

AVERY PARK HOMEOWNER'S ASSOCIATION BOARD OF DIRECTOR'S MEETING MINUTES

Monday, March 20, 2023

Wedgewood Tennis Villas, 1401 Forest Hills Drive
Winter Springs, FL 32708

President Christina Higley called the meeting to order at 7:08 PM.

ATTENDANCE

Directors:

- Christina Higley, Lara Mangiarelli, Danny Kavanaugh

Top Notch Management:

- Ashley Roghelia, Erin Pollock

Committee Chairs:

Bryn Higley – Pond
Caroline Burchett – Welcome
JD Thoms – Landscaping
Brad Carlson – Website

Community Members:

In Person:

Bruno Mangiarelli	Jean Versino
Cheryl Chapman	Gary Oroian
Bev & Trudy Brown	Hakan Guvenc
Scott Meister	Phil Tinder
Phil Karr	Harvey & Margaret Freeman
Bill & Mary Rinaldi	Mark & Amy Erickson
Sam & Heather Miller	
Harry & Linda Timmons	

Via Zoom:

Greta Olson
Tony & Rebekah Dossett
Lou Eyermann

FINANCIAL REPORT

Danny Kavanaugh presented the financial report from Top Notch for February 2023.
Accepted as reported.

COMMITTEE REPORTS

ARB: One outstanding request still waiting on more information for clarification.

CLOCK:

- Nothing new to report.

GROUNDS:

- Nothing new to report.

RETENTION POND:

- Nothing new to report.

ENTRY GATE & POOL:

- Members of our community are asking for keypads for the two pedestrian gate doors in the front of the neighborhood. Board asked Top Notch to get some quotes for pricing on this. Also, a request was made by the board for Top Notch to get quotes for extending the black metal gates in the front of the neighborhood next to the pool to help eliminate the walking path in and out and allow the community to be truly gated and secure the neighborhood instead of allowing anyone to just walk into the community. Tony and Rebekah Dossett stated that the fencing had always been that way and saw no reason to change it to close off outside foot traffic. Christina stated that just because something has been that way doesn't mean it's working and that there is no point in being a gated community if we are just letting whoever walk in.

FENCE/GAZEBO/PLAYGROUND:

- The board received two quotes for gazebo repair. One contractor wants to repair and attach shingles to old, rotting shingles. The other vendor wants to replace the roof completely. Discussion was tabled for next month as there was a significant cost difference.

SOCIAL:

- Porch Sale – March 25, 2023, from 9am to 1pm
- Easter Egg Hunt – April 1, 2023, at 10:30am at community pool/playground

NEWSLETTER:

- Michele Marino published the spring edition of the newsletter with the President's annual report.

WELCOME:

- Nothing new to report.

WEBSITE:

- Nothing new to report.

COVENANT COMPLIANCE:

- Fining Committee: There are now 6 homes that need to be put to fining committee. The HOA did not have anyone willing to be on the committee to date. The board explained that the community must have a fining committee according to our covenants and the State of Florida. Discussion was had about bringing on an Attorney to handle these instances when the property owner isn't complying to the covenants. Volunteers stepped forward to be a part of the committee. Danny Kavanaugh moved to appoint the Gary Orion, Scott Meister, Phil Karr, Tony Dossett, and Harvey Freeman as new members for the Fining Committee. Christina Higley seconded. Passed unanimously.

COMPLAINTS:

No community complaints received.

OLD BUSINESS:

- **Storm drain** – awaiting the quote from Atlantic Pipe for repairs to entire system (the vendor the city of Winter Springs uses) hopefully by weeks end.
- **Playground Replacement** – Playground was ordered and will be here in 16-20 weeks.
- **Landscape maintenance/Irrigation services** – Our new landscaper, Earth Tones, checked the irrigation and there were a lot of broken heads or piping that need to be fixed. Green flags throughout the community mark where there is a problem in need of repair. Massey was not servicing our community as they were supposed to be doing and these repairs should have been made as needed – repairs probably weren't made for years based on the number of broken items identified. Top Notch committed to trying to get the outgoing vendor, Massey, to come out and do some of the repairs before the contract ends and Earth Tones takes over.

Christina Higley stated that moving forward there must be better oversight by the management company to make sure these issues do not continue as numerous vendors have been caught not completing work according to their contract and collecting payment for far too long. She stated that this was common practice to have almost no oversight with Mark Management, but it needed to change. Top Notch suggested they will turn on the irrigation system once a month to make sure everything is in working order moving forward.

JD Thoms as the landscape chair stated he stopped checking on items like this because it seemed like no one wanted his help.

- **Storage Unit/City Update** – No update.
- **Lift station generator update** – Christina met with the Interim City Manager and will be meeting with Veola and the City Utility Manager to finalize hurricane season plan for generator to be placed ahead of storms.

NEW BUSINESS:

- **Valley Bank Information by Shelby Benson:**
Shelby came and spoke to the board and community members about what types of loans the community might be facing. She answered questions from both the board and community regarding terms of loan.

OPEN DISCUSSION:

Hakan Guvenc – Suggested getting shrubs for more privacy by the pool as the pool is fully exposed when on Tuskawilla looking into the community.

Gary Oroian – Asked for clarification on what the loan would be for and Christina explained it was for storm drain repairs.

JD Thoms – Stated that he was addressing Danny only to ask about the Engineer that was supposed to come out and look at our issues. Danny explained that a member of the community tried to get other companies out here and was having a difficult time finding anyone to come out a look at such a small job.

