

**THE ESTATES AT GARDEN LAKES ASSOCIATION INC.  
BOARD MEETING**

**Wednesday, July 10th, 2024 @ 7:00pm**

1. The meeting was called to order by Ellen Staubach at 7:02 pm.
2. Roll Call: All five board members present: Lynn Sims, Paula Schachter, Kari Collier, Ellen Staubach, and Dan Rich.
3. Certification of Proper Notice: the sign was hung at the front entrance last Thursday; a mass email was sent to the residents with the agenda last Wednesday; and the meeting information and agenda was posted on the GLE website.
4. Approval of Minutes:
  - May 8th, 2024 Board Meeting Minutes: Kari moved to approve the minutes as submitted; Dan seconded and the meeting minutes were approved unanimously.
  - June 12th, 2024 Special Meeting: Lynn objected to a section in the minutes that she wasn't in agreement with. It was noted that the minutes are sent to all board members after the meeting and they are given the opportunity to give input on any corrections. Lynn was asked to please put her proposed changes in writing and forward them to the other board members for review.
5. Director/Committee Reports:

A. Website/Lake/Events - Kari:

Website Info:

Hey everyone,

Just wanted to update you on some big changes to our website. Starting July 1, 2024, new laws mean having a website is a must-have. We've got some new requirements to meet, but don't worry, we were already on top of most of them.

Here's a quick rundown:

- Governing Documents: These are easily accessible on our homepage. They've been up since day one.
  - Notices: There's now a clear link at the top of the homepage labeled "Notices." Meeting agendas and other important notices will be posted at least 14 days before the meeting.
  - Documents Page: This includes links to Meeting Minutes, Financial Records, Forms, Contracts, Board Certifications, Insurance info, and more.
  - Contracts: Current contracts that obligate the association are posted on the Documents page.
  - Insurance Policies: These are up and available too.
  - Annual Budget: This is posted.
  - Financial Reports: All required financial reports are available.
  - Retention Requirements: Any specific retention requirements per the new legislation are posted on the relevant pages.
- 
- We've made these updates to keep everything transparent and easy to find.
  - On another note, we currently have 108 member accounts on the website, and these members have visited the site 2.3K times since it went live. That's amazing! If you don't have an account yet, let a board member know, and we'll send you an invitation.
  - Remember, the site address is **[gardenlakesestates.org](https://gardenlakesestates.org)**.

If you have any questions or need help navigating the new setup, feel free to reach out!

### Lake Maintenance:

- I want to update you on some recent activity at the lake. Kinney Engineering was hired for the 5-year permit and certification inspection required by the Southwest Florida Water Management District. The inspection cost was \$315.00. They found out that the stormwater pond discharge was missing a skimmer/baffle, which stops trash and oils from getting through. They believe it was probably stolen for its aluminum scrap value. We had to replace it before we could get certified.
- DrainRite Services, Inc. installed a new skimmer made of fiberglass and stainless steel, which cost \$1746.35. They sent pictures of the completed project to Kinney Engineering, who then submitted the final inspection report to SWFWMD. We should have no problem getting our 5-year permit and certification now.

### Events:

- If you have any time to help out with community events, like collecting school supplies for kids in need, or collecting bears for emergency services, please let our events chair, Mamie Potts, or me know.
- We plan to host a Meet Your Neighbors Night and School Supplies Collection in August. The possible date to hold the event for August 2nd or August 9th (6 pm - 8 pm) which are Fridays. School starts in Manatee County on Monday, August 12 so we may not have the supply lists until then. I will need to work with Lynn to find which of those evenings the clubhouse is available.
- In September, We would like to have another Bingo night with a donation of unused, good condition suitcases for foster children.
- October will be our community Yard Sale, we still need to verify when Barrington Ridge will be holding theirs so we can coincide. We'll keep you posted.
- Watch your email and the website for more info on the upcoming events.

