

# THE ESTUARY

HOMEOWNERS ASSOCIATION, INC.

## Board of Directors Meeting January 20, 2022 Virtual Meeting Via Zoom Meeting Minutes

### 1. Call to Order-Certifying of Quorum

The meeting was called to order at 6:32 p.m. by Board President Tom McAvin. Directors Alan Brown, Tiffany Lee and Keywana Miller were also in attendance; therefore, a quorum was established. It was confirmed that the meeting notice was posted. Jeana Wynja represented McNeil Management.

### Approval of Minutes

The Board reviewed the prior meeting minutes dated October 21, 2021.

**On Motion:** Duly made by Alan, second by Keywana and carried forward.

**Resolve:** To approve the prior meeting minutes as presented.

### 2. Reports

The manager presented financial reports and management reports. Manager informed the Board that the SWFWMD inspection will take place at the end of this month. Manager also stated that the 2022 Assessment Notice & Budget was mailed to all owners on Nov. 30, 2021.

### 3. Committees

**Covenant Enforcement Committee (CEC):** No minutes to approve. The Board discussed appointing Stephanie Molina to the CEC.

**On Motion:** Duly made by Alan, second by Tom and carried unanimously.

**Resolve:** To approve the appointment of Stephanie Molina to the CEC.

**Spirit Committee:** Kathy Brown presented. Reports have been provided to the Board. Two welcome baskets were distributed. The little free library is operational. Dinner in the park will be held the 2<sup>nd</sup> Wednesday of each month from 4:30pm-7pm. There were four winners of the holiday decoration contest. Thank you to all Estuary neighbors for their assistance with events, especially Jesse McAvin. Committee needs volunteers. Spring garage sale to be held March 5<sup>th</sup> & 6<sup>th</sup>. Easter egg hunt to be held April 16, 2022. Kathy reviewed the 2022 Spirit Committee budget.

**Architectural Committee:** All applications are current.

**Grounds Committee:** Lauren Smith presented. American Irrigation is assisting the community with various irrigation concerns. Plantings for the year have been reviewed with James Turner. Weeds and struggling plants at front entrance are due to irrigation issues. Tom McAvin also stated that he is working with James Turner for solutions at the end of Heron Watch Place that currently has brown grass. The Board was presented with two

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committee members who wish to serve on the Grounds Committee: Susan Meehan and Jeremy Crouse.

**On Motion:** Duly made by Tom, second by Alan and carried unanimously.

**Resolve:** To approve the appointment of Susan Meehan and Jeremy Crouse to the Grounds Committee.

**Neighborhood Watch:** Nothing to report.

## 4. Old Business

**Albatross aerator:** Warranty has been received and installation has been completed.

**Pressure wash perimeter fence:** Completed.

**Irrigation renovations:** Alan presented. Looking at 3 zones. Will likely tear out most of the front irrigation, removal of old piping on top of the ground, and split a zone. The work performed will be paid for out of the reserves account.

**Fence at south end of Heron Watch Place:** Alan presented. The new neighborhood to the south is ok with installation of the fence. Capital Fence has estimated the cost to be \$3,500.

**On Motion:** Duly made by Alan, second by Keywana and carried unanimously.

**Resolve:** To approve spending up to \$3,500 on the installation of the fence at south end of Heron Watch Place.

**Tree trimming/removal:** Trees were trimmed along west side of Albatross pond and playground area. Removal of a couple of trees occurred with stump grinding along Sand Stone Rock that were lifting fences.

**Fence repairs on Sand Stone Rock & Albatross ditch area:** Albatross ditch area fence has been fixed. Awaiting Capital Fence to fix the fence on Sand Stone Rock where trees were removed as mentioned above.

**Sidewalk crack on Palmetto Pine:** Still awaiting County to fix.

**Lighting District 1095:** Manager to inform the Board when the transfer officially occurs, so that the Association's TECO bill can be eliminated.

