

LIVE OAK PRESERVE ASSOCIATION, INC.
BOARD OF DIRECTORS
August 21, 2013
6:30 P.M.
On-Site Clubhouse
9401 Oak Preserve Blvd., Tampa, FL 33647

MINUTES

Transcriptionist Note: Please note that the minutes as transcribed contain only motions and items requiring action by the Board of Directors. They do not contain discussion unless specifically requested to be made a part of the record.

I. **CALL TO ORDER**

Janet MacNealy called the Board of Directors Meeting to order at 6:40 p.m. on August 21, 2013, at the onsite Clubhouse, 9401 Oak Preserve Boulevard, Tampa, Florida, 33647.

II. **ROLL CALL / NOTICE OF MEETING**

Directors Present:

John Martel (speaker phone)
Anthony Leone
Sheldon Cohen
Earl Myers – left at 7:15 p.m. due to a prior commitment
Frank Micallef (speaker phone / arrived at meeting 7:00 p.m.)

Staff Present:

Janet MacNealy, CAM

Guests Present:

M. Lloyd, David & Elaine Steele, Steve Fedoryk, Paul Hinson, Betsy Hubbard, Jeremy Johnson, Jeff Herrod, Domenick Guerriero, Tavia Leonard, Kathleen Thatcher, and Jared Goering

Notice: The notice of the meeting was posted as required by the Florida statutes.

III. **APPROVAL OF MINUTES**

A motion was made by Anthony Leone to approve the minutes of the July 17, 2013 and the July 27, 2013 Board of Director's meetings as submitted. The motion was seconded by Sheldon Cohen. All in favor, the motion passed.

IV. **BUSINESS**

a. **Clubhouse Manager**

Jason Labunski briefed the board on his monthly manager's report and answered questions from the board members regarding the clubhouse access card reader system.

b. **Alert Protective Services Rover**

Tim Buseman provided a monthly report and answered questions from the board of directors.

c. **Amendment to the Declarations / Special Meeting**

Frank Micallef made a motion to move forward with the Special Meeting and membership vote on amendments regarding parking over the sidewalk, towing, and leasing with the leasing term to be changed from 3 months to 12 months. The motion was seconded by John Martel. Discussion followed. All in favor, the motion passed.

d. **Legal / Collections**

A motion was made by Frank Micallef to reaffirm the board's prior decision to authorize the Treasurer and President to act as the liaison with the attorneys and to carry out the policies of the community and following the attorney's advice on collection matters. The motion was seconded by Earl Myers. All in favor, the motion passed.

e. **Amenities**

- Playground Fencing – Earl Myers made a motion to ratify the approval made on August 13, 2013 for \$1200 for the addition of a 12' double gate by Florida Play Structures to allow access for contractors with machinery. The motion was seconded by Anthony Leone. All in favor, the motion passed.

