

## Manderley Homeowners Association

### Minutes of January 6<sup>th</sup>, 2010 Board of Directors meeting

A meeting of the Board of Directors of the Manderley homeowners association was held on January 6<sup>th</sup>, 2010 at 6:30 pm at 911 Wallace Court.

President Rod Pixley called the Board meeting to order at 6:40 pm.

Board members in attendance were Rod Pixley, Ira Blake, Joe Mack and Lance Beck.

Members absent were Rick Gardner, Doug Chapman and Todd Cannatelli.

The Board members reviewed the minutes of the November and December 2009 meetings. Lance motioned to accept the November minutes. Seconded by Ira. Rod noted a change on page three regarding the day of the week that the Association will be watering should be corrected to reflect Tuesday. Lance also stated that during the Budget conversation at the bottom of page three, it should reflect his comment regarding not allocating for the 2009 Assessments that have yet to be collected. Kevin will make the corrections. All were in favor.

Ira motioned to accept the December minutes as submitted. Joe seconded the motion. All were in favor.

#### Treasure's Report:

Ira reviewed the December 2009 monthly and year to date Financial Statements. Ira motioned to accept the Financial Statements as submitted. Questions arose over the discrepancy between the total allocated in the budget to the water cost and the associations actual cost being 25% less and it was noted that we had not yet received and paid the bill for the end of the year and that the reduction of the watering to once a week for the last two months was not anticipated due to a rule change by SJRWMD. J Malone (443 Randon Terrace) was present and stated the rule was longstanding and should have been anticipated in the preparation of the budget. It will require further research and R. Pixley took the action item. The current value of the budget amount was decreased by 10% for 2010 in anticipation of the affect of the new city ordinance.

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Additionally the amount allocated to the budget for legal expense in 2009 was only used at 25% which reflected the favorable resolution of the two HOA initiated foreclosure proceedings to collect unpaid dues active in 2008. In 2008 we were over 500% above the budgeted amount. The finance committee reduced the budgeted by 50% for 2010. Rod seconded the motion. All were in favor.

Ira requested a breakdown of the homeowners in arrears. Specifically breaking out the Assessments verses Fines. Kevin will provide that information to Ira and the Board on Thursday.

Architectural Review Committee:

Rod presented one (1) Architectural Request to the Board.

1. 396 Randon Terrace - Wood Privacy Fence. Rod motioned to accept the request with the condition of no construction in the easement (10 feet from sidewalk) and a city permit. Ira seconded the motion. The resident, Douglas Martinez, will forward a copy of the lot survey to Kevin. The resident already has the permit from the City of Lake Mary. Rod called the motion to a vote. All were in favor.

Grounds & Maintenance:

Rod reported that the City of Lake Mary has put on hold the drilling and hookup for the reclaimed water due mainly to the reduced consumption of the Manderley Commercial irrigation.

Old Business:

Rod stated that the Holidays decoration needed to come down. The scheduled date was January 9<sup>th</sup> & 10<sup>th</sup>. He asked for volunteers to assist in the project.

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Rod noted that the Storm Water wiers would have to be repaired this year since a temporary fix was put in place in 2009. The Stormwater committee consisting of Rod, Lance and Todd was reactivated. Rod mentioned that any resident was welcome to attend and add their input. The meeting will be at Lance's home on January 19<sup>th</sup> at 6:30pm.

### New Business

Resident, Joyce Malone, homeowner of 443 Randon, addressed the Board regarding her request to maintain a section of the common area directly behind her home. A lengthy discussion followed as Rod addressed the issue of "Common Areas" being involved and why the Board could not approve such a request.

Joyce had submitted a letter to the Board stating in brief, that she would be responsible for maintaining the area. A "Memorandum of Understanding" would be completed reflecting her acknowledgement that she is solely responsible for maintaining the area and, if necessary or required for whatever reason, she would remove the items in the area, and that the cost to maintain and/or remove would be her sole responsibility. Joyce and a representative of the Board of Directors would sign the Memorandum of Understanding.

The Board further discussed a notice received outlining the violations at 437 Randon regarding the installation of a pavers pathway (north) and plantings along the sides of the home. No ARC request had been submitted for the improvement. A violation letter was sent on November 9<sup>th</sup>, 2009 addressing this issue. The homeowner has not responded to the letter. A statement was made about the impact on the drainage between the two homes and ARTICLE XIV, Section 17 was quoted. The Board agreed, while pavers have been approved in the past, no homeowner has the right to change or alter the grade of the lot, which in turn changes the flow of drainage without consideration of the board via an ARC application.

