

THE PRESERVE HOMEOWNERS' ASSOCIATION OF MILTON

P.O. BOX 962
Milton, FL 32572

Board of Director Meeting Minutes for, July 11, 2024, 11:00 AM

ZOOM Link:

<https://us02web.zoom.us/j/84292075157?pwd=TAIrFbkJ7eAdqJpclNpl12TZ8e2X82.1>

Meeting ID: 842 9207 5157

Meeting Minutes

1. Meeting Call to Order at: 11:00 AM, by Tony Tranker (President) who announced that the meeting is being recorded for the purpose of writing Meeting Minutes only. Anyone who doesn't want to be recorded should sign out now. Anyone wishing to speak must wait until the floor is open near the end of the meeting and only address agenda items. He then summarized the following guidelines.
 - a. Go over rules of the meeting:
 - i. Members of the HOA will be allotted 3 minutes to speak, address issues, concerns or ask questions **on items listed on the agenda**.
 - ii. Board Members have no time restriction for responses.
 - iii. Speakers will be reminded to state their name and address, speak calmly, no yelling, no profanity or smearing of other individuals.
 - iv. Anyone who has an outburst, speaks out of turn and refuses to adhere to the rules will be politely asked to leave / disconnect, to include the BOD or ARC. If individuals refuse to leave/ disconnect, other legal means will be taken to have those individuals escorted off the property / disconnected or the meeting will be adjourned.
 - v. To transact such other business as may properly come before the Board of Directors or any Adjournment or Postponement thereof.
2. Roll Call, Sign-In Sheet: Name/Address of everyone on Zoom call Ron Kaelber (Secretary), read out the names of attendees that were recognizable on the Zoom display and asked some attendees to clarify their name to properly include them as attending, see [Exhibit 1].
3. Introduction of BOD members: Directors at the meeting introduced themselves in the following order: Anthony Tranker (President), Bill Ferguson (Treasurer), Robby Gentry (Director) and Ron Kaelber (Secretary).
4. Proof of meeting announcements: Signs were posted at the entrances, and the agenda was listed on the website prior to the 48 hour requirement.
5. Old Business: Bill Ferguson reported:
 - a. Collections / Past Due Accounts: There are 25 Homeowners who still owe dues. This is after sending 64 Priority & Certified Mail notices. The next step is to get the attorney involved. Board Members discussed about which accounts should be turned over to the attorney. There are 10 Homeowners who owe for 2 years through 4 years (the highest), see [Exhibit 2]. The upfront cost to have the attorney send 10 collection notices would be less than \$3,000, which would be added to the delinquent accounts. If still not paid the next step would be putting a lien on the house. Bill Ferguson moved to turn over the 2, 3, and 4 year delinquent dues

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accounts (total of 10) to the attorney for collection. Ron Kaelber provided a 2nd and all Board Members present voted yes.

- b. HOA Facebook Page: Post concerning CCR enforcement. The BOD agreed at the April 2024 meeting to put a post on our HOA Facebook page, letting homeowners know the HOA will begin writing violations for lack of lawn maintenance. Being as we have so many violations, this is a courtesy notice. Since then the BOD has received several complaints about the condition of multiple lawns in the neighborhood. Bill Ferguson mentioned the BOD previously approved notifying Homeowners the BOD is going to start enforcing the HOA Covenants, Conditions, and Restrictions (CCRs) to maintain landscaping in a neat and attractive condition, as required by Florida statute. After some discussion Bill Ferguson agreed to submit a draft notice for review. After agreement among the BOD, it will be placed on the HOA website and Facebook page.
- c. Police Patrol: Results for 6/15/2024 & 6/17/2024. There were 16 violations written, 2 were warnings. The other 14 tickets were for speeding and improper stopping at a stop sign. Only 4 or 5 violations involved drivers from outside the neighborhood. Bill Ferguson moved to have Police Patrol no more than twice a month. Robbie Gentry provided a 2nd and all Board Members present voted yes. After some discussion the BOD clarified that the patrols don't have to be done. It did raise awareness of the 20 MPH speed limit and future patrols may not be needed.
- d. CCR Revision Update: Results to date for email account. Eleven (11) people have submitted ideas on changing the CCRs. This includes 1 to strengthen the ARC restrictions, and 3 to keep the current 2021 CCR version, (no change), see [Exhibit 3]. The BOD discussed the lack of input considering that 67% need to vote yes to change a CCR, and that would be 198 yes votes. It would be nice to have the CCR change vote at the same time as the annual voting for Directors but there was some concern that the process might take more time. In addition to gathering input, it needs to be screened by the attorney and then written into existing CCRs prior to having Homeowners vote. Plus the BOD needs to prepare for the annual meeting.

