

Twin Lakes of Brandon Homeowners Association, Inc.
Board of Directors Meeting Minutes
February 26, 2007 - 7:00 PM

Meeting held at: 5129 Whispering Leaf Trail, Valrico 33594

- **Call to Order:** Terry Ottinger
- **Proof of Notice:** Notice Posted on Community Announcement Board 02/04/2007
- **Roll Call**

Terry Ottinger, Wayne Key, Scott Denty, David Leonard, Lou Bloom

- **Others in Attendance:**
 - Rick Pitrowski, COA
 - Residents in Attendance:
 - Tessa Benz
 - Chris & Stephanie Ball
 - Jay Kent
 - Donna Hollingsworth
 - Faizal Haroun
 - Harry Lyton
 - Ann Ottinger
 - Millie Nyquist
 - Chris Hunt
 - Yvon Hunt
 - Janene Maddock
 - Janea Klien
 - Joseph DeSewa
 - Gail DeSewa
 - P. Taylor
 - Phyllis Key
 - Daio Grabau
 - Lisa Harmon
 - Rhonda Norris Matthews
 - Brian Samec

- **Last Board Meeting Minutes Reading / Review / Approval**

- Last Board Meeting of January 30, 2007
- Minutes Reading / Review – Terry Ottinger
 - Motion to Approve: Dave Leonard
 - Motion Seconded: Wayne Key
 - Vote: 5 - 0

- **Old Business:**

- New Park Picnic Tables Installation Complete (bolted to concrete slabs)
- Pool Deck Repairs – In Progress. J & S will complete the job this week.
- Lake Sterns – Gazebo Status – Terry Ottinger
 - The Gazebo will be shipped on April 5 and delivered on April 10. Installer from Orlando will offer advice on preparation of site for installation.
 - Sidewalk Installation has been done. The expansion joints remain to be done.
 - Landscaping – The Board has tabled this matter and will revisit it at a later date. The Board was made aware of a request by homeowner Lisa Gill to provide landscaping on her property to shield the view of the new Gazebo from her house.
- Damaged Tennis Court Net has been repaired at a cost of \$400.
- Sheriff's Grant Application has been prepared and only awaits Terry Ottinger's signature. The grant has been written for Soccer Field improvements.
- Tree Maintenance Bids – The Board has tabled this matter for review at a later time. Zeina Parks needs routine pruning and clearing. The 150 year old Oak tree along Lake Michaela is splitting and needs to be repaired (cabled). Rick suggested that we should look into the Historic Tree Program.
- Rick discussed the "Safe Escape Program" that he is now certified to conduct. We will try to incorporate this into our April Bi-Annual HOA Meeting.
- **Old Business continued:**
 - Pool Lighting Improvements and Repairs – COA

Brandon Electric has provided a quote of \$489 to light the pool and parking lot. Adding a 35 foot conduit and 5 additional lights will cost \$2,700. The Board has requested that Rick obtain more bids. We will also get a price for installing automatic lights in the bathrooms.
 - Curbing Quotes:
 - Lake Sterns Sidewalk – Has been installed. Bids for curbing are being obtained. Matter was tabled until next Board Meeting. Estimated cost is approximately \$2,000.
 - Park Playground Areas – Curbing quotes are being obtained. We estimate that it will cost \$3,000 to landscape and bring in new sand for the Playground and complete the curbing in Zeina Park. We estimate that we will need 600 linear feet of curbing (\$4.25 per linear foot). We will Table until next Board Meeting.
 - Mulch for Park Parking Lot – We have access to 40 yards of free mulch. J & S Decking will spread the mulch for \$600. We will ask Shawn to remove the timber parking stops before spreading the mulch.

- Pool Card Access System Status – Terry Ottinger – The DSL line is not installed yet, but we will start distributing Access Cards to residents. The pool will be open from 10AM to 6PM.

- **New Business:**

Tessa Benz (primary spokesperson) along with 16 other residents representing 13 homes requested to address the Board. and presented a wide array of questions, issues and objections. Included among the matters presented were:

*They expressed an opinion that TLBHOA's definition of "good standing" in regards to its rule as it pertains to serving on the Board of Directors, violates Florida Statute 720.305 (3). The Board pointed out that this was a legally adopted rule, established during the public rules meeting held on 1/26/2006 and that the HOA's attorney had reviewed all of the adopted rules.

