

MADISON GREEN MASTER ASSOCIATION  
BOARD OF DIRECTOR'S MEETING  
April 29, 2015

Eileen Feiertag, President, called the meeting to order at 6:30 pm.

Officers and Directors present were: Eileen Feiertag, President; Bernie Holmstock, Vice President; David Schenkelberg, Treasurer; Maxine Yoss, Secretary; Max Mollohan, Director; Charles Larsen, Director; and Carolyn Hmara, Director. Dianne Gasc, Assistant Property Manager, also in attendance. Lynn Linfante, Property Manager, was not in attendance.

Eileen Feiertag stated the meeting was properly noticed in accordance with the By-Laws and a quorum was present.

Motion made by Maxine Yoss to waive the reading of the minutes from the Board of Directors Meeting held on March 25, 2015 and approve them as written.

Seconded by Bernie Holmstock.

Motion carries: 7 - 0.

Treasurer's Report: David Schenkelberg reported on the Financials as of March 25, 2015. Total number of delinquent units is down to 248. David said there were a dramatic decrease in delinquent units due to our attorney's efforts, bank foreclosures, and the real estate market.

There is a unit that is in Chapter 11 bankruptcy which is a specialized subset of law. Our attorney has recommended a bankruptcy attorney to handle this case, as Rosenbaum Mollengarden does not specialize in Chapter 11 bankruptcy law. Eileen Feiertag mentioned that any legal fees the Association incurs due to this action probably would have to be absorbed by the MGMA.

A list of unit owners owing one payment 90 days past due was presented to the Board. David has checked that none of these units are in bankruptcy.

Motion made by David Schenkelberg to suspend the voting and Clubhouse privileges of the 17 units on the list pending nonpayment within the next week.

Seconded by Bernie Holmstock.

Motion carries: 7 - 0.

Each of these homeowners will receive a letter from the MGMA and will be suspended within a week of the letter being mailed.

David reported the CD held at Flagler Bank with a balance of \$77,782.75 and current rate of 0.75 will mature on May 14, 2015. David has contacted four banks for their current rates.

Motion made by David Schenkelberg to renew this CD for 12 months held in Flagler Bank.

Seconded by Charles Larsen.

Motion carries: 7 - 0.

Property Manager's Report: See attached report. Donna Broder, an Oakmont resident, wanted to know exactly how many Ixora plants died due to the valve problem at the irrigation clock. Dianne Gasc did not know the exact number, but felt it was just a few.

**COMMITTEE AND WORKSHOP GROUP REPORTS:**

Government Liaison Report: Jeff Hmara, VRPB Councilman, reported the Charter High School proposal to purchase land on Okeechobee Boulevard has been withdrawn. Jeff announced that Royal Palm Beach High School will be power-

washed and painted and funds were established for the RPBHS to have an International Baccalaureate Program. It is expected that the first IB class will begin next school year. Crestwood Middle School will have a new STEM (Science, Technology, Engineering, Math) Program starting next school year. The Village Council conducted a planning session to update the Village's Strategic Plan and drafted the policy action agenda for 2015-16. There will be a Citizen Summit conducted on June 17<sup>th</sup> from 7:00 – 9:00 pm at the Cultural Center. May 9<sup>th</sup> will be Cultural Diversity Day. There will be entertainment and food from different ethnic backgrounds at Veterans Park. There will be a Memorial Day Ceremony on May 25<sup>th</sup> at Veterans Park.

MGMA ARC Committee: Dianne Gasc reported that the MGMA ARC Committee meetings were held March 31<sup>st</sup>, April 14<sup>th</sup> and 28<sup>th</sup>, 2015. A total of 37 ARC's were reviewed and approved by the Committee: 22 exterior painting; five (5) landscaping; one (1) fence; one (1) outdoor kitchen; two (2) doors; one (1) awning; one (1) gutters; one (1) coach lights; one (1) windows; one (1) driveway expansion; and one (1) screen enclosure.

The MGMA Property Manager has completed the final inspection and approved the return of ten (10) ARC deposits: six (6) exterior paint; two (2) landscaping; one (1) patio; and one (1) outdoor kitchen.

