

Homeowners Association at Westwood Lakes, Inc.  
Board of Directors Meeting Minutes  
Bayanihan Center  
June 11, 2012

**Call to Order/Establish Quorum:**

President Linda Bailes called the meeting to order at 7:01 PM. Present were Linda Jones Bailes, Tim Delikat, Pam Hazel, Chuck Fuller, Michelle Cardenas, Suzy Jackson and Walter Pilat. Jill Ellis, our community manager, was present as were several residents. The meeting was properly noticed and a quorum of Directors was present.

**Approval of Minutes:**

The May meeting minutes were approved as corrected by motion of Walter Pilat and a second by Michelle Cardenas. Vote to approve was unanimous.

**President's Report:**

1. Linda Jones Bailes made a motion to nominate Jim Woods as a consulting, nonvoting member to the ACC Committee pending nomination to full status at the Annual Meeting in November. The motion was seconded by Suzy Jackson and passed with a unanimous vote.
2. Linda Jones Bailes made a motion to nominate Jim and Willene Woods to the Hearing Committee pool. The motion was seconded by Pam Hazel and the vote to approve was unanimous.
3. Linda Jones Bailes made a motion to add Julie Morales, Susan Rose and Sheryl Gomes to the Hearing Committee pool. The motion was seconded by Michelle Cardenas and the vote to approve was unanimous.
4. Chuck Fuller made a motion to add Jill Hamoor and Rosemary Scalzo to the Hearing Committee pool. The motion was seconded by Tim Delikat. The vote was not passed with a vote of Chuck Fuller, Tim Delikat, and Walt Pilat voting yes and Linda Jones Bailes, Michelle Cardenas, Pam Hazel and Suzy Jackson voting no.
5. Suzy Jackson made a motion to revisit the process of Hearing Committee vetting. The motion was seconded by Walter Pilat and the vote to approve was unanimous.
6. Michelle Cardenas made a motion to place on hold all 5 people added to the Hearing Committee before the process is revisited. Without a second, the motion died.

**Treasurer's Report:**

**Financial Update:** Tim Delikat reported on the financial status of the community. We are under budget by \$14,952. The ending operating cash balance is

\$146,381 and the reserve cash balance is \$473,719. Twenty two homeowners owe more than one assessment and twenty one owe one assessment. Thirty two accounts are in Attorney Status, with twenty three in bank foreclosure, three in HOA foreclosure, two of these have filed bankruptcy and four have liens placed for non-payment of assessments.

**Delinquent Accounts:**

1. Lot 11019: Homeowner currently owes \$1457.54 plus unbilled legal fees. The Lender Foreclosure was dismissed due to lack of prosecution. In preparing the HOA Foreclosure approved by the BOD, our attorney noted that there is a Tax Lien Certificate purchased by a third party. As the owner did not pay back owed property taxes, the tax lien certificate holder filed application in April 2012 to foreclose on this lien. At auction, the successful bidder will take title superior to the Association Lien and any mortgage, meaning our debt will need to be written off. Tim Delikat made a motion to alert the lender to the impending tax deed sale in hopes that the bank will purchase the property at the sale or pay the back taxes now, thereby preserving our interest. Our HOA foreclosure will be put on hold. The motion was seconded by Pam Hazel and the vote to approve was unanimous.
2. Lot 02056: This homeowner currently owes \$870.54 plus unbilled legal fees. The homeowner appears to reside at residence and has not replied to correspondence from our attorney. The Lender Foreclosure is in the beginning stages and the homeowner is attempting to stall the progress. Tim Delikat made a motion to approve Westerman, White and Zetrouer to commence HOA Foreclosure on Account 02056. The motion was seconded by Chuck Fuller and the vote to approve was unanimous.
3. Lot 07069: The BOD approved HOA Foreclosure at our May meeting. The homeowner paid balance owed of \$953.82 in full and the account is considered closed.
4. Lot 02024: This homeowner currently owes \$3800.52 plus legal fees. There have been numerous complaints regarding the poor condition of this home. Our attorney was successful in setting this Lender Foreclosure for a non jury trial during the week of June 19. At the pre-trial meeting, the Estate removed their objection rendering trial unnecessary. A judgment was entered in favor of the lender and the Foreclosure Sale is set for June 21.
5. Lot 05039: This homeowner currently owes \$1935.54. The home has been in foreclosure for almost 3 years and vacant for most of that time. There have been numerous complaints regarding the poor condition of this home. Our attorney was successful in setting the Summary Judgment Hearing on Lender Foreclosure for July 12. A sale date should be set approximately 30 to 45 days after this hearing.