## B. Architecture/Compliance - Paula:

### Architecture:

Since the last meeting, we have had the following architectural requests:

- 5 for painting of: homes, trim, and 1 pool cage
- 4 for window/slider replacements
- 2 for pavers in the driveway/sidewalk area
- 1 for landscaping

### Compliance:

As of June 10, there were 22 homes who did not meet the first compliance request. 22 second compliance reminder letters were sent out and so far 8 have been completed and some of which are in progress.

Another compliance walk will take place after July 10, and additional reminders will be sent to the homes who have not complied.

## C. Lawn/Landscaping/Infrastructure/Maintenance - Dan:

Lawn/Landscape - Nothing to report except it is HOT, HOT and HOT. I am keeping a weekly log of the temperature on Thursdays and the work getting done.

Maintenance/Infrastructure - Thank you Stephanie Spino for calling the county to come and dredge the drainage canal behind their house that runs north/south along Maplewood. Hopefully they will get this done soon.

## D. Pool/Clubhouse/Legal - Lynn:

Pool: Three tiles were replaced in the pool.

Clubhouse AC: Lynn reported that she was notified on the weekend that the AC was not cooling. She ascertained that the two units were installed in 2009 and

2016 respectively. The 2009 unit was not cooling. Coolant was placed into that unit (\$400.00) to no avail.

- On Monday, Lynn obtained four bids and called Paula and Ellen to review and discuss. The estimates ranged from \$6,200.00 - \$13,000.00. This was mostly to pull and replace. Because a community vote would be necessary for an expenditure over \$10,000.00, Lynn was able to negotiate with Elite Air to do the job for \$9,999.99. Their estimate includes a 12-year warranty, parts and labor. The installation was done on Wednesday. This included replacement of the pad, copper lines, and everything inside and outside.

Legal: Lynn reported that she received an email from an attorney pertaining to the governing documents. It said that time was running out fast approaching for the documents to be re-certified. She had not yet contacted the HOA attorney to verify this.

- Ellen noted that she went on the Manatee County website and ascertained that the articles of incorporation, covenants, and bylaws were filed in 2000. Because the rule is 30 years, that would still leave 6 years before they have to be re-certified. She asked Lynn to contact the attorney to verify this. Ellen feels it would be worth a call.

#### E. Financials/Gate - Ellen:

##### Financials:

- To date GLE expected revenues to be \$190,850. Actual revenues are \$198,403 which is \$7,553 more than expected.
- Expenses were budgeted at \$151,302. The actual expenditures are \$139,972 which means the expenses are less than budgeted by approx. \$11,331. However, we did spend \$5,300 on the pool heater which is an asset so the expense is prorated through depreciation over the life of the heater.
- Overall, our Net income is \$58,431.

- Our Cash is healthy at \$423,975.
- Dues - Only one home is past due for the 2nd quarter of 2024. The homeowner is out of the country, but promised to pay the 2<sup>nd</sup> quarter with their 3<sup>rd</sup> quarter dues immediately. Both payments were received July 2<sup>nd</sup>.

#### Gate:

- AAA Gate will be here this week to do their quarterly maintenance (we pay an annual fee for 4 visits to service the gate quarterly). When we look at the gate video in the evening, many times we see that the pedestrian gate is not closing when someone comes in or leaves. We have asked Allen if they can put a spring on that gate so that it will close after each walk through.

#### 6. Unfinished Business:

##### A. Parking Lot Trees - Dan:

- There are 4-6 trees around the clubhouse parking lot that need to be addressed in order to keep the parking lot repairs moving successfully. The damage caused over the past 25 years is undeniable in these spots.
- On 6-18 Trevor Jessup, the arborist from Brown's tree met myself and 2 residents that I invited to hear what he had to say - Sharon Duvall and Denise Younk - regarding the trees in question. These being the 6 trees surrounding the parking lot. To remove the roots causing the damage, or taking the tree totally out. If the tree roots are removed properly and are not more than 30% of the visual circle, the tree will be fine. Anymore than 30%, it is a risk. The oak trees in question are literally at the top of the list for hardy, strong trees and there are thousands of them across the county.
- I asked a 2nd certified arborist, Amber Clark from Simply Tree to come and give us an assessment on the trees in question, verifying what Trevor from Browns said.