The ARC Committee received a request to eliminate either Scheme L or N on the MGMA Color Chart. The ARC Committee said that as there was enough differentiation between the two color schemes, and 12 color schemes were eliminated two years ago, they did not recommend going forward with this request.

\$500 of ARC deposits were forfeited from ARC's that were approved over one year ago. These homeowners never submitted a final inspection for the return of their deposits.

Eileen Feiertag thanked the MGMA ARC Committee for their dedication to this job. They meet almost every two weeks, which allows our residents to get their projects done timely.

Golf Course Liaison Report: Charles Larsen reported that everything is going well with the Golf Course. Charles also reminded everyone about the Thursday night scramble at 5:00 pm and unlimited golf membership available for 1-½ years.

Lakes Liaison Report: No report.

Activities Liaison Report: No report.

Landscaping Liaison Report: No report.

Non-Ad Valorem Report: Steve Feiertag, a Fairfax resident, reported that Indian Trails Improvement District approved the terms of the refinancing of our ITID bond by a vote of 4-1. This would save each homeowner about \$50 per year per lot starting either this November or on the following year's tax bill.

### **UNFINISHED BUSINESS:**

Pool Furniture Replacement & Cabana Drapes: Dianne Gasc reported that the pool furniture has been replaced and it has come to our attention that the chaise lounges were uncomfortable because of the softer vinyl material used. Lynn Linfante contacted the vendor about this issue, and they have agreed to refund 40% of the contract charges or replace all the lounge chairs with the cross weave style lounges.

After Board and Homeowner discussion and after several Board members sat in the lounges, it was decided that due to the fact that we will have to live with these lounges for approximately 15 years, we should replace them, even if they will not match the dining chairs.

Motion made by Bernie Holmstock to replace only the lounge chairs with the cross weave style lounge chairs as per the company's offer to replace them at no additional charge.

Seconded by Charles Larsen.

Motion carries: 5 -2. Maxine Yoss and David Schenkelberg voted against the motion.

Dianne Gasc reported that the Cabana Drapes will be installed either Friday or Monday of next week.

2014 Audit: A draft copy of the 2014 MGMA Audit was provided to the Board. David Schenkelberg, Eileen Feiertag, and Carolyn Hmara met with Nicole Johnson, Hafer & Company to review the draft. Ms. Johnson stated it was a very clean audit and complimented the MGMA staff and Tallfield for their record keeping. Eileen Feiertag said that Nicole Johnson will attend the May 27<sup>th</sup> Board meeting to answer questions from the Board and residents. At that time, draft copies of the audit will be distributed to the residents so they will be able to ask questions. At the end of this section of the meeting all draft copies will be collected.

Ad-Hoc Gym Committee:

Motion made by David Schenkelberg to proceed with Security Protection for the TV installation in the gym for \$1,713 as recommended by the Property Manager.

Seconded by Maxine Yoss.

Motion carries: 5 - 2; Charles Larsen and Eileen Feiertag voted against the motion.

Motion made by Maxine Yoss to purchase heavier dumb bell weights (two 55 lb., two 60 lb. and one 65 lb.) from Profitness not to exceed \$710.

Seconded by Bernie Holmstock.

Motion carries: 5 - 0. Eileen Feiertag and David Schenkelberg abstained.

Ad-Hoc Crestwood Boulevard Committee: Bernie Holmstock reported that the Committee will have a draft letter for Board approval to send to the Village of Royal Palm Beach Engineer and Manager at the May Board meeting requesting a meeting to discuss the findings of this Committee, and also recommending that the MGMA ask for a formal traffic study to determine appropriate measures that are in line with standard, accepted practices, and the Village of Royal Palm Beach budget to implement traffic calming measures.

Lynn Linfante and High Standards will check the height of the hedges along Crestwood Boulevard to make sure that the plant material does not interfere with visibility when cars enter or leave a Village entrance. Lynn and Eddy from High Standards started this project over a year ago and evaluates the heights of the plantings regularly.

Eileen Feiertag thanked the Committee for their dedication to the MGMA.

