

**Hammock Dunes Owners Association, Inc.**  
**Board of Administrators Meeting**  
**September 19, 2011**

**Call to Order**

The meeting was called to order at 10:00 a.m.

**Members Present:** George Bagnall, Bruce Aiello, Kelli Jebbia, Dave Eckert, George DeGovanni, Phil Henderson, Andy Furia, Cosmo DiPerna

**Members Absent:** David Jacobs, Jay Furbay, Tom Sharpe

**Others Present:** Travis Houk, Southern States Management Group, Inc.  
Don Finch, Hammock Dunes Club Representative

A quorum was established. Members' sign-in sheet located in Association Meeting File.

**Approval of the Minutes – August 15, 2011 Board of Administrators Meeting**

**ON MOTION BY Bruce Aiello seconded by Phil Henderson, with all in favor, the Board approved the minutes of the August 15, 2011 Board of Administrators Meeting with the following amendments:**

- **On page 1, under Long Range Planning Presentation, two thirds of the way down, it should read "...the Board considers the HD Associates interaction..."**
- **On page 2, under Long Range Planning Committee, the first sentence should read "...finding out who are the people behind..."**
- **On page 4, under New Business, lightening should be spelled lightning.**

**Long Range Planning Presentation – Hammock Dunes Database**

Mr. Dave Eckert reported the Committee was able to update the data for the Hammock Dunes Database; however not all the neighborhoods are complete. The Committee successfully identified and engaged a project manager from Daytona State College to provide the underlying programming required to build a user friendly data base and increase the functionality. Mr. Jeff Annon reported voting records, sales records, subcommittee villas data, and Viscaya historic activity have been added from the August Board meeting. Mr. Eckert and Mr. Annon reviewed additional graphs depicting annual rate of improvement, cumulative improvement, owner generation by community, sales of improved units, Island Estates & Villas improved sales, etc. Mrs. Kelli Jebbia inquired if it's possible to track the original owner or second generation as a current owner in Hammock Dunes. Mr. Eckert confirmed the database can track migration. The Committee plans to complete Ocean Estates and the rest of community as accurate as possible. Mr. Eckert confirmed the Committee can provide specific detail by neighborhood at the Boards request. Scenario planning within the community will be the future steps once the data base is complete.

**Le Jardin Deed & Easement Request \* Agenda Change**

Mr. George Bagnall reported the details of the Le Jardin deed request were discussed at the August Meeting and if the information was confirmed, the Board would likely approve.

**ON MOTION BY George Bagnall, seconded by Dave Eckert, will all in favor the Board voted on whether to accept the fee simple deed documentation and transfer the property behind Le Jardin to the Le Jardin Condominium Association. Motion carries.**

Mr. Bagnall reported there are a few items within the easement agreement that the Board should not accept. Specifically paragraph #3, the last sentence is in violation of the Master Declaration and the sentence should be removed. He also stated paragraph #4 should be omitted and in paragraph #8 the indemnify language should be removed. Mr. Eckert reviewed the ownership, use, and funding of

the dune walkovers within Ocean Estates. He indicated all walkovers in the community are located on HDOA property from the property line to the mean water line. A non-exclusive right of use is provided by the Association. Repairs and funding are identified in the budgets of the Neighborhood Association. Le Jardin audience members urged the Board to provide an easement for insurance liability. They indicated the easement language is the same document Tuscany used. Mr. Bagnall stated the Tuscany document was not approved by the Association and the Board has a fiduciary responsibility to conduct a review. Mr. Eckert stated a Committee of 2 or 3 Board members should be formed to meet with the Le Jardin reps and come up with an agreed upon solution.

**ON MOTION BY David Eckert, seconded by Kelli Jebbia, the Board voted on whether to delegate the authority relative to the easement documentation to George Bagnall per a meeting with Le Jardin reps. Motion amended.**

**AMENDED MOTION BY David Eckert, seconded by Kelli Jebbia, with all in favor the Board voted on whether to delegate to approve the detailed wording associated with the granting of the easement to Le Jardin under the discretion of George Bagnall. Motion carries.**

Mr. Bagnall, Mr. Eckert, and Mr. Henderson will meet with the Le Jardin reps.