- This was done on 6-24 at 9:00 am. She pretty much echoed what the Browns arborist had said.
- I asked for a quote from both companies to remove 6 trees, grind the stumps and remove all debris. This will require a permit from Manatee County, which is included in the cost from each. A site map with trees in question will be provided with the application for the permit. I will also ask the county to have their representative physically come here to preview the issue. Hopefully they will comply. These are considered shade trees and we MAY be required to replant a tree in their place - same as for a resident who removes a shade tree from their property that lines the roadways. The county is 2-3 weeks out for anything. Both companies are 2-3 weeks out for the work as well. The county has a list of trees to choose from that are less root invasive, so we will cross that bridge when we come to it, having to choose from their list IF required to replant. Common sense needs to prevail here.
- Browns' quote for all 6 trees is \$4700.
- Simply Trees quote for all 6 trees is \$6675.
- The bids will be posted on the website.
- So I guess that we really have to determine what course of action we need to take to insure safety of all and not undermine the integrity of our community. I want to say that I love our tree lined streets and don't like the thought of taking more trees out. Removing all 6 eliminates the current threat AND removes any future potential for damage, this to protect our investment in repairing the parking lot. Questions?
- There was a discussion amongst the residents regarding the pros and cons of removing the six trees. There were opinions that leaving the trees would be best and there were opinions that removing the trees would be best long-term for ensuring that further damage to the parking lot does not occur.

- Dan moved to approve the Brown's quote of \$4700 to remove the six trees; Kari seconded; Ellen, Lynn and Paula voted yes and the motion passed unanimously.

#### B. Clubhouse Parking Lot - Ellen:

- We have now obtained 3 bids to replace the broken concrete, one bid as requested quotes \$43,560 (4356 square foot at \$10/square foot) to replace the entire parking lot. However as we plan to remove the trees before starting any work on the parking lot, we suggest waiting until the trees are removed, and then inviting the bidders back to reassess the concrete that needs replacing. It was noted that all 3 bids recommended different square footage to be replaced. None recommended doing the whole parking lot. When we determine what needs to be replaced to mitigate our potential liability, we will ensure that all 3 bids are for the same or similar square footage.
- The question was raised on whether three bids will be obtained to replace the whole parking lot. Ellen responded that with the one bid over \$40,000 this would not be a feasible option. But she agreed to obtain whole parking lot bids from these companies when they return to make adjustments to their initial bids.

#### C. Governing Documents - Lynn:

- Lynn asked the board if there were any objections to her reaching out to the attorney to ascertain how much the cost would be to do the proposed revisions on the governing documents. She doesn't think it will cost over \$1,000 or take more than an hour. The changes are minor, no big deal. She noted that she was shot down the last time. These revisions would include the two modifications from the email.
- Lynn moved to get the board's permission to contact the attorney to get an estimate for updating the governing documents; Paula seconded; Dan and Kari voted yes; Ellen voted no.

## 7. New Business:

A. Election Committee – Ellen - With the elections approaching in November, and with the recent voting on the parking lot, there has been some discussion on how voting and the election votes should be handled.

- Regarding committees, 6.6 of the bylaws: “The Board may create and disband committees as may be reasonable in connection with the purpose of doing business for the HOA. All Committees shall keep records and conduct meetings as is required of the Board of Directors. Only the Architectural Committee is listed as having member terms of serving as 2 years”.

- After talking with long term members of the community, and receiving a copy of the Election Guidelines that has been followed through the years, we suggest that these guidelines be renamed as Election Policies & Procedures and be posted on our website for all members to view. We would hope this eliminates confusion as to how elections and voting is held, who participates in counting the votes, etc. Each year at the annual board meeting, sheets are laid out for those who want to sign up for committees. Members can sit for as long as they want, but should resign up each year just to make sure they are still available for meetings.

