

CALABAY PARC AT TOWER LAKE HOMEOWNERS ASSOCIATION, INC.

MEETING MINUTES

BOARD MEETING

September 15, 2021

4:00 PM

Calabay Parc at Tower Lake 539 Pineloch Dr (Clubhouse) And Via Teleconference

- I. Call to order at 4:01 PM by President Josh Vaillancourt
- II. Verification of Quorum: all 5 members present in person or by phone, Jennifer Conklin from Highland Community Management (HCM) present
- III. Ratify approval of Minutes from previous Board Meeting and Reminder of Meeting Code of Conduct: Josh moves to ratify the approval of the meeting minutes, Colin seconds and the motion and the motion passes unanimously.
- IV. Purpose of Meeting
 1. Review of clean-up work from ASI
 - Board discussed the overall frustrations that have been on-going with ASI since May
 - Board and ASI had meeting on 9/15/21 to discuss the issues and to get answers to their failure to complete their contractual obligations.
 - Points given by ASI to Board questions: admitted to failing on duties due to major labor and growth issues in 2021; not being pro-active and better communication with management and the Board; improper use of growth inhibitor which caused unexpected issues of increased growth; ASI promises to have the hedges back to community standards no later than 10/31/21.
 - Board review that payment for services to ASI have been suspended for the past 2 months and will be continued to be suspended. Board is keeping records with pictures to be able to have for breach of contract with ASI and accountability.
 - Board agrees to attempt to choose a new landscaper from the bids received and have services start by November 1, 2021 as the HOA must give a 30-day notice of termination per the contract.
 - Floor opened to Community Comments:
 - 1) 813 Sheen: issues with weeds and no grass in lawn- Board noted this is most likely due to impaction issues from installation as almost all DR Horton Homes are having the same issue.
 - 2) 128 Minniehaha: asks if Board will make sure there is a plenty clause in new contract, Board agrees to include this in negotiations and also to have scope of work shown clear in signed contract.
 - 3) 639 Copeland: issues with over fertilization and dead grass and back hedges trimmed way below 6 feet. Board will review these concerns. Asked if owners can withhold HOA dues for lack of landscaping services, HCM noted that this cannot be done per Florida Statutes as the dues pay for more than 1 service.
 - 4) 141 Minniehaha: complaints on damaged hose, car and violation for turned-off irrigation meter. HCM noted that ASI did hand owner 2 Lowes gift cards for hose as the owner refused the hose purchased for replacement and the violation notice sent was for a locked irrigation meter in which the City locked the meter, not simply turned off.

- 5) 611 Copeland: irrigation repair needed; HCM will submit a repair request
- 6) 816 Sheen: concerns on dead grass- it was again noted of the impaction issues at time of sod installation at all DR Horton homes. Concerns on dead tree in yard that owner complained directly to ASI crew, it was noted to make sure to contact HCM for accurate reporting.
- 7) 649 Copeland: asks what plan will be put in place to hold landscaper accountable in the future, Board responds that they will be actively monitoring weekly and would also like to start a landscape committee for owners to be able to help.
- 8) 110 Minniehaha: asks if board will be seeking litigation to recover fees paid for breach of contract. Board requests HCM to reach out for legal opinion.
- 9) 329 Cherokee: asks again about withholding dues and how owners will be compensated. The Board stated that any funds not paid due to Breach of contract will remain in the HOA account and will help to fund the 2023 budget to help the cost of dues.

2. Review of Landscaper Bids for 2022

- The Board reviewed the 4 quotes received for 2021 for new landscaping services and discussion the differences between each company and reviewed references.
- Board requests to have meetings set up with Down to Earth and Mayors to discuss their proposal for further clarification. HCM will look to set up for the Board.
- Board will also like to schedule monthly walks with landscaper. Board also requests for a monthly survey to be sent out via email for owners to be able to report as well.
- Board discusses about the possible change in having the HOA pay for mulching for all homes in the community with so many owners wanting to replace their mulch with rocks.
- Board requests for HCM to send out a community wide poll through email for the community to review the landscaping quotes and give their opinion on who the Board should chose so the Board can make a decision based on the community. HCM will also add the mulching to the poll for community input.
- Floor Open to Community:
 - 1) 128 Minniehaha: stated that mulching should not change and should continue to be done by the HOA
 - 2) 110 Minniehaha: concerns on labor issues with new landscaper as this is the current issue with ASI and what will be done to handle this. Board will discuss this at their meetings with the potential new landscaper and get their plan to handle this issue.

3. Review outstanding ARC applications and ratify any outstanding decisions from previous meeting

- Faith moves to ratify the approval of the application decisions, Colin seconds and the motion and the motion passes unanimously.

4. Review of 2022 Budget

- Board review the multiple options listed for the potential 2022 budget. HCM noted that options were added to review based on owner requests to possibly add to the budget such as pressure washing of all sidewalks and hardwood tree maintenance.
- Upon discussion, the Board approves to remove the sidewalk and hardwood tree maintenance as well as the gate upgrades as options as this was not in the best interest of the community in order to keep any raise in dues to a minimum due to rise in costs for vendor contracts. This leaves 2 options for community review which will be sent out with the landscaper poll.
- Floor Open to Community:
 - 1) Owner: requests for Reserve Study and Financials to be posted on website to show Reserve Account. Board approves unanimously to have full quarterly financials added to website as well as Reserve Study.

- 2) 128 Minniehaha: states that the HOA reserve funds are severely underfunded and we need to increase the amount placed in Reserves. Board stated that they are aware of the underfunding and the approval to have them underfunded for the past 2 years was based off previous board decisions. HCM noted that based off the reserve study, the Reserves are currently \$173,000 under funded which would mean a \$138 per quarter increase to all owners to fund the reserves properly per the study. The Board unanimously declines such a raise, but will review to raise the cost added to Reserves and be able to not incur a high raise in the dues. Owner also asks why the utilities are budgeted so high for 2022, in which the Board noted that this is taken from the actual spending in 2021 and that this line item was underfunded in 2020 for 2021 per previous requests from board members in order to keep dues as low as possible.
- 3) 329 Cherokee: complaints on hedges in his backyard untrimmed, in which the board will review. Also that security turns off the light at night which makes the guard house look vacant. Board noted that some of the lights are turned off/dimmed in order to be able to see incoming vehicles properly but will review possible changes.
- 4) Owner: asks if the budget will be adjusted if a new landscaper is chosen at a lesser expense. Board noted that the budget will not be adjusted in order to make sure HOA is correctly funded, but any savings from this line item will be re-allocated to the Reserves within the 2023 budget to help increase reserve funds without a large increase in dues. HCM will note this on the budget.

V. Schedule Next Board Meeting and Annual Meeting

- Next Board Meeting scheduled for September 30th at 4 PM
- Annual Meeting scheduled for December 12th

VI. Adjournment was called at 7:45 PM