Old Business: James Sanders (absent)

- e. Violations: How many sent / resolved since last BOD meeting Tabled, Director absent.
- f. Violation Inspections: How often? Bill Ferguson pointed out that after a CCR violation is written and sent out that the Homeowner has 14 days to resolve or contact the Board to propose a plan with a timeline to correct the violation. Since there needs to be a follow up look at 14 days or later, it makes sense that surveys of the neighborhood would occur about every 2 weeks or twice a month. It was mentioned that some corrective actions would be given 30 days because of the larger effort required, like lawns/landscaping.
- g. County Survey: Additional stop & speed limit signs – Convex mirror at Beneva Rd Tabled, Director absent.

6. New Business:

- a. Who can attend / speak at BOD meetings: Tony Tranker reported that the BOD was advised that Homeowners and an attorney representing the Homeowner may attend an HOA meeting, but they need to identify themselves. Our Bylaws state only homeowners can attend, but after

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consultation with our HOA attorney, it is a common courtesy to allow homeowner representation by their attorney.

- b. **3rd Party – When & Concerns:** Bill Ferguson shared his concerns and thoughts regarding hiring 3rd Party Management too soon. His projections result in the HOA being unable to afford the cost of 3rd Party in just under 3 years and needing to revert back to being run solely by volunteer Homeowners. This is because dues can only be increased by 10% each year. Transitioning to 3rd Party and then not being able to sustain their support will cause more work and interrupt continuity. He also mentioned that the BOD can hire an HOA Secretary, which would be less than hiring 3rd Party. In addition the BOD could ask the Homeowners to follow HOA guidance to reduce the cost & effort of collecting dues and ensuring CCR compliance. Then when the HOA can afford 3rd Party, for the foreseeable future, the BOD could hire 3rd Party. BOD members discussed that a vote was taken to hire 3rd Party Management at the November 2023 meeting, targeting a start date no earlier than July 2024. Ron Kaelber expressed that transitioning to 3rd Party should be done only if it can be afforded for the long term. He proposed that the BOD review the projection. Bill Ferguson moved to delay hiring 3rd Party until a review is conducted. Robbie Gentry provided the 2nd and all Board Members present voted yes.
- c. **Meeting Recordings:** Bill Ferguson clarified that recording the meeting is done for the purpose of writing the minutes only, it is not publicized anywhere. Anyone who does not wish to be recorded needs to sign off. If a Homeowner wants to record a meeting, they need notify others that they are recording and give them a chance to sign off.
- d. **Fine Committee Nominees** Tony Tranker mentioned that we have the minimum of 3 Fine Committee members already and that we should have 5, in case 1 or 2 are absent. Bill Ferguson nominated Brian McCullough and Steve Bean to serve out this year's term until October. They have been made aware of the responsibilities and are volunteers. Bill Ferguson moved to select both of them to the Fine Committee. Robbie Gentry provided the 2nd and all Board Members present voted yes.
- e. **Subdivision Entrance / Landscaping / Irrigation:** Bill Ferguson commented that landscaping at the subdivision entrance near the sign and across the street, the 300 feet down the fence line is in really bad shape. He thought that the area was out of standard and needs some improvement. It would need to be graded, sodded, the existing sprinkler system would need to be checked/upgraded and expanded under the road to reach the west side of Red Oak Dr., to maintain landscaping in a neat and attractive condition. Bahia grass was mentioned for use because it is used on Florida highway medians. Bill Ferguson moved to get an estimate to improve landscaping of the common area near the entrance sign and across Red Oak Dr. Robbie Gentry provided the 2nd and all Board Members present voted yes.
- f. **Financial Report:** Bill Ferguson reported the current bank balance as \$43,846.83. For additional details, see [Exhibit 4].

