

Arcadia Village Homeowners Association

Board of Directors Meeting – January 14, 2020

After setting the agenda, Gary Larson reminded the membership of the show on Thursday night, January 16.

The meeting was called to order at 7:00 pm by President Dave Hendricks.

Dave led us in the Pledge of Allegiance and a moment of silence.

Board members present were Dave Hendricks, Cathy Eccleston, Sharon Lindsey, Beth Patrus, Gary Larson, Lori Milliman, Kevin Callanan and Gail Livingstone. Chester Johnson was absent. A quorum was met.

Dave introduced John Sacvucci, Director at Lodge from the FMO. We then opened floor to questions to John first from the board and then from the floor.

The first question presented to John was asked by Dave Hendricks, do we need to have a HOA in this park. John informed us without an HOA and FMO we would be under the landlord/tenant act. This would allow the owner of the park to increase our rent multiple times per year. The owner could have you evicted within a week, if he so choose to do so. Because of chapter 723, both the owner and residents have to follow laws set for HOAs. The board is given the ability to dispute rent increases, the ability to speak to the owner through a statutory meeting, referencing any issues that need to be address by the residents, this is laws that can be find in chapter 723, if you were under the landlord/tenant act this is not the case.

We discussed the type of community we live in and we are living in a leased community. John stated he lives in the same type of community. John said that the owner does not have to open his books, but we have the right to request large item budgets to be added to owner's annual budget.

The owners must follow their prospectus when it comes to how much they can raise the rent, and how often.

There was a question about the difference between a co-op park and a leased park. Parks that are owned by the membership, usually have much lower monthly HOA fees then the rent that a leased park, often by more than ½ the amount. These HOA are responsible for all committees, charges, and normal cost of running the park, run by a board of directors.

We have to follow 617, 723 and our Bylaws. 723 is where most of the rules come from. There are options under 617, that all committees would be under the HOA and all money

would be funneled through the HOA. This is not mandatory. John also spoke about sales taxes, and the responsibility of the HOA to pay taxes both sales, state and federal.

We asked about the liability insurance, we had our agent in on Monday 13, 2020 and he stated that if the HOA does not sponsor all committees, clubs and activities then they are not covered under our liability. John recommends that all committees, clubs and activities be sponsored under the HOA. John also suggested that many HOA's funnel the money through the HOA treasures. We informed him we had returned the committee funds, and do not want to be responsible for them. That each money making committee that wants to be under sponsorship by the HOA will have to sign a paper stating that they are HOA sponsored and will report to us each month on their funds. Activities and clubs will need to also sign the paper for sponsorship so that our liability insurance will cover them.

John said we should all file declaration of domicile, and the other is the Homestead declaration. These documents will protect your home from anyone trying to take your home which is under the motor vehicle laws.

We also addressed the issue that occurred from the training sessions that we sent the new board members to from the past two years. Two years ago the new board members were told they had get all the committees and clubs to go under the HOA and to take their money. This caused a great deal of problems in our park. The next year new directors went to another training and were told that no one can force any group to be under the HOA, nor can you force them to turn in their committee money.

We as a board have made the decision to not collect the money under the HOA, but to have each function sign a piece of paper, stating that they sponsored by the HOA. John suggested that we should get in writing from our insurance agent that these papers will be sufficient to cover our committees, clubs and activities. We will check into that. John also said we should be filing state sales taxes, and we should looked into the tax laws.

I presented John with the document that would be given to each committee, club or activity for them to sign and he agreed that the wording in the document should be sufficient to cover them with our insurance. John would not state for sure that by not taking the committee money that any insurance would cover the liability and repeated that we should get the agency to put it in writing that we do not have to handle the money.

John will send us a list of insurance companies so that we can check out other policies and see if we can get better insurance coverage.

After the question period with John, the minutes of the December meeting were approved unanimously by the board. John stated that with the new rules for Roberts rules that you

do not have to have a motion to accept the minutes and they have changed the way you adjourn the meeting. We need the new books for Roberts rules.

Officers Reports

President's Report

Dave let everyone know that Don Livingstone will be the new person collecting the annual dues from the members. Don will be collecting money at the Board meetings monthly. Please make sure you bring your dues to the monthly meetings, they are due by the end of April, 2020. Siesta club house stove and dishwasher are working fine. There was a request for defibrillators at both club houses. We do not have enough information to and Ron Jr was concerned about the liability. We will get more information and bring it back to Ron Jr.