Kevin will follow the process and send a second letter to the homeowner.

J Malone (443 Randon Terrace), a homeowner, questioned the board on the approval of Xeriscaping (Florida Friendly Landscape) in the community and expressed concern that the cold weather would freeze many plants resulting in dead zones in the neighborhood. After a brief discussion it was decided she would notify the HOA in accordance to the established policy on many concerns she wanted to raise regarding violations she has noticed in the community. The board will address these concerns at the next meeting.

Lance motioned to adjourn. Seconded by Ira. All were in favor.  
Meeting adjourned at 8:05 PM.

Minutes submitted by Kevin Ray  
Specialty Management  
Attachment: Action Steps By Rod Pixley- Re: Irrigation

## Action Steps By Rod Pixley (Attachment to the Jan.2010 Minutes)

I contend that the money we had not budgeted for the irrigation repair which came from the water savings of ~25% really is the majority of the savings and not the mandatory restrictions followed from the time change in Nov/09.

The statement that the member knew the regulations for one day a week in winter and two in summer had been in place for a long time and the resulting question was why the finance committee had not considered them during the budgeting process for expenses occurring in 2009? It is commonplace for our committees to proceed as any reasonable person would given the best information currently at hand. We start the budgeting process in Sept /Oct and validate it in a vote in Nov to present to association members in Dec at an Annual General Meeting where we review our goals and propose future plans.

I was tasked with researching the water restrictions and used several internet, personal, and documented resources. I contacted the Saint Johns River water Management District (SJRWMD) that Manderley falls under and they confirmed they set guidelines for water use and regulation to the jurisdictions under their purview. I contacted Lake Mary City which is the jurisdiction which Manderley falls under and they confirmed my findings via the internet and on their website as accurate.

Ref:

<http://www.google.com/cse?cx=016541086907589451463%3Agkfztrtvoyg&ie=UTF-8&q=water+restriction&sa=Search&siteurl=www.lakemaryfl.com%2F>

<http://sjrwmd.com/search.html>

### **District-wide watering restrictions (historical reference from the SJRWMD)**

- . Outdoor watering is not allowed between 10 a.m. and 4 p.m. (mandatory and in effect since 1991)
- . Residents and businesses are encouraged to limit outdoor watering to no more than two days a week (voluntary and in effect since April 1999)
- . Applies to commercial, industrial and residential properties
- . Applies to private wells, surface water and public utilities

. Exceptions for use of reclaimed water and other special circumstances

Note: (Manderley has been seeking reclaimed water access for commercial irrigation since 2008)

Changes proposed to the water permitting guidelines in the district documented under (2)(a) in accordance with the provisions of subsection 40C-2.042(2), F.A.C. - <http://www.sjrwmd.com/rules/pdfs/40C-2.pdf> .

(The changes were under proposal in Mar/09)

For more information on current rainfall and water supply conditions, ways to conserve water, appropriate lawn irrigation techniques, or Xeriscape gardening visit the District's Internet site at <http://sjr.state.fl.us> <http://www.lakemaryfl.com/pdf/Water%20Conservation.pdf> Ordinance **1319 replaces 1194 in accordance with 40C-2.042(2)(b)** and is signed into law on the 7<sup>th</sup> of May 2009.

Ultimately in our city the registered manager responsible (SJRWMD site reference) for the Ordinance is:

Lake Mary Bruce Paster (407) 585-1450

**[bpaster@lakemaryfl.com](mailto:bpaster@lakemaryfl.com)**

Publication of notification of new rules begins Oct/09 -

[http://www.sjrwmd.com/waterwatch/pdfs/2009/WaterWatch\\_0910.pdf](http://www.sjrwmd.com/waterwatch/pdfs/2009/WaterWatch_0910.pdf)

The new page posting for the current regulations in the district is at

<http://www.sjrwmd.com/wateringrestrictions/>

The finance committee did consider the ordinance in reducing the budget for allowance for the cost of water for irrigation piped from the city, also considered was the proposal for an increase in cost per unit proposed but not passed along at the time. We did not consider the potential savings if the reclaimed water project were to be completed as it was deemed an unreasonable assumption in the current economic environment for the city to have budget dollars for installation of the delivery system at that time.

Rod Pixley  
President  
ManderleyHoa