Phil Tinder – Suggested the name of an Engineer that he knows and as favor to him will take a look at the storm drains issues and give his opinion. He will get the information from the Board.

Harvey Freeman – Asked about the history of Engineers looking at the storm drains. Christina gave the background to him.

Trudy Brown – Questioned if Atlantic Pipe was the only company we planned on contacting for the pipe work. The board stated three companies were contacted and bids were obtained from all three. Also asked how to get a copy of the covenants (referred to the Avery Park website) and a key to the gate (Danny will get her a copy).

Bev Brown – Asked about the insurance covering the playground. Top Notch verified liability insurance is in place for any incidents.

Phil Karr – Asked if there was any way to drill a hole and put a pipe in the retaining wall to let the water flow out the roadway into the property behind Avery Park. Danny advised, yes. Lara mentioned this was not our property though to just be draining water onto. Phil also asked if he could get the pavers back that he put onto one of grates on the Park Lake alley. The board stated no and that he was never authorized to do such work.

Beverly Freeman – Asked how the board arrived at replacing the playground equipment. Christina explained how the playground equipment would cost almost as much to rehab as replacing. Stated that the repairs would not have a warranty.

Tony Dossett – Stated the shallow end skimmer basket is not collecting anything in the shallow end of the pool. Cory, who takes care of the pool, was sent an email.

Mark Erikson – Asked to verify if the board was moving forward to take a loan because of safety issues. Danny paraphrased the covenant applying to the question asked. No action will be taken at this meeting.

Beverly Brown – Complained that he was unable to get into the Zoom meetings. Ashley from Top Notch explained that we are now hooked up to the Wi-Fi at the meeting facility.

Scott Meister – Spoke about the drainage issue. He feels the board is being put into a legal issue if they vote that a special assessment is needed and voted with an agenda. Christina explained that if we don't fix the issue, we could be faced with a city mandate and/or lawsuits.

Amy Erickson – Stated she had a problem with the fact the board is allowed to make a special assessment in the case of an emergency. Danny read the covenant that this pertains to. She wants a dollar amount to be put to the community for a 2/3 vote for things like a playground repair, etc. moving forward. Current covenants would need to be changed. No action taken at this meeting.

Bryn Higley – Asked if the HOA would be liable if something happens to someone if we know there is a safety issue with the storm drain and they are not fixed. The board stated that was most definitely a concern.

Mark Erickson – Stated that if people drive 15mph as posted and the road collapses (like

what happened on Burgess) and everyone is seat belted, very little is going to happen. He stated that there may be car damage, but that is what auto insurance is for. He doesn't like the fear mongering that is happening regarding the roads.

Lou Eyermann – offered some observations from the evening and made some suggestions on what he thinks should be done regarding the storm drain issues.

ANNUAL MEETING: Saturday, April 29, 2023, in the large meeting room at Wedgewood Tennis Villas at 10AM.

ADJOURNMENT: With no further business, a motion to adjourn the meeting was made at 8:47pm by Danny Kavanaugh, seconded by Christina Higley.

Respectfully Submitted,

Lara Mangiarelli, Secretary

**ACTION BY UNANIMOUS WRITTEN CONSENT OF THE BOARD
OF DIRECTORS OF AVERY PARK HOMEOWNERS' ASSOCIATION, INC.**

The undersigned, constituting all of the duly elected and/or appointed directors of the Avery Park Homeowners' Association, a Florida Not-For-Profit Corporation, hereby take the following action by unanimous written consent, in accordance with Section 617.0821, *Florida Statutes*, and Section 5.7 of the Association Bylaws:

The Directors have reviewed and considered the following matter:

1. Minutes of the March 20, 2023, board of directors meeting.

After evaluation of the matter(s), the undersigned directors give their unanimous written consent to the adoption of the following action:

RESOLVED, that the Minutes of the March 20, 2023, board of directors meeting are approved, a true and correct copy of which is attached as Exhibit "A."

FURTHER RESOLVED, that the Officers of this Corporation are authorized and directed to take such action and to execute such documents as they may deem necessary and proper to carry out the purpose and intent of the foregoing action.

This Written Consent Action may be executed in counterparts and shall be effective for all purposes on the date of the last director's execution hereof.

Directors:

Sara Mangione 04 / 17 / 2023
Name: _____ Date: _____

Daniel J. Kavanaugh 04 / 18 / 2023
Name: _____ Date: _____

Christina Higley 04 / 17 / 2023
Name: _____ Date: _____

[Signature] 04 / 20 / 2023
Name: _____ Date: _____

Michele M Marina 04 / 17 / 2023
Name: _____ Date: _____

Name: _____ Date: _____

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04 / 17 / 2023
18:01:44 UTC

Sent for signature to Lara Mangiarelli (lmangiarelli@icloud.com), Christina Higley (christina.maleyhigley@gmail.com), Michele Marino (mmmarino10@gmail.com), Danny Kavanaugh (dj2124@gmail.com) and Josh Hogan (joshuahogan2@gmail.com) from lmangiarelli@icloud.com
IP: 104.48.164.238



04 / 17 / 2023
18:01:48 UTC

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IP: 104.48.164.238



04 / 17 / 2023
18:02:01 UTC

Signed by Lara Mangiarelli (lmangiarelli@icloud.com)
IP: 104.48.164.238










04 / 17 / 2023
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