earl Pafford stated that the portion of the fence that the City removed will be put back up. However, the inspector for the City contractor stated that the irrigation system would not be put back in. Chuck Newman confirmed that they were required to put the sprinkler systems back in. Earl Pafford confirmed that the grasses that they have recently installed are their responsibility to maintain until it is turned over to the Woods. Jim Blache stated he would email the appropriate people to get this corrected.

**Steve Thomaston** made a **motion** to send the homeowners on the attached list to the attorney (Terry Anderson, new representation) for enforcement letters. **Mary Boggs** **seconded the motion. All members present voted Aye.**

#### **Steve Loveland, Marsh Landing Management –**

Steve Loveland provided some collection information to the Board of Directors to review. Steve Loveland stated that there are obvious concerns with the collections in today's economy. For example, many times there is not enough equity in the homes to make an impact on homeowners when filing a lien. Steve Loveland suggests that each delinquent homeowner be reviewed individually for the Board to decide how to proceed with collections. Management has become limited with what they are allowed to do in collections i.e. calling homeowners and asking for funds. The Board has the right to do so, since they are the original debtors, but the management company does not. Liens, foreclosures and money judgments are the actions that can be taken at this time. Marsh Landing Management has provided the Board with an updated assessment collection policy draft for the Board to review and give their suggestions and/or questions. Steve Thomaston questioned if there was a statute change that now required Management to follow collection practices that limits their abilities. Steve Loveland stated that there has not been a statute change but in recent court cases, the management company is being held accountable for following the Federal Fair Debt Collection Practices and the Florida Consumer Collection Practices. These statutes limit management's procedures in trying to collect the debt. Steve Loveland stated we can still send letters from the Board and make homeowners aware of the debt, when it is due, and the consequences of not paying the debt. Steve Loveland discussed the notices that MLMC will be sending out on behalf of the Board. Mary Boggs questioned that \$100.00 MLMC liens fees. Steve Loveland stated it is in the contract, but is negotiable. Since the Woods has on site management, most of the work would be completed on site and not using MLMC accounting support staff. Mary Boggs requested Steve Loveland look into the cost to change the association dues from quarterly to monthly. Steve Loveland will look into this and get back with the Board.

## **Reports by Committee Chairs:**

### ***Finance Committee – Dave Czerw, Chairperson***

The Woods finished 2008 with 113% of the reserve funded. We are at approximately 90% of funding for the reserve for 2009. We have a 15K surplus as of January 31, 2009.

The Finance Committee recommends the following:

- 1. Recommends** monthly transfer from Operating Fund to Reserve Fund be distributed in the following percentages starting in February 2009:  
#578-Roads -50 percent , #579-Bridges-5 percent, #580-Community Center-15 percent, #581-Security-5 percent, #582-Drainage-5 percent, #583-Recreation-10 percent, #584-Maintenance/Equip-5 percent, #585-Contingency-5 percent.
- 2. Recommends** that all interest earned on Reserve Funds are allocated to # 578 Roads.
- 3. Recommends** changing name of line item #580 from Community Center to Community Center and Common Structures. This is to accommodate the inclusion of the common property fences in a specific Reserve Fund category. We may incur significant expenses in replacing common property fences along Hodges when road construction is complete.
- 4. Recommend** that we purchase a \$150,000 six month CD from Regions Bank with a 1.5 percent APY by March 15. Funds to purchase CD to come from Reserve Fund portion of SunTrust money market account.

**Mary Boggs** made a **motion** to approve 1-4 recommendations as listed above by the Finance Committee. **Rich Burna seconded the motion. All members present voted Aye.**

Dave Czerw stated that Jamie Docster has attended several meetings of the finance committee. He has expressed a desire to join the committee and has committed to regular attendance of the meetings. It is the committee chairman's observation that his input has been valuable, he has been well received by members of the committee, and his background in finance will be an asset to the committee. Therefore, his request to join the finance committee is submitted for Board approval. The Board has stated it would be up to the Chairperson of the Committee to make the decision on homeowners joining their committees.

Review Certificate of Deposit Options: Regions Bank, 6 month CD at 1.5% APY, 9 month CD at 2.0 % APY and 18 month CD at 2.5 % APY.

Steve Thomaston requested Earl Pafford supply a wish list to the Finance Committee so that they can review items for the 2010 budget.

### ***Recreation –No chairperson at this time***

Steve Thomaston stated there has been a complaint submitted in regard to the Tennis Teams being given priority on the “good courts” and the homeowner, Peter Kenny, wants clarification on the tennis teams rights to the courts. Peter Kenny was present at the meeting and had concerns about a non member reserving the courts for the tennis team and he doesn’t understand why the Woods team has non members on the team. Peter Kenny stated Diane Bach is the team captain and always reserves the best courts for both her practices and games. Alison Garcia looked into other communities with tennis teams and our charges (\$125.00) are less than Queens Harbor which offers seasonal tennis for 200.00. Alison Garcia also confirmed that the majority of the team’s members are Woods residents. Our contracts with the non member tennis players state that they can have two practices and one match per week. Currently the teams practice on Tuesday evenings and Saturday mornings. Peter Kenny stated he has a scheduled play every Tuesday evening. The rules will reflect that league sponsored practices and matches have priority on the courts and all others are first come/first serve. The team matches will be posted in the Woodsette for notification to all other homeowners (based on a suggestion by Mike Hersey). Steve Thomaston stated that originally the Woods Tennis teams were made up of only homeowners, but over the years the tennis team had to allow outside members to become part of the team due to lack of members. There are 8 courts and 2 courts are not lighted well. The cost of updating the lights would be approximately 9K. Rich Burna stated he feels the two front courts should be turned into a basketball court.

