

QUAIL LAKE HOMEOWNERS ASSOCIATION

DECEMBER 16, 2014

MINUTES

The regular monthly meeting of the Quail Lake Homeowners Association was called to order at 7:04pm by Ray Uhlhorn. Members present: Ray Uhlhorn, Dave Hill, Marcy Burth, Chuck Kowalski, Jim Watters, Marlene Fleming and Barb Sheptak. There were fifteen residents in attendance.

The minutes from the November 18 monthly meeting were circulated to all members for review by email. Marcy Burth moved that the minutes be accepted; Dave Hill seconded the motion. Motion passed unanimously.

The President asked to have recorded in the minutes that the Board met in Executive Session with its attorney on November 25, 2014 to discuss possible litigation per the provisions of Florida Statute 720.303 subsection 2(a) and (b).

Audience Comments

- Pat Granholm asked the reason for the executive meeting with the attorney . Ray Uhlhorn advised that as a Board we are able to meet privately with legal counsel in the event that there is possible or pending litigation.
- Al Roy asked if there could be a few more details in the Newsletter regarding the financial state of the neighborhood, specifically, how much money we have and the road fund totals.
- Pat Vinti asked when he should address the issue of meeting the Attorney in private. Ray Uhlhorn said that will be addressed next.
- Rick Wagner introduced himself and his wife Jeanne, as new residents.

Committee Reports

President Report: Ray Uhlhorn

- There is an issue that needs to be addressed, so it needs to go first. The Boards integrity has been questioned as well as some rather forceful and demanding emails received, so we need to get this resolved and move on. These emails were sent by Pat Vinti. The scenario is that during the Oct. 21 Board Meeting, while discussing the lake shoreline restoration, we agreed that it was important to meet with an attorney. We, as a Board, wanted to make sure we knew where

we stand legally as far as what we were pursuing, and if that was appropriate. On Nov 3rd, Ray received an email from Pat Vinti questioning a closed meeting with our Board and an attorney. The week of Nov 10, Ray called Pat Vinti and discussed at length the importance of an attorney/client meeting, as well as being allowable under the Florida Statute 720 for a Homeowners Association Board to meet privately with legal counsel. During the Nov 18 Board Meeting, during New Business, the Attorney/Board meeting was confirmed. Nov 25, the Board had an Executive session with the attorney to receive information regarding potential litigation based on shoreline maintenance decisions. Guidance was critical for the Board to make the best informed decisions at some later date as it considers an approach to shoreline stabilization. Bottom line is that the Florida Statute allows private meeting with a Board/Attorney to discuss potential litigation and there is no requirement to post that notification of such a meeting. No business was conducted and no action was taken during this Executive session. Since Ray had been questioned by Pat Vinti, Ray contacted the Florida Attorney General's office, Pam Bondi, for clarification and direction. Ray was told that Boards are allowed to meet privately with counsel to review potential litigation and are not required to give public notice of such a meeting. The Quail Lake By Laws require written notice of meetings or special meetings where members may attend and are entitled to vote. It does not require that if you have a private session of attorney/client privilege that it be posted.

- Pat Vinti's response is that his interpretation of Florida Statute 720 was that A) All meetings must be open except with an attorney and B) Members have a right to attend ALL meetings. Notices of all Board Meetings need to be posted 48 hrs in advance. His concern is what he perceives as a breach of FL open meeting law. If the meeting was due to pending or a proposed litigation issue, that instance would be governed by the attorney/client privilege. Pat's concerns are with the posting of notice of the meetings to the community. If the purpose of the Nov 25 meeting was in regards to pending or proposed litigation, then, without question, his understanding is that the meeting falls under the attorney/client privilege. If, however, the purpose was anything other, it goes against his reading of FL statute 720. His question is what needs to be posted and what does not need to be posted. He believes the Executive Session meeting should have been posted in advance.

Vice President Report: Dave Hill

- There were a few minor changes to the directory that have been updated.