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7. HOA Official Information: Official HOA business needs to be communicated with the HOA Board through the preservehoamilton@gmail.com or mail to The Preserve HOA of Milton, PO Box 962, Milton, FL 32572.
8. Next Board Meeting Date / Location / Time: 24 July 2024 / Zoom / 2pm
9. Items that need to be added for the next BOD meeting:
 - Violations: How many sent / resolved since last BOD meeting
 - County Survey: Additional stop & speed limit signs – Convex mirror at Beneva Rd
 - Progress on landscaping estimate
 - Response from attorney on questions sent

Open to the Floor:

Claudia Zaehringer –

- 1) Recommended setting a drop dead date for changes to the CCRs.
- 2) Asked if the BOD wanted a copy of her redline version (with corrections for typos and grammatical errors) to help in the re-write. She will send the redline version to the CCR email address.
- 3) Suggested looking into adding native plants in the 20' x 300' strip of lawn at the entrance.
- 4) Mentioned that hydro seeding may work better than sodding.

Julie Moylet –

- 1) Asked how the new education requirement for board members will be paid for. Tony Tranker explained that the State hasn't provided any information on how to satisfy the new requirement.
- 2) Wanted to know if the education requirement will be added to the CCRs. Bill Ferguson explained that Florida statute 720 applies to all HOAs in Florida and has precedence over specific HOA guidance.

Rebecca Peterson –

- 1) Wants to go back to live meetings at a more convenient time for Homeowners to attend.
- 2) With regard to changing the CCRs, she thought we needed a certain percent of the Homeowners to agree before we could take a vote. The Board said no, but 67% of the Homeowners need to vote for a change to the CCRs, for it to be approved.
- 3) Wants to put sidewalks in our community, a little bit at a time.
- 4) Thinks if we hire a Homeowner for the Secretary position, they should not have a vote. Bill Ferguson stated that the Secretary is allowed to be paid and may be a Homeowner or not.
- 5) Doesn't agree with turning over so many non-paying dues accounts to the attorney for collection. She would rather turnover a few of the most delinquent accounts to "test the waters" and save money.
- 6) Is against putting a lien on someone's house. She understands that everyone needs to pay their dues but we should not take their house. Bill Ferguson explained that putting a lien on a house isn't the same as a foreclosure. She said yes but when the lien isn't paid, they go to foreclosure. She doesn't think it is right to take a house because someone owes a few thousand dollars. She would turn the

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other cheek. Bill Ferguson explained that the process has several steps and opportunities for Homeowners to settle before a foreclosure can be filed.

- 7) How are we going to let Homeowners know about the upcoming process of voting for the next Board members in October? Bill Ferguson said that information will be mailed out.

Kelly Griffin –

- 1) Regarding the comment made that there aren't very many people providing input on CCR changes, she agreed with comments already submitted on Facebook and didn't add her comments on issues already mentioned. She thinks other people might be doing the same thing and it doesn't mean that they won't vote. Bill Ferguson pointed out that only 7 people have submitted changes to the CCRs to the CCR email, (preserveccr@gmail.com). He thinks it is going to be difficult to get 67% of the Homeowners to read through the changes and vote yes.
- 2) She wanted to add a restriction about parking on the street directly across from a driveway because it makes it difficult for large vehicles to get in and out of their driveway. However, the new Florida House Bill (HB 1203) for HOAs, which went into effect July 1, 2024, appears to permit street parking. It was suggested that street parking issues for subdivisions might be a good topic for the County Commissioners to address.

Claudia Zaehring –

- 1) Commented that in the CCRs Section 40.3, it does state that this Declaration shall be governed in all respects under the laws of the State of Florida.

Rebecca Peterson –

- 1) Wants to go door-to-door to have a petition signed to say people want to change the CCRs. Bill Ferguson replied that we don't need a petition. The Board is going to conduct a vote on the attorney approved changes submitted to the CCR email. What we need are recommended changes submitted to the email address, (preserveccr@gmail.com).

Bill Ferguson moved to adjourn the meeting. Robbie Gentry provided a 2nd and all Board Members present voted yes.