Steve Thomaston stated he has been spoken to in regard to the unfairness of Mike Dionne holding lessons up at the Woods courts which he charges for. He is running a business and charging money at The Woods expense. Alison Garcia stated that due to Mike Dionne offering lessons, the tennis teams have grown (members and nonmembers alike). We are in a situation, since we do not have a tennis pro, to regulate the courts and usage. Roseanne D’Augustine stated that the Women’s B Team will change their practice days to Wednesday in order to not interfere with Peter Kenny’s tennis time. All non members who have key fobs should have those access keys deleted.

### ***Architectural Review Committee –Larry DeCaires, Chairperson***

Larry DeCaires stated he has three new members; Joann Orlando, Mike Novelli and Diane Stephens. Larry stated that if work is being done and a neighbor is concerned if the work is approved, they should contact the management office with the address. ARC will then look into it.

### ***Streets & Drains – Mike Hersey, Chairperson***

The repair to the asphalt at Greenmeadow Place has been completed. The cost was \$350.00 over budget due to an underground pipe needing to be replaced.

The fence was installed at the Sandalwood Canal Bridge to try to prevent entry into the community.

The ditch work for 5 bridges is scheduled to start next month.

Mike Hersey stated he has received 3 bids from \$16,000 to \$24,000 to remove the island and asphalt the road at The Woods Drive and The Woods Drive W. Mike suggested anytime we are looking to get prices for asphalt that we should try to do as many projects at once in order to get a lower per square yard rate. The work will be done during the spring break week so that it will not interfere with school bus pick ups.

**Mary Boggs** made a **motion** to approve the \$500.00 to remove the trees at the island located at The Woods Drive and The Woods Drive W to be coded to operating. In addition, approving the bid of \$16,000.00 for removal of the island and asphalt from the "T" back approximately 320 yards on The Woods Drive to be coded to reserves. **Alison Garcia** seconded the motion. **All members present voted Aye.**

Mike Hersey reported on the meeting with Councilman Clark and the disagreements on who is responsible for maintaining and cleaning out the canal. There is conflicting issues. Richard Burna found signed documentation that Councilman Clark did sign stating the City would clean out the canal (and what would be cleaned out). After that, the Woods would agree to maintain the canal. Councilman Clark stated at the meeting the clean out only involves where the water flow is, not the dead trees and sides of the canal. The Woods does not own any property on or in the canal. This is all City property and easements. The Woods Community should not take the responsibility of cleaning or maintaining the canal.

Roseanne D'Augustine asked if there would still be a deceleration lane turning right into the community on Hodges Blvd. Jim Blache stated the lane will stay as it is.

The City of Jacksonville agreed to repair all sprinkler systems along Hodges and install new sprinkler systems along the berm that the Woods agreed to maintain. Chuck Newman signed an agreement with the City stating the above. The City of Jacksonville inspector stated that is was not in the current project scope to do anything with the sprinkler systems. Jim Blache is going to contact the City to get this resolved.

### ***Rules & Safety –No chairperson at this time***

Rich Burna stated that Juan Moreno is no longer the chairperson and no one else has yet to take the position, so until there is a chairperson, Rich will keep holding the meetings.

Camera Systems – discussed what reasons we are looking into the camera system.

1. Recorded surveillance of cars entering and leaving the community.
2. Car damages from gate systems.
3. License plate cameras for guest lane entrance only.
4. Audio on cameras to record and identify verbal abuse to our guards.

System requirements – each gate

1 camera to view both entrance lanes / with audio

1 camera to view exit lanes

1 license plate camera at the guest lane entrance only

1 – DVR for reviewing and copying incidents

Management Company will get two more bids for review.

**Jim Blache** made a **motion** to approve the Revised Rules and Regulations (with changes to the Tennis Rules) with the exception of the Post Orders (not reviewed). **Mary Boggs seconded the motion. All members present voted Aye.** The Revised Rules will be posted on the reader board that they are available at the office, and a mail out will be done once the Post orders are completed.

**Other:**

Chuck Newman stated that he is going to be taking over the revision of the Covenants and Bylaws. He was asking what the issues are that is preventing the Board from approving the revisions. Rich Burna stated one of the issues was the limitations and restrictions on expenditures on the reserves accounts. Rich Burna stated that everyone was agreeable to the By Laws, but had some concerns on the Covenants. There were some other minor items that needed to be changed. Chuck Newman stated the only restriction is that any reserve expenditure (over \$100,000) be budgeted in the prior year. The main purpose of the revision was combining all the different units of the Woods into one set of Bylaws and Covenants. Chuck Newman is requesting that those items be collected so that the changes could be addressed and we can move forward. Rich Burna suggests we go ahead and review the Bylaws again with this new Board (workshop) and then put the Bylaws out for a vote and wait on the Covenants.

**Homeowner's Open Forum**

Peter Kenny stated he appreciated the Board addressing his concerns, but doesn't feel they have been addressed properly. He stated that the tennis clinics held for kids (by Michael Dionne) needs to be addressed as well, as to who has priority. The Board agreed that those types of court reservations will be posted.

**Steve Thomaston adjourned the meeting.**