### **13 San Marco Court Foreclosure – Public Sale**

Mr. Aiello reported the property at 13 San Marco Court has been designated for public sale per the Association Final Summary Judgment ruling. That date has been set for September 27<sup>th</sup>. Mr. Aiello stated the Association has three different options regarding the sale: 1. Withdraw and cancel the sale. 2. Submit a bid for only the amount the Association is owed, \$14,993. 3. Bid nothing and hope the banks bids and takes title. Mr. Aiello confirmed if the Association takes title the first mortgage will still be a lien on the property. One option the Association can pursue is once the Association takes title, a judgment can be awarded forcing the bank to foreclose. This has to be determined by the courts. Mr. Aiello stated the bank has paid the taxes. The Board discussed the positives and negatives to owning the property. Mr. Aiello recommended the Association bid the amount they're due. Mr. DeGiovanni stated the Association needs a long-term objective. Mr. Bagnall stated the Board should pursue the legal route and force the bank to foreclose. Unfortunately, by doing this the Association will lose their investment; however there will resolution.

**ON MOTION BY Bruce Aiello, seconded by George Bagnall, with all in favor, the Board voted on whether to bid \$14,993 for 13 San Marco Court on the auction date, with the law firm of Taylor and Carls representing the Board of Administrators at the sale. If the Board takes title, the Association will pursue forcing the bank to foreclose. Motion carries.**

### **Committee Reports:**

#### **Communications Committee**

Mrs. Jebbia reported the Whitehall mailbox link on the Hammock Dunes website is not active and needs to be reprogrammed. The Board reviewed additional information for the upcoming *Sandscripts* newsletter. Mrs. Jebbia removed some of the repeated information and included updated information on Long Range Planning and the Budget Workshop.

#### **Social Committee**

Mr. Furia reported the last Community Beach Party is scheduled for September 21, 2011 at the Club dune walkover, weather permitting. Mrs. Jebbia confirmed she can broadcast an email if the party is cancelled. Mr. Furia reminded the Board the Volunteer Recognition Dinner has been cancelled.

## **Design Review Committee**

- Tarver V. Rasmussen Dispute
  - Mr. DiPerna asked Mr. DeGovanni to report on the Tarver v. Rasmussen situation. Mr. DeGovanni reviewed the history and current status. After an agreed upon solution by both parties, Mr. Tarver's attorney sent the Association a letter backing out of the agreement and requesting additional information. Mr. DeGovanni confirmed he engaged the Association's attorney to draft a letter which is included in the agenda package for review. Mr. DiPerna confirmed the DRC is in favor of the letter. Mr. Bagnall reminded the Board that legal direction to the attorney comes from the President to alleviate multiple people being involved. Mr. Bagnall stated if the Board sends out the letter and if nothing is resolved, then legal action should be taken against both parties. He said the Board's position regarding the cameras should be from the aesthetic side and not invasion of privacy. The Board agreed to send out the letter as amended in the agenda package.
- DRC Inconsistencies
  - Mr. Bagnall stated there have been two instances, the recent sea wall changes and the fence installed in Villas del Mar, which violate what the DRC has already approved. Mr. DiPerna stated you cannot have a blanket prohibition. The DRC evaluates the situation individually and makes the determination in the best interest of the Association and resident. Mr. Bagnall stated the fence in Villas del Mar is within a foot of the property line and not the 30 ft. required by the Villas Manual. He exclaimed the landscaping planted outside the fence may be on golf course property. Mr. DiPerna said members of the Committee conducted an onsite visit when the fence was approved and determined the location was acceptable especially when the resident initially requested a much larger fence line along the golf course. Mr. DiPerna confirmed in this particular situation the Committee made the wrong decision and will approach the resident about removing the fence. Mr. Bagnall stated the Association cannot force the resident to remove the fence since approval has been granted.
  - Mr. Bagnall inquired why licensed Florida architect plans are required opposed to licensed engineer plans. Mr. DiPerna stated the Committee historically has asked for architect sealed plans since an architect embraces the exterior finishes and aesthetics of the home. Mr. Bagnall said in situations where the home is already defined like the Villas, the DRC should not enforce that provision. Also, the DRC should take the same approach for all homes if not initially sealed by an architect. Mr. DiPerna stated he will address the DRC about this situation.

## **Security Committee**

Mr. Aiello reported the Committee had a meeting with Securitas to discuss the upcoming contract renewal and a few inconsistencies within the access control "CapSure" computer system. Mrs. Jebbia reported that the quick entry in the "CapSure" system is not working. It was suggested that everyone update their profiles every two years.

Mr. Eckert recommended the Committee investigate the idea of a "kiosk" setup that can alleviate the officer's response time at the Granada Estates gate.

## **Long Range Planning Committee**

Mr. Eckert stated he will coordinate a meeting with the DCDD in conjunction with HD Associates to discuss the language in the Declaration per the lake banks.