*They stated a general believe that the Board, on behalf of the HOA, practices "selective enforcement" of the Declaration of Covenants and Community Rules. The Board strongly disagreed with that notion and several members of the Board expressed a strong difference of opinion. It was explained that it is possible to miss violations during inspection visits but that no known violations were ever overlooked.

*They expressed an opinion that the Board is retroactively enforcing the Rules and Regulations. The Board guaranteed them that any modification or change made after receiving ACC Approval would not be effected by any future changes in the Rules and Regulations.

*Another concern was expressed that legal fees and costs, not recouped from a homeowner will be borne by the HOA. There is concern that such costs could be very large. They believe that the Board is setting up the HOA for lawsuits.

*The Residents asked for another meeting in addition to the October meeting to be held. Terry Ottinger notified the residents that we always had a second meeting in April and that such a meeting was already on the Board's Agenda tonight. Specific date and time in April will be made tonight.

A discussion about making changes to rules and/or covenants took place. Rick of COA suggested that a 2/3rd vote would be necessary to change a covenant and that rules were changed by the Board and a Special Rules Meeting. The residents, however, believe that changes could be made by a simple majority vote.

*A discussion about the ACC power to rule on matters of individual exterior modification requests. Terry pointed out that it is the ACC, not the Board that rules on applications for house and fence colors. Further, the Board is very careful to follow the Governing Documents to the letter. When there is doubt, an attorney's opinion is sought.

*The Residents suggested that we should have a "pallet of acceptable colors" for houses, fences, driveways and any other objects that require ACC approval.

*A Resident requested to be appointed to the CCR Committee. Terry said that the Committee already has its full compliment of members.

*The Residents feel that the Board does not listen to the homeowners and ignores them. They want to be listened to and they want better communications between the Board and the Community.

* The Residents recommended that a Liaison Committee (Communication Committee, Mediation Committee) be created for the purpose of bringing the ACC, CCR, Board and homeowners together before a legal action is initiated. It was suggested that such a Committee would provide evidence of due-diligence and communication and reduce legal costs.

*The Residents have threatened to bring their concerns to the attention of the Media, as well as filing a lawsuit against the HOA. Finally, they suggested that they might petition for a Recall Election of the Board.

* Terry closed this discussion by suggesting that the Board simply follows the Rules, whatever they might be. The Board will exercise the wishes of the majority of residents. He also suggested that the majority of stained fence issues result from the resident failing to obtain ACC approval before applying the stain as the covenants require. He also informed The Residents that decisions of the ACC are not subject to appeal by the Board of Directors.

*Stephanie and Chris Ball presented documentation relative to their issue over a fence that has an unapproved red stain on it. They believe that they adhered to the Declaration and Rules and Regulations and their fence color should be allowed to stand as is. The Board will discuss this matter at the end of this Meeting and also discuss the matter with the HOA's attorney.

* The Ball's also presented pictures of their neighbor's side yard that is in violation of Community Rules.

- Soccer Goals – Mary Collister is researching the costs and options for obtaining an 8' by 24' Soccer Goal. We will hold off until we see if we successfully obtain the Sheriff's Grant. We are asking for \$2,500. HOA will spend \$1, 079.98 over and above the Grant amount.
- COA – Community Report – Rick Pitrowski
 - The Board discussed a letter received from a resident asking that the Community ban landscapers from starting before 7 AM. Rick will check into this matter
- Financial Report – Dave Leonard
 - Dave Leonard presented the Financial Report for the Period Ending on January 31, 2007. New Accounts Status. Total assets of the HOA are \$188,844.72. Monthly expenses were \$32,642.58 versus a budget amount of \$32,696.58.
 - Old Account Status- We have 118 Delinquent Accounts totaling \$27,593.02. \$19,173.74 was less than 30 days. \$403.15 were 31 to 60 days delinquent. \$195.52 was 61 to 90 days and \$7,820.61 was over 90 days.

- Delinquent Assessments - 5 Accounts were designated to receive 10-Day Letters. Letters for the 3 properties discussed last month ([REDACTED]) have been forwarded to the attorney for action.