Tennis Courts Resurfacing & French Drain:

Motion made by Bernie Holmstock to contract with High Standards to install a drainage system for \$7,005 along the south and west sides of the tennis courts as per the presented diagram.

Seconded by David Schenkelberg.

Motion carries: 7 - 0.

David Schenkelberg recommended that the MGMA should inform the Golf Course about this project.

Landscaping/Seasonal Flowers:

Motion made by Carolyn Hmara for High Standards to plant seasonal flowers at the Okeechobee and Crestwood Monuments and the front entrance of the Clubhouse, to do some corrective plantings at the Okeechobee and Crestwood Monuments, and add bougainvillea plants by the basketball court fence for a total of \$2,954.50 as described in High Standards quote dated March 30, 2015.

Seconded by Maxine Yoss.

Motion carries: 6 - 1. Max Mollohan voted against the motion.

Donna Broder, an Oakmont resident, questioned who would be pinching the new Coleus plants, and if Lynn Linfante would be arranging for additional fertilizer for these new plantings. The new plantings will be fertilized and the plants will be trimmed, but not pinched.

Lanai Window Covering: Shades and cornices on three windows, and cornices on the rest of the windows have been installed in the Lanai. This project has been completed.

Crestwood Boulevard Royal Palm Tree Removal & Replacement: Dianne Gasc mentioned that the MGMA is working with the vendor to finalize the permit required to remove and replace the tree. Charles Larsen questioned if the Royal Palm was truly dead. Dianne replied that three tree vendors have confirmed that the tree is diseased and is dying.

Landscape Maintenance Contract 2015/2016: Contract signed.

Budget Workshop & Members Annual Meeting:

Motion made by David Schenkelberg to approve the proposed dates for the MGMA Budget meetings and move the Annual Members Meeting to Wednesday, December 9, 2015.

Seconded by Maxine Yoss.

Motion carries: 7 - 0.

The dates for the Budget Workshops and Annual Members Meeting are:

Thursday, October 22<sup>nd</sup> and Monday, October 26<sup>th</sup> - Budget Workshops.

Wednesday, October 28<sup>th</sup> - Approval Meeting for the proposed 2016 MGMA Budget for mailing (to be held just prior to the regular MGMA October Board Meeting).

Wednesday, November 18<sup>th</sup> - Approval Meeting for the 2016 MGMA Budget (to be held just prior to the regular MGMA November Board Meeting).

Wednesday, December 9<sup>th</sup> - Annual Members Meeting and 2017 MGMA Board elections.

These dates will be sent out to the Homeowners in August via email blast and in the Board Update.

NEW BUSINESS:

Positive Correspondence: Maxine Yoss read an email received from Charlotte Ramsey, a resident, thanking the Board for all their efforts and the monthly updates.

Suspension of Clubhouse Privileges When a Homeowner is Not Current at Village Level: At the last MGMA Village President's Workshop, someone asked if the MGMA could deny Clubhouse access to those units that were current in dues at the Master level, but delinquent at the Village level. David Schenkelberg reached out to the MGMA Corporate attorney. As per our legal representative, we cannot suspend Clubhouse privileges to homeowners that are current with their dues at the Master level unless both the Master and Village were to amend their governing documents to include this requirement. So at this time, if a unit is current at the Master, but delinquent at the Village level, the Master would not be allowed to suspend their Clubhouse privileges.

An email will be sent to the Village Presidents to let them know.

Corporate Attorney Questions Requested by Charles Larsen:

Question 1. Does each Village Property Manager have to have an LCAM? That is, can a Village be "self-Managed" by an elected homeowner who is not an LCAM? If at least one person in the office has an LCAM, can others in that office conduct business for the Village they represent? Charles Larsen asked that this question be withdrawn.

Question #2: At the Master Members' Annual Meeting when the attorney takes over, is the Board disbanded at that time, or do they stay in place until the new Board is elected or the Board rolls over due to no quorum or no election due to the number of seats available and the number of persons running equals the number of seats? That is, is there a point in time (even just a few minutes) where the Association is without a Board?

Motion made by David Schenkelberg not to propose question #2 to our attorney.