## 5. New Business

**Sidewalk Resolution:** Tom presented proposed definition: Blocking of sidewalk: A vehicle is considered blocking the sidewalk when parked more than one-half (or more than 30 inches) over the sidewalk. Tom indicated that the Association's sidewalks are 5 feet wide and ADA guides sidewalk clearance at 30 inches. Owners and the Board stated that blocking a sidewalk is a danger to pedestrians of all ages. Tom also stated that owners are permitted to park

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H O M E O W N E R S   A S S O C I A T I O N ,   I N C .

parallel within the bottom apron area of their driveway. The Board will notify owners regarding the definition in writing via USPS mail. Violation process will be up to the Board.

**On Motion:** Duly made by Tom, second by Alan and carried unanimously.

**Resolve:** To approve the definition of blocking a sidewalk as presented.

**Special Circumstances:** Tom presented proposed definition to define "special circumstances" within the Community Standards as, "irregular and non-reoccurring".

**On Motion:** Duly made by Tom, second by Alan and carried unanimously.

**Resolve:** To approve the definition of special circumstances as presented.

**Community Standards amendments, annual meeting and unassigned proxies:** The Board discussed the process to change the Community Standards document. They would like the Association's attorney to create a Resolution to clarify, as follows: Community Standards can only be changed at the Annual Meeting; instead of a vote of the Board to approve changes, Community Standards must be approved by two-thirds vote of the membership present at the Annual Meeting. Also, the Board determined that unassigned proxies should be spread evenly to all board members present at the Annual Meeting.

**On Motion:** Duly made by Tom, second by Tiffany and carried unanimously.

**Resolve:** To approve the Association's attorney to create a Resolution clarifying the process to change Community Standards as presented, and that unassigned proxies should be distributed evenly to board members present.

**Rice Creek Reserve Funding:** Tom McAvin addressed Rice Creek conservation area. Association is responsible for controlling/removing invasive species. Removal of invasive Brazilian Pepper trees is not an overnight fix and will take multiple years to eradicate. Funds set aside in the reserves account for this multi-year event. Also, SWFWMD inspects the area every few years to renew the permit. Association is working with Remson Aquatics for assistance.

**On Motion:** Duly made by Tom, second by Alan and carried unanimously.

**Resolve:** To approve spending up to \$10,000 per year from reserves for Rice Creek as outlined in the reserve study.

**Preservation of the Covenants and Restrictions:** Per Florida Statutes, the Board is required to annually consider the filing of a notice to preserve the covenants / restrictions affecting the community from extinguishment under Marketable Record Title Act (MRTA) at the 30-year mark. The Association is 10 years-old so preservation is not a pressing concern at this time. The Board will need to have a meaningful conversation with the Association's attorney regarding preservation of the documents when the community comes closer to the 30-year mark.

**Workers compensation insurance policy:** The board would like to secure a workers compensation policy to reduce risk to the Association for events related to vendors and volunteers. A policy costs about \$600-\$700 per year.

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**On Motion:** Duly made by Alan, second by Tom and carried unanimously.

**Resolve:** To approve engagement of a workers compensation policy.

**Pressure wash playground equipment:** Completed.

**Spray culvert; Albatross storm drain tunnel:** Alan presented. Area was out of control. James Turner sprayed the area. Should see improvement.

**Architectural Appeals:** None presented.

**Homeowner's Comments:** Owner concerns regarding violation process for blocking sidewalks and parking in front of other owner's mailboxes. Owners inquired about the tractor trailer parked on the street; the Board suggested that owners contact Hillsborough County Sheriff's Department.

## 6. Adjournment

**On Motion:** Duly made by Alan second by Tom and carried unanimously.

**Resolve:** To adjourn the meeting at 8:01 p.m.

APPROVED BY THE BOARD OF DIRECTORS 4/21/2022

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Prepared by Manager on behalf of Secretary