We need to look for more insurance quotes and sit down with Ron Jr to see what the park covers for their insurance.

Secretary Report

Cathy repeated that starting in a few weeks, we will have someone at the Cantina on Tuesday afternoons, between 1 and 2 pm, so that any committee, club or activity can come in and sign the document to be sponsored by the HOA. These documents need to be filled out every year.

Treasurer's Report

Beth gave the monthly treasurer's report. She informed the membership that 3 of us had gone to the bank, set up the new signatures for our checking account and requested information on the HOA CD. The cd has been in effect being auto renewed every year since 2011. The interest rate is at .25. Sharon Lindsey made a motion to turn in the CD and to open up a new one with a 1.30 interest rate with 10,000. The 700+ dollars will go into the general fund. Cathy Eccleston second the motion, board voted with unanimous yays, no nays. Beth will be closing out the old CD and opening the new one in the coming weeks. Motion was made by Lori Milliman to pay the bills that are outstanding, Gary Larson second the motion. Motion passed unanimously. Checks were given to listed persons.

Beth asked for a motion to stop transferring the 25% of the dues to the legal funds and all dues go into the general fund. Kevin Callanan second the motion, motion was passed unanimously. Lori Milliman made a motion to close down our cd, pay the penalty and reopen a new cd for 9 months, not to be automatically renew with an interest rate of 1.30. Sharon Lindsey seconded the motion, motion passed unanimously.

See attached, filed as given.

Sharon Lindsey, asked that all HOA residents, resign the waiver so that the new waiver will cover the fact that going door to door, leaving the annual meeting notice will stop. We will be sending by mail, those that do not sign the waiver to their address here in the park and then we will post the annual meeting at both clubhouses and at both mail areas.

Sharon Lindsey, made a motion to buy the Secretary a laptop and thumb drive. Steve Hanlon stated that he has a desktop computer he would be willing to donate to the HOA, board accepted his donation.

Sharon made a motion to send out a letter to all new residents introducing the HOA, why you should join and the benefits of the HOA. The motion was seconded

Committee Reports

Don Livingstone collected \$35.00 for dues and turned them into the treasurer.

Ellen Davis reminded everyone that she is no longer involved with the membership committee and turned in her final dues that people have been giving her.

Linda Gromen got up and gave the entertainment monthly report and reminded everyone that we had a show on Thursday with a ventriloquist. We are hoping to have a good turnout for this show. Filed as given.

Old Business

No old business

New Business

No new business

Open discussion to the members for questions and comments.

Wendy Carter informed the membership that on Friday 24, at 2:00 there will be a memorial service for Mr. Harris, who passed away a year ago. Anyone that would like to bring sandwiches, cookies, etc. There is a signup sheet at both clubhouses.

Wendy also informed the membership that in February 25 at 7:00 pm, a lawyer from Port Charlotte will be coming to Arcadia to discuss, wills, trust, probates, medical documents and such with us. This will help us to be prepared in the loss of a companion, spouse, etc. and how to handle the final papers for couples, things do you have a safe deposit box, insurance information, additional bank accounts, etc. There will be no charge for this event. The lawyer said she will try to answer as many questions as possible and if you

need to ask her personal questions, she would be willing to give you an hour of her time free of charge to help you.

Cindy Brooks got up and talked about the lady that will be coming in to talk about the history of Arcadia at the end of January. She also reminded everyone that anyone can book a room in any of the clubhouses. Just reach out to her. Reminding everyone to empty the trash and returned the furniture to where it belongs.

Dave reminded everyone about the dance on January 23 the theme is 50/60 dance. We also have the Community Band coming in at the end of January. Please come out and support this band, many of the members are from Arcadia. Most of the money is donated back to the high school band.

We also have a Valentines dance, on February 14, the cost is \$12.00 person.

Jeanette Brockway reminded us that we have the Chinese auction coming up in early March. Please don't forget to donate.

Gary Larson again reminded everyone that Mark Merchant will be here performing Thursday, January 16, 2020 and that we would like a good attendance for this show.

Ellen Davis, reminded us that there is public transportation, Heartland Rides, in town the cost is 50 cents.

Meeting adjourned at 9:00 pm.