## **Financial Committee**

Mr. Aiello stated a pre-budget workshop will be scheduled for October 17, 2011 after the Board of Directors meeting. The Budget Workshop is scheduled for October 24, 2011 at 10:00 a.m. in the Hammock Dunes Club Board Room. Mr. Aiello reviewed the financials with most line items tracking

consistently. Mr. Bagnall stated the income statement needs to be addressed with the bad debt language. Mr. Bagnall indicated there is a lot of cash in Granada Estates that needs invested.

## **Maintenance Updates:**

### **Maintenance Committee**

Mr. DeGiovanni reviewed the maintenance report. Specifically, the Maintenance Committee is meeting with a tree arborist and a licensed tree contractor to determine a plan of action to raise the height of the canopies on the main roadways. Mr. Eckert commented if the Committee is going to tackle this project, the contractor should perform some interior trimming to assist with the road and grass conditions from the shade elements. Mr. Furia agreed the canopies should be trimmed since many of the trees look unkempt. Mr. DeGiovanni confirmed the Committee will begin to phase trex synthetic wood with major dune walkover repairs; however minor repairs will be still receive pressure treated lumber. The Board discussed the metal FPL plate along the sidewalk of Ave. de la Mer. Mr. Houk will coordinate with the FPL to fix the hazard. Mr. DeGiovanni stated the Committee is working with a roofer to repair the roof tile at the comfort station. Mr. DeGiovanni and Mr. Bagnall will meet with Corey to discuss the pricing and scope of the vine clearing on Rue Renoir. The two coquina walls are scheduled for construction during the first week of October. The Board discussed the business sign at the front entry. Mr. DeGiovanni stated he met with Mr. Fred Annon and Mr. Houk about the sign. Mr. Bagnall asked to get a bid on changing the background of the sign and he will discuss the sign with Mr. Annon as well. Mr. DeGiovanni stated the large palm tree at the corner of Camino del Sol and Camino del Rey has “butt rot” and will soon decline. Unfortunately once the soil has “butt rot” another palm tree cannot be installed in the location.

### **Bridge Repair – Arconics Bid**

Mr. DeGiovanni reviewed the bid submitted from Arconics Construction to remove the stamped concrete and install DOT approved pavers. Included with the bid is an engineering assessment coordinated through Arconics with specific testing. The Committee reviewed the proposal with the Design Review Committee. The brick paver design will match the look at the front entry by the clock tower and the main rotary circle on Camino del Mar. Concrete strips will be added to stabilize the pavers. Mr. Bagnall stated a performance bond should be requested. The Board discussed traffic coordination and timeframe. Mr. Eckert stated the bridge should be designed with the proper material and specifications approved by the Board and then offered to contractors for bidding. An engineered solution should be approved then submitted to contractors. The Board agreed this project should be done in late spring, early summer since the traffic will be disrupted for a couple months. The Committee will engage a few engineers about developing an engineered drawing/plan that can be submitted to contractors for additional bids.

## **Association Updates/Discussion:**

### **Gardner Staging Area**

The Board discussed Don Gardner’s request to stage construction material on the street or common property since the adjacent property owner refuses to allow access or staging on their property.

**ON MOTION BY Dave Eckert, seconded by Bruce Aiello, with all in favor the Board voted on whether to permit Mr. Gardner, with the proper construction deposit, to use common property between the road curb and the sidewalk, west of his house, for staging construction material pursuant to default from his neighbor to the north. Motion Carries.**

## **New Business:**

### **Sidewalk Utilization Committee**

Mrs. Jebbia reported the sidewalk utilization committee identified a couple spots that could be rest areas or scenic bench areas. She confirmed the committee reduced the routes to 3k & 5k routes; however additional routes may be considered. Mrs. Jebbia said hash marks will be placed at every quarter mile on the sidewalk along the route. Mr. Eckert asked if tape can be placed where the hash marks will be located. The Board discussed tying the sidewalk utilization project in to the Audubon Society certification. Mr. DeGovanni stated the routes could be named after indigenous wildlife which in turn could add some flavor instead of generic identified routes. The Committee will begin to meet with contractors and finalize the proposal.

### **Tuscany Beach Club**

Mr. DiPerna confirmed the Tuscany Beach Club will be given to the Tuscany Condominium Association by WCI.

### **Audience Comments**

The Board addressed audience comments and concerns.

### **Adjournment**

**ON MOTION BY Andy Furia, seconded by Bruce Aiello with all in favor the meeting was adjourned at 2:00 p.m.**