- Playground Trees – A motion was made by Earl Myers to approve the proposal from Big Yellow Services to plant shade trees and palm trees on the exterior and within the playground area for \$20,370.60 with the project to be put on hold pending a drawing of the proposed tree locations and answer to questions regarding tree droppings etc. The motion was seconded by Anthony Leone. Discussion followed. All in favor, the motion passed.
 - Putting Green Border – Anthony Leone to contact Florida Play Structures to get a revised proposal.
 - Clubhouse Access System – A motion was made by Earl Myers to approve the proposal from Envera Systems for a total of \$7866 for the HID Card Reader System. The motion was seconded by Anthony Leone. All in favor, the motion passed.
 - Pool Refurbishment – Janet MacNealy will work to put together specifications to send to vendors prior to the October board meeting.
 - Basketball Courts Closing Time – no additional action taken
 - Additional Pool – no additional information
 - Gym Equipment – Jeff Herrod briefed the board on his research of gym equipment. He will continue working with Life Fitness to gather a proposal for the board to review. He will work with the clubhouse manager regarding equipment location.
- f. Landscaping / Utility Box Coverage – A motion was made by Frank Micallef to approve the proposal from Big Yellow Services for \$8516.30 to cover the remaining utility boxes with landscaping. The motion was seconded by Anthony Leone. All in favor, the motion passed.
- g. LOP Entrance Signs Refurbishment – A motion was made by Frank Micallef to approve the sign refurbishments at the Oak Preserve entrance by Cornerstone Signs for \$13,402.54. The motion was seconded by Anthony Leone. Discussion followed. All in favor, the motion passed.
- h. Social Committee – Wine Tasting scheduled for August 23, 2013.
- i. Village Merger Update – All village documents are different so the attorney would have to review each set of documents to give an opinion on the pros and cons. No further action taken.
- j. DRC
- Approved Color Books are with the attorney's office having the builder's language and colors clarified to make the color choosing process simpler for owners
 - Pinewood Village / Palm Tree Installation at Entrance – A motion was made by Frank Micallef to approve the \$6600 for the installation of palm trees at the entrance to Pinewood. The motion was seconded by Anthony Leone. Discussion followed. All in favor, the motion passed.
 - Owner Appealing DRC decision to deny landscaping planted without approval
 - i. The board was unanimous in their decision to hear the appeal even though the time-frame to appeal had passed.
 - ii. The board reviewed a letter from the homeowner who was unable to attend. They also heard testimony from a DRC member and an overview of the process from the CAM, Janet MacNealy. The owner was also fined \$1000. The fining letter was mailed short of the required 14 days notice; therefore, the DRC reversed the fine. A motion was made by Frank Micallef to uphold the DRC's decision to reverse the fine of \$1000. The motion was seconded by Anthony Leone. All in favor, the motion passed. The homeowner reported that he had problems with the post office not delivering his mail so he says he never received the denied application but completed the project anyway without approval. The DRC contends he started the project without approval and was twice verbally told that the project was denied and a copy of the denied application was mailed to the homeowner per the policy. A motion was made by Frank Micallef to uphold the decision of the DRC to deny the application but giving the homeowner until September 11, 2013 to resubmit a revised application in case he want to utilize some of the plantings and if no DRC received by the 11th, then all plantings must be removed by September 18, 2013. The motion was seconded by Anthony Leone. Discussion followed. All in favor, the motion passed.
- k. Resolution Regarding Walls & Fencing – A motion was made by Frank Micallef to approve the Resolution Regarding Walls & Fencing as amended. The motion was seconded by Sheldon Cohen. All in favor, the motion passed.
- l. Suspend Voting Rights and Amenity Use Rights – A motion was made by Frank Micallef to suspend the amenity use rights including resident lane access and voting rights of all owners, guests, invitees, tenants of the following properties who owe the association a monetary obligation that is more than 90 days past due with the rights to be immediately reinstated upon payment in full. The suspension will exclude properties in

bankruptcy. The motion was seconded by Sheldon Cohen. Discussion followed. Anthony Leone voted against the motion. All others voted in favor of the motion; therefore, the motion passed by a vote of 3 to 1.

- m. Resolution Regarding Rules & Regulations Governing Inspection and Copying of Official Records – A motion was made by Frank Micallef to approve the Resolution as presented. The motion was seconded by Anthony Leone. All in favor, the motion passed.
- n. Resolution Regarding Common Area General Use Rules & Regulations – A motion was made by Frank Micallef to approve the Resolution as presented. The motion was seconded by Anthony Leone. All in favor, the motion passed. Copies will be given to the clubhouse manager to be distributed in the new owner packets and copies will be available at the clubhouse.

V. NEXT MEETING / ADJOURNMENT

There being no further business to come before the Live Oak Preserve Association, Inc., Board of Directors, a motion was made by John Martel and seconded by Anthony Leone to adjourn the meeting at 8:05 p.m. All in favor, the motion passed.

The next meeting will be a Special Membership Meeting held September 18, 2013 at 6:30 P.M. at the clubhouse.

Homeowner Questions: Concerns about the location and construction of the putting green and potential hazard of installing a concrete border

Respectfully submitted,

Ellen Morgado, For the Secretary

These minutes were approved on _____.

Signed

Printed Name