**Bank Accounts:** The Money Market transfer discussed last month is in process. Waiting for checks to be issued.

Walter Pilat made a motion to accept the Treasurer's Report. The motion was seconded by Suzy Jackson and the Treasurer's report was accepted by a unanimous vote.

### **Manager's Report:**

1. Hearing Committee – Training took place for 8 members of the Hearing Committee and a majority of Board members at Resource Property Management office on June 7<sup>th</sup>.
2. Jill reported on the walk through meeting with One Source which occurs on the 1<sup>st</sup> Tuesday of every month. Ariel was asked to follow up on pressure washing of the decorative curbing around the front flower beds, sod that needed to be placed in Sawgrass, and other items. New front plants were recently added—vincas.
3. Jill will contact a mason to get an estimate for repair of the stone monument in the front. Several stones have fallen out.
4. LightScapes will be coming out to repair burnt out lights in front entrance.

### **Old Business:**

#### **Review/Discussion of proposed modifications to ACC Guidelines:**

1. **Definition of vulgar and obscene.** A motion was made by Pam Hazel to approve adding the state statute number into the Guidelines. The motion was seconded by Linda Jones Bailes and the vote to pass was unanimous.
2. **Indemnification of water hazards in front yards.** A motion to limit new water features to the back fenced yard and to have homeowners with existing water features voluntarily sign an indemnity agreement assuring the HOA is not liable for injuries related to this feature, was made by Pam Hazel. The motion was seconded by Linda Jones Bailes and the vote passed with a yes from Pam Hazel, Michelle Cardenas, Suzy Jackson, Tim Delikat, Linda Jones Bailes and no's from Walter Pilat and Chuck Fuller.
3. **Stained Glass:** A motion was made by Chuck Fuller to change one sentence to read "No commercial advertisement is permitted." A second was made by Linda Jones Bailes and the vote passed with Pam Hazel, Michelle Cardenas, Walt Pilat, Chuck Fuller, Linda Jones Bailes, Tim Delikat, voting yes and Suzy Jackson voting no.
4. **Final Approval of Documents:** Pam Hazel made a motion to approve all changes for the ACC Guidelines as previously discussed. The motion was seconded by Linda Jones Bailes and the vote passed with Linda Jones Bailes, Pam Hazel, Suzy Jackson, Walt Pilat, Tim Delikat, and Michelle Cardenas voting yes and Chuck Fuller voting no.

#### **Parking Discussion:**

Chuck Fuller made a motion, seconded by Tim Delikat, that directed management to send no letters to homeowners with properly registered vehicles parked on the streets, with the exception of Sawgrass. The motion passed with Chuck Fuller, Michelle Cardenas, Suzy Jackson, Walt Pilat and Tim Delikat voting yes, and Pam Hazel and Linda Jones Bailes voting no.

### **New Business:**

1. **Memorial Park questionnaire.** Chuck Fuller was to have a questionnaire prepared for the meeting. We will be revamping the questionnaire to include it in an upcoming mailing to all homeowners.
2. **Review ACC follow up spreadsheet.** This process is in review within the ACC Committee.
3. **Common area holiday lighting.** Jill will follow up with an electrician to give us a load requirement.

### **COMMITTEE REPORTS:**

#### **Lakes Committee.**

1. As of 6/9/2012, all stonework is done. Due to the rain, sod replacement might start on Wednesday, June 13<sup>th</sup>. Finn Outdoor has offered to donate some trees to our Memorial Park.
2. Heidt will be doing a SWFMD permit inspection on July 16<sup>th</sup>. Walt is looking into next steps to stock ponds.
3. We need new Lakes Committee members.

#### **Landscape Committee:**

1. Chuck Fuller said the front plants were replaced with vincas as there was a problem with the dark leaf begonias we had asked for. Pressure washing will be done on the decorative curbing around the beds as soon as possible.

#### **ACC Committee:**

1. See separate meeting minutes.

#### **Activities Committee:**

1. The Activities Committee was planning a catch and release fishing derby on Lake 8. Due to replacement of sod damaged by lake work, the July 7<sup>th</sup> date should be delayed. Board members suggested that this should be a 'neighborhood' fishing derby due to liability issues. Walt Pilat suggested an indemnity form available on the website should be signed by participants.
2. Susan Rose will prepare an accounting of the \$600.00 spent on the Spring Fling by the Activities Committee.

At 9:06 PM, a motion to adjourn was made by Michelle Cardenas and seconded by Linda Jones Bailes. The vote to approve was unanimous. The next meeting will be at the Upper Tampa Bay Regional Library on July 9, 2012.

Pam Hazel, Secretary