Seconded by Bernie Holmstock.

Motion carries: 4 - 3. Maxine Yoss, Charles Larsen & Carolyn Hmara voted against the motion.

It was suggested to Charles by a homeowner to post this question on Becker and Poliakoff's blog.

Question #3: Is each Village in Madison Green required to hold a Members' Annual Meeting? If they choose not to hold a Members' Annual meeting but are required to have one based on Florida Statute 720 and the MGMA official documents, what choices does the Master Association have to address this issue? Is the MGMA required to do something (and if so, what), or can the MGMA choose to do nothing?

Motion made by Carolyn Hmara to send question #3 to our attorney, not to exceed one hour legal time.

Seconded by Charles Larsen.

Motion carries: 4 - 2. Maxine Yoss and Bernie Holmstock voted against the motion and Eileen Feiertag abstained.

Lake Bubblers: Lynn Linfante and Charles Larsen have been working to identify a lake or lakes that would benefit from the addition of an aeration system. They are trying to determine how to get electricity to these systems. Ken Sherman, a resident from The Estates, wrote a letter to the Board and attended the Board meeting, to express his concern and disapproval of installing an aeration system next to his property. At this time there has been no location chosen and this project has been put on hold for further investigation. In the future, Lynn Linfante will contact any and all homeowners when she will be on their property. Chris York, from Superior Waterway Services, Inc., informed Lynn that it would cost approximately \$2,800 per system to create new electrical services from the transformers. He also said that the MGMA would have to get permission from the homeowner to trench in between homes. Eileen Feiertag questioned, "What if a homeowner gave permission and then sold the property, what would happen if the new homeowner did not want to give permission?"

MGMA Business Cards: Eileen Feiertag reminded Board Members with MGMA business cards to use these cards only when doing Master business, not Village business.

#### **OPEN FORUM:**

Donna Broder, an Oakmont resident, reported the pool was full of debris last Sunday and requested the staff remove debris from the pool drains. She also expressed her concern that the Operation Staff was not patrolling the pool area for residents not following the rules. She also mentioned that residents are participating in water aerobics on Monday mornings and requested the MGMA send out an email blast to let other individuals know about the class. Eileen Feiertag stated that as the water aerobics class was not being run by the MGMA, but it is being attended by individual homeowners bringing in a trainer, this will not be done.

Motion made by David Schenkelberg to adjourn the meeting at 9:05 pm.

Seconded by Max Mollohan.

Motion withdrawn by David Schenkelberg.

Ken Sherman, a resident from The Estates, mentioned the sidewalks from Crestwood Boulevard to the entrance of The Estates Village on Grand Oaks Boulevard are very dirty and when wet, are very slippery. Lynn Linfante will go out for bid for the cleaning of the MGMA sidewalks for the 2016 MGMA Budget. Jeff Hmara informed the Board that although the Village of Royal Palm Beach owns the sidewalks, the owners of the land directly adjacent to the side walk are responsible for the cleaning.

Steve Feiertag, a Fairfax resident, indicated that his understanding of this of the water aerobics activity is that it is being organized by individual homeowners bringing in a private instructor, presumably charging a fee. He continued, that if a person with a business were asked by other homeowners to have a session at the Clubhouse to offer to sell his widgets, which presumably would benefit the MGMA homeowners, it would be inappropriate for the MGMA office to send out an email blast touting this private business. He stated that in his opinion, this water aerobic session was no different.

Bernie Holmstock wanted to discuss the Clubhouse hours. Eileen Feiertag asked if this can be discussed at the next Board meeting. Bernie said this would be fine. This item will be on the agenda for the next meeting.

Max Mollohan will not be at the May Board meeting. David Schenkelberg and Maxine Yoss will not be at the June Board meeting.

**ADJOURN:**

Motion made by Bernie Holmstock to adjourn at 9:15 pm.

Seconded by David Schenkelberg.

Motion carries: 7 - 0.

Meeting adjourned at 9:15 pm.

Respectfully submitted by:

Dianne Gasc

Assistant Property Manager

Approved on: May 27, 2015