Treasurer Report: Marcy Burth

- The Balance Sheet and Profit and Loss statements for Nov. 30, 2014 were distributed. Our road repaving fund has a total of \$55,685 in the bank, our working capital fund has \$55,213 in the bank, and our general checking account has a balance of \$15,423 as of Dec. 1. The \$6,298 in

Accounts Receivable are mostly made up of the 3 homes that are in foreclosure, waiting to be collected.

- Jim Watters moved that we accept the Treasurers Report, Marlene Fleming seconded the motion. The report passed unanimously.
- 1678 Waxwing has been purchased by the bank and should come up for auction or sale soon.

Grounds Report: Chuck Kowalski and Jim Watters

- nothing new to report

Architectural Report: Marlene Fleming

- A resident reported that there is a dirty roof on Waxwing Ct. Ray said the owner lives at a different address, and he is generally responsive. Ray will provide Marlene with the contact information.
- Decorations for the holidays look wonderful.
- No new change requests.

Secretary and Community Relations: Barb Sheptak

- Distributed one new welcome packet .

President Report: Ray Uhlhorn

- Last meeting, Pat provided us with some information related to people having difficulty affording a new roof. The Housing and Community Development Office assists in interest free loans in such items and roofs. Ray will forward that information so we can distribute in newsletter.
- The Church wall was cleaned mid December, after missing their first date.
- Last month a nuisance letter had been received regarding children playing outside. Ray sent a letter and has received no feedback.
- At the last EVMA meeting, Ray learned that each community has its own website calendar to add events and meetings. The monthly meetings and Quail Lake Ladies Luncheons should be included and that information goes to Dave. Dave Hill noted that the EVMA website has been under construction, but should be in working order now.

East Village Master Association: Pat Vinti

- 2015 Dues will remain the same. The EVMA is under budget as a whole with a couple items over budget.

Old Business

- Lake Shoreline Maintenance Stabilization Project - The Contractor qualifications and comparing 'apples to apples' is where we are at now. Using specific, quality materials, pricing and checking warranties for each of the contractors will help us make a better informed decision. Pat Granholm asked why we don't have reserves for this project? Past Boards have not addressed the need. Pat Vinti asked if we will be invited to the meetings for this project? Answer - yes. Ray asked Jim to look for an Engineer to talk about materials for restoration. Marcy suggested that the Bank offers loans for Homeowners Associations that we might use for the lake restoration. Al Roy mentioned that back in 1997 the Board discussed restoration of the lake with a wooden retaining wall. Pat Vinti found in the March 17, 1997 Quail Lake minutes that 44 Lakefront homeowners were questioned if they were interested in a wooden retaining wall. 37 residents responded and only 12 of the 37 showed any intention of installing a wooden retaining wall. Subsequently, nothing was done.

New Business

- 2015 Budget Preparation - Most expenses are locked in for 2015. The variables that we need to pinpoint are Urban Turf for landscaping and our insurance bill. An update of the entrances should have a line item in the new budget.
- Updates and Revisions to Official Documents - Updates have been made for the EVMA, we need to start ours soon. Our goal is to spend 2015 preparing our documents and voting in Feb. 2016.
- Use of QL Directory emails - A recent email from a homeowner regarding Christmas decorations has started a dialogue of 'use of directory emails.' The emails in the directory are not to be used for solicitation. We request that the homeowners use good judgment and only use emails for private communication. Ray requested to put an item in the newsletter stating this.
- Our Annual Meeting will be Feb 17 at 7pm. Deadline for Bio if interested in running for a spot on the Board is Jan. 10. There are 3 spots on the Board and replacing Jim Watters for 1 year.
- Happy Holiday to everyone.

The next scheduled meeting is Tuesday January 20, 2015 at 7:00 pm. Marcy Burth moved to adjourn, Dave Hill seconded. Meeting adjourned at 8:20 pm.

Respectfully submitted,

Barb Sheptak

Secretary