

The Meadows at WGV – Board of Director’s Regular Business Meeting
March 20, 2025 at 7:00 P.M. – Online & via Phone **

Agenda

ASSOCIATION RULES & REGULATIONS PROPOSED CHANGES – BOD Vote

Meeting Called to Order

Opening Remarks

Review and Acceptance of Minutes

Reports

- Pacetti Road Properties – Proposed Rezoning
- Bland Landscaping Co. (Koehn Outdoors) [Contract Renewal Apr 1st]
- Irrigation System - Status
- Landscaping - Entrance Way
- Financial Transition
- Management Report Summary for January & February 2025



Event Info

Old Business

- Health-Safety Issue - 315 Meadowlark Lane
- **ASSOCIATION RULES & REGULATIONS PROPOSED CHANGES – Final Review & Approval of:**
 - o 238. Enforcement, Violation Notices, Fines, and Special Review Committee Procedures

New Business

- Common Area – Replacement Trees
- Common Area – Routine Tree Care
- Management Partnership - Discussion

Open to those attending for comments, feedback and questions

- Additional comments, feedback and questions

Closing Remarks

Adjournment

** Web & Phone Connection Information: <https://themeadowswgv.com/>

On HOA Web Site – Home Page – Bottom - Association Events Section

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Join Zoom Meeting - Video Conference (On-Line) & By Phone (Voice Only)

Register in advance for this meeting:

https://zoom.us/meeting/register/x_fCEcOaS_SHFMCNuvmZpA

After registering, you will receive a confirmation email containing information about joining the meeting.

238. Enforcement, Violation Notices, Fines, and Special Review Committee Procedures

General Requirements

- 238.1 Each homeowner (“Homeowner”) and the Homeowner's tenants, guests, and invitees (including vendors and contractors) (collectively referred to herein as the “Subject Entities”) must follow the Rules and Regulations, the Architectural Guidelines, and the Governing Documents of The Meadows at St. Johns Owners Association, Inc. (“HOA” or “Association”).
- 238.2 It is the responsibility of the Homeowner(s) and/or their agent(s) to inform their tenants, guests, and invitees of these Rules and Regulations.

Violation Reporting

- 238.3 All violations reported by residents must be reported to the Association, in writing. The Association may delegate a managing agent to receive such reports from other Homeowners. If the violation is a matter that can be visually seen, a dated picture must be included with violation.
- 238.4 The Association may ~~performs~~ community-wide inspections as often as a weekly for Lot and Residence exterior visual non-compliance, which may be supplemented by targeted area inspections as needed to ensure compliance. Any notice of Homes found to be non-compliant with these Rules and Regulations or the Architectural Guidelines must include a dated photograph documenting the observed non-compliance. Details of non-compliance identified during inspections may be noted in the minutes of the BOD meetings and added to Homeowner records.

Violation Notice Process

238.5 After receiving notification in writing of a violation or the findings from an Association-conducted inspection, the Association, or its designated managing agent, will either send a 'Friendly Reminder' or a 'