

MEADOW COVE HOA SPECIAL MEETING

MINUTES

Tuesday, July 17, 2018 @ 7:00 pm
Northside Presbyterian Church.

1. Explain the procedure

Welcomed residents and introduced Board members.

Reviewed need for fence and estimates and how board came to a decision.

2. Review estimates and clarify the assessment on proxy.

A. Fence Outlet: \$17,581.00

Under NOTICE TO PURCHASERS OF WOOD FENCES: "Fence outlet will only guarantee the workmanship on wood fences for one year."

- Did not include straightening the columns.
- Did not guarantee wood.

B. Florida Fence Company: \$15,947.00 Excerpt from estimate: Page 2 ¶3

Customer agrees that two (2) feet on each side of proposed fence lines will be clear of any and all obstructions, including trees, bushes and debris. In the event that the fence line is not cleared upon our arrival, customer will be charged a trip fee of \$350.00 and the job will then be rescheduled for a later date unless customer and FFC / USCA have agreed upon a price to remove. There are no changes or alterations to be made to agreed contract of where the fence line will be located. Our warranty on Chain link, Vinyl and aluminum fences carry a 1 year for labor only. Wood fences carry a 30 day warranty labor only. Most products are warranted as per the manufacturer. Customer acknowledges that wood fence material has a tendency to shrink, warp, crack and chip and that these features of wood are normal and accepted occurrences and are not warranted. Workmanship / Labor warranties will be VOID in the event of a tropical storm, hurricane, fire or act of God. Warranty may be void if FFC sign is removed.

- Second to the last sentence was read and discussed: Workmanship/Labor warranties will be VOID in the event of a tropical storm, hurricane, fire or act of God. Proves to be an unsatisfactory guarantee
- Did not include columns

C. Service Division: \$12,000 –You get what you pay for.

- Did not include straightening the columns.
 - No warranty
 - Estimate was vague and did not include straightening pillars
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D. Don Pete Handyman Services: 17,200.00

- Not insured or bonded.
 - Would take 6 weeks or more to complete. This would be during high traffic due to school children.
 - 3-month warranty
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E. Homeowner's quote:

- While the workmanship would be excellent, it would be too costly to the association do to the lack of large equipment to straighten columns.
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F. Secure Fence & Railing: \$23,435.00 for Board on Board

- Includes straightening the columns.
 - 5-year fence workmanship and 5-year labor warranty.
 - Honored estimate past 30 days deadline. Even though price for wood went up.
 - Local company
 - Inspected other nearby fences to verify quality
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Questions & Answer Session

- **What are the important reasons we need to have the fence repaired / replaced?**
Fence is broken in many places and pillars are leaning. Sections of the fence have already broken and been repaired. There is a great liability for all homeowners if an injury occurs as a result of lack of repair.
- **Would this high cost have been prevented if we had previously done some preventative maintenance?**
Answer is yes but unsure how we would have determined the integrity of the fence.
- **Can the company we hire maintain or provide information about how to maintain the fence?**
We can ask them.
- **With only a months' notice, how does the board expect us to jump on board?**
The fence was discussed on several occasions:
December 2017 Newsletter, page 2 Looking Ahead par. 3
Discussion 1/12/2108 Annual Meeting: page 3 No.7 (minutes)
June's Newsletter: Announcements & page 2 first section
- **Would a higher yearly assessment defray a special assessment?**
Absolutely, if we kept up with increases in our dues we would have the funds for the fence.
But this was not done.
- **Why did the Limited Proxy say \$90? \$130? & \$15? What is the total cost of the project?**
It was explained that the Board voted on a contractor, but then realized he was not insured or bonded. This was after the mail out were printed. When printing the second time, the 90 dollars was overlooked. It should have read \$145.00. The \$130.00 of for Secure fence and

Railing to replace the wood sections and straighten the columns. \$15.00 is to have the columns pressure washed and painted.

- **Will we be blindsided with another assessment?**

This is unforeseeable

- **Is there insurance on the fence?**

Yes, insurance is required by the state. Ours is limited with a \$5k

Coverage was obtained to work within our budget

- **Will the fence be torn out when the road gets paved? (because of the *Easement*)**

The road will not be paved within the next year, according to the city, but if they were to pave Stewart Road they would replace what they removed.

- **There is \$12K in the reserve, why can't we use that?**

We have the rest of the 2018 year of bills to pay to our creditors. Unforeseen expenses require funding to repair them. (Like broken pipe, fixed PVC entrance) To deplete the funds would not be advisable.

- **Why is it the responsibility of the whole Association?**

Even though it is not stated in our documents, there is overwhelming evidence of documents for 30 years proving accountability. The basic premise is that the association has taken responsibility for the property up to today. It sets a precedence for ownership of the fence since 1998. Showed numerous folders of repairs and work done at the expense of the Association. Original owners (Centex Builders) did not consider the future need for exact documentation.

- **Will the individual homeowners with a special interest be responsible for future damage?**

It seems reasonable that a homeowner should be accountable for structural damage they cause to the fence or columns. This is a question for the association.

- **When is the assessment due?**

August 31, 2018

- **What is the obligation of each member of the association? Can some refuse to pay the assessment? DC&R Article 5 Page 3**

Section 1. The annual and special assessments, together with interest, costs and reasonable attorney's fees, shall also be the personal obligation of the person who was the owner of such property at the time when the assessment fell due. (\$250+) + 145 = >\$500.)

Section 8- No Owner may waive or otherwise escape liability for the assessments....

- **What about Homeowners who rent their property, have they been notified?**

All have been sent letters and those whose emails are on record have been reminded. There are 38 people who rent in the community. Of those two have responded by proxy

- **Do we have estimates that will withstand a hurricane and can we use stronger materials such as concrete?**

We can't put concrete on the easement. Must be wood or vinyl

- **What are the options for the fence?**

Options are available on the website.

- **Have we considered removing the pillars?**

Yes. While future maintenance would be cost effective (pressure washing/painting), The cost to remove 81 columns would not be cost effective at this time.

- **Would it help cost cutting if community participated in fence repair?**
We can't leave neighborhood exposed. This was done in the past, but it was not effective. Liability is also an issue.
- **What if the fence is approved and people do not to pay?**
Property would have a lien placed, everyone is responsible for their part. If payment is not made by the due date, they will be sent a collection company. Filing and additional fees will be added, and the homeowners will still be responsible for the cost. Communication with the board is essential for those with a limited funds. It was discussed that it may be possible to make installments. We can not start without the funds on hand.
- **Would it be possible to post on the website who the contractor is and what it costs?**
Information is already on website.
- **How to check work is being done correctly?**
All information is on the website for viewing.
- **Who absorbs those who are not paying for their share?**
It may be possible to use a portion of the reserves.
A homeowner suggested, for those who have it in their means could help homeowners with limited means by sending in a little more.
Bottom line, we all are responsible, homeowners who do not pay their share may incur a higher cost. Communication with the board is essential for those with a limited funds.
- **To address the pot holes in Stewart road please write your congressman.**
- **Can people have a double fence, reinforce area where people lean on the fence?**

Only one homeowner has a double fence that can be seen. A homeowner with personal knowledge of the reason for this double fence said it was because of bus riders leaning on this portion. It has also been reported that trash has been discarded over the fence. **No double fence should exceed the height of the subdivision fence.**

3. The quorum was not present in person and/or proxy at this meeting

Total of 65 votes attended the meeting with 45 proxies. (120 are needed to meet the Quorum to proceed with a vote.)

A Second Meeting requires ½ the first meeting quorum: 60

Homeowners asked if they would want a second meeting. By a show of hands, the majority of Homeowners in attendance were in favor.

A second Meeting will be scheduled. A written notice will be drawn.

4. Meeting adjourned at 7:58pm