Motion to Approve: Dave Leonard
Motion Seconded: Terry Ottinger
Approved: 5 - 0

- **New Business continued:**

- Committee Reports:

- ACC – Architectural Control Committee – Scott Denty
 - Report on Meeting of 02/21/2007 – Scott reported that there were 15 Applications reviewed. 4 were approved, 5 were conditionally approved and 6 were sent back for more information and re-submission.
 - Open Issues – The matter at 3141 Beaver Pond has been resolved.
 - Next Meeting date: March 21, 2007 at Location: 5507 Winding Brook Lane.
- CCR – Covenants, Conditions and Restrictions – Terry Ottinger
 - Report on Meeting of 01/19/2007 – Terry reported that only 41 homes (8.9%) in the Community have matters concerning compliance with the Declaration of Covenants, Conditions and Regulations and Community Rules.
 - Summary Report Review - A copy was given to the Board Members and will be included in these Minutes.
 - Board Review / Legal Matters - 2 Special Letters, 13 Letter 1's, 16 Letter 2's, 5 Letter 3's, 2 Attorney Letters and 2 Matters sent to the Board for Mediation approval.
 - One resident complained about a shed in a neighbor's back yard and the CCR will address the matter.
 - Next Meeting date: 3-19-07 at 5505 Winding Brook Lane
- CSAC – Communications & Social Activities Committee – Lou Bloom
 - Newsletter Status – The April Newsletter will be sent to the Printer on March 9. Scott Denty will write an article for the Newsletter. We have 3 Advertisers.

- Blood Drive - March 31st - Arrangements are moving along nicely.
 - Easter Egg Event – We are still looking for Volunteers. At this point, it appears unlikely that the Hunt will happen.
 - Community Wide Garage Sale - April 21st - Ads will be placed in the Tampa Tribune and the local Penny Saver. We will also have signs and banners for the event.
 - Next Meeting date: March 9, 2007 at 4701 Lina Court.
- CALM – Common Area and Lake Maintenance – Wayne Key
 - Meeting with Eric of Complete Landcare – Wayne toured the community property with Eric. They discussed sprinkler system problems and the cutting protocol (specifically, cutting closer to the Lake).
 - Common Area / Maintenance Issues – They appear to cut one day and edge on another day. We will ask them to do both on the day(s) that they are here. They will also trim around the observation deck.
 - Lake Status – Lake Michaela needs to be cleaned and Rick will investigate the options available to us.
 - Next Meeting date: To be determined.
- **Other New Business:**

Records Requests Policy – COA

- Reviewed Policy developed by Ellen de Haan.
 - Discussion – Policy will make it easy for residents to understand how to request Community documents.
 - Motion to Approve: Scott Denty
 - Motion Seconded: Lou Bloom
 - Vote: 5 - 0
- Flood Maps – Appeal Process
 - The Flood Zone Maps used by FEMA are in conflict with the Flood Maps utilized by Hillsborough County. We will post information about this problem on the TLB Website and we will have an article in the April Newsletter.

- Zeina Park - Parking Lot Issues
 - A Clean-Up is Needed. Rick will arrange for the decayed railroad ties in the parking lot to be removed.
 - New Parking Stops Needed
 - Fence Rails

- April 2007 – 6 Month HOA Meeting will be held in April, 2007 at the Campo YMCA. Tentative date is April 9, with a fallback date of April 3.
 - Community Update will be presented
 - Cards for Pool Access will be discussed.
 - Q & A Forum will be provided
 - Discussion of the Declaration of Covenants, Conditions and Restrictions will take place...as well as a discussion of our Community Rules and how changes can be made.
 - Nomination Committee will be discussed.
 - A New Committee," Rules and Regulations Committee", is being developed and will be discussed at the Meeting. The Committee would focus on soliciting Community opinion on existing Rules and Regulations in the interest of identifying possible changes.

Acknowledge Date / Location for March Board Meeting:

- Meeting Date: March 26, 2007 at 7:00 PM
- Meeting Location: 5011 Whispering Leaf

• Adjournment

- Motion to Adjourn: Terry Ottinger
- Motion Seconded : Scott Denty
- Vote: 5 - 0
- Meeting Adjourned at: 10:07 PM