Currently we have:

- Activities Committee
- Compliance Committee
- Budget Committee
- Architectural Committee
- Election Committee
- Governing Documents Committee

- If we were to post the committee chairs and their contact information on our website along with member names, it might give our community a place to find who to contact if they wish to sit on a committee. In addition, if we were to post Policies and Procedures for each of these committees, perhaps members would be more enthusiastic about signing up once they know what the committee does,

how often it meets, etc. Policies and Procedures can be changed when new board members believe that changes are necessary.

#### B. Voting Committee - Lynn

- Lynn brought up last year's election committee. She thinks it makes sense that committee members serve for two years. Ellen explained that residents should re-sign up each year to confirm that they are still available. Also committee sign-up sheets are placed in the clubhouse every year at the annual meeting. Few people sign up. Regarding the parking lot vote, Lynn thinks that is a vote and not an election. It was agreed upon that there would be one committee: Election/Voting Committee. They should elect their own chairperson. Lynn wanted to know why all of the members of the election committee weren't contacted to conduct the parking lot vote.
- A lengthy discussion was had about this year's election. Last year's chairperson Cindy Stewart and committee members Marinell Wiseman, Barb Kelly, Jeanne Schroeder, and Carolyn Johnson were in attendance. Concerns were raised about the issue of putting your name on your vote. Some felt that there could be retaliation from someone who found out that you didn't vote for them. It was noted that this method had been used for 25 years and it was done this way to prevent fraudulent voting. Anonymous voting was discussed. Different methods were suggested. Chapter 720 (720.306.8(b)) was discussed.

#### 8. Association Members' Questions and Comments:

Email sent to the help desk read by Carolyn Johnson in Sharon Duvall's absence.  
(email was not sent to board members Ellen, Kari, and Dan)

Ellen, Lynn, Kari, Paula and Dan  
GLE Board

Before we begin, we want you all to know that we love shade trees, but we love the safety of our community more.

I wanted to first thank Dan for including my sister Denise and I when he met with Browns' arborist on Tuesday, June 18 concerning the 10 oak trees that surround the clubhouse parking lot and the damage done by the trees.

After meeting with the arborist, below is what we learned:

1. The arborist agreed that all of the trees surrounding the clubhouse should never have been planted by the developer as they are all too close to the roadway and parking lot.
2. The fire hydrant and back flow near the clubhouse are too close to the trees.
3. Only 30% of the root removal should be done and not to remove roots closer than 5 times the diameter of the tree (if tree is 2 feet in diameter, roots should not be removed closer than 10 feet from the tree). The majority of the trees are approximately 32 inches from the parking lot and 10 to 12 feet from the roadway. If more than 30% has been removed, then the trees will be compromised. Should this happen and the trees fall, any damage to property would be the GLE HOA's liability.
4. Depending on the amount of roots removed, the arborist couldn't guarantee the integrity of the trees. Cutting will be performed by the concrete company and dependent on them accurately performing the cuts.
5. He also could only guarantee that it will take sometime between 5 to 10 years before we have the same issues happen again with the parking lot.
6. Even though the roadway around the clubhouse has damage from the tree roots and is a liability and safety concern, they did not want to address it.
7. The arborist confirmed that a tree removal permit would have to be obtained for any trees removed and a Manatee County arborist would have to sign off on it.

Even with our concerns that all of the trees should ultimately be removed, the arborist stated that he would do whatever Dan wanted. We feel that this statement was not in the community's best interests.

We would like this email shared with the community at the July 10, 2024 meeting as we will not be able to attend.

Sharon Duvall  
Denise Younk

9. Announcements: Next board meeting is September 18th @ 7:00 pm in the clubhouse.

10. Motion to adjourn: Kari moved to adjourn the meeting at 8:36; Dan seconded and the meeting was adjourned.

Respectfully submitted,  
Denise Burke, GLE Secretary