Adjournment at: 12:17 PM

The Preserve HOA of Milton
1st & 2nd Quarter 2024
1/1/2024 - 7/3/2024

Financial
Report

Dues
Outstanding
inc. Fees/Interest

Beginning Bank Balance 1/1/2024	\$19,979.03	4 yr	2	\$1,017.90
Receipts	\$32,867.66	3 yr	1	\$403.62
Expenditures	-\$8,999.86	2 yr	7	\$1,948.31
Current Bank Balance 7/08/2024	\$43,846.83	1 yr	13	\$1,899.60
		Partial	2	\$26.20
		Total	25	\$5,295.63
Receipts				
Dues	\$30,280.63			
Late Fees	\$373.43	Dues Only		\$4,383.00
Interest / Certified Mail	\$436.55	Fees, Int,		
Estoppel Fees	\$1,650.00	Mail		\$912.63
Replace Returned Check	\$127.05	Total		5,295.63
Total Receipts	\$32,867.66			
Expenditures				
Bagdad Rental & ZOOM	-\$206.23	Priority & Certified Mail		
		Total Sent		64
		Inc some with 2 notices		
Police Patrol (2)	-\$255.00	Not signed or Returned USPS		
Returned Checks	-\$127.05	Total of 2		1 - 1 year
Bank Service Charge	-\$14.00			1 - 2 year
Lawn Maintenance	-\$1,760.00	Claimed - Not Paid		
Corporate Registration (Sunbiz)	-\$70.00	Total of 3		2 - 1 year
Insurance	-\$4,651.44	2 - 1 year		1 - 4 year
Legal	-\$1,054.00			
Office / Postage	-\$562.14	Unclaimed - Returned USPS		
Tax Preparation 2023	-\$300.00	Total of 18		10 - 1 year
				7 - 2 year
				1 - 3 year
Total Expenditures	-\$8,999.86			

CCR Revision Email Responses			6-8-2024 - 7/10/2024		
	Total of 11 Validated Emails				
ITEM					
1	ARC	Strengthen Rules		1	
2	Chickens	Allow		5	
3	Clotheslines	(720 Now Allows With No Visibility)		4	
4	CCR's	Keep Current As Amended 2021		3	
5	Dues	No Further Increases		1	
6	Firearms	Eliminate Article (State Regulated)		1	
7	Noise	Set Times For Noise Control / Fireworks		1	
8	Parking	Allow on Street (County Regulated)		3	
9	Poultry	Eliminate Article Not Allowing		1	
10	Trailers	Eliminate Behind Fence)		4	
11	Trailers	Allow Only 1 Per Lot		1	
12	Trailers	Allow on Grass or Gravel		1	
13	Trailers	No Parking in Driveway		1	
14	Trash Can Screen	Eliminate		4	

Exhibit 3

The Preserve of Milton HOA					
2024 Budget				1/1/2024 - 7/8/2024	
Approved by BOD 11/7/2023				ACTUAL	
INCOME					
Bank Balance		\$15,750	\$43,846.83	Bank Balance	
dues \$121 x (297 of 297 lots)		\$35,937	\$30,280.63	Income	
Total Budget		\$51,687			
EXPENSES					
Insurance		\$4,500	\$4,651.44		
Legal fees		\$4,000	\$1,054.00		
Corporate filing fees	SubBiz	\$65	\$70.00		
Meeting expenses & Zoom	\$80 x 9	\$720	\$206.23		
Postage - Print - Office		\$1,600	\$562.14		
Returned Checks			\$127.05		
Mgmt fees (\$1850 x 6)	Start July, 2024	\$11,100			
Tech fee (\$75 x 6)	Start July, 2024	\$450			
Inspection fee (\$150 x 6)	Start July, 2024	\$900			
Office supplies - Move to Postage		\$0			
Lawn/landscaping	\$220 x 20	\$4,400	\$1,760.00		
PO Box		\$250			
Potential Uncollected Dues	20 x \$121	\$2,420			
Sign light	\$40 x 12	\$480			
File taxes		\$200	\$300.00		
Website		\$0			
NFI start up fee - mgmt		\$600			
Contingency		\$20,002	\$269.00	Police Patrol & Bank Service Charge	
Reserve		\$0			
Total Budget		\$51,687	\$8,999.86	TOTAL EXPENDITURES TO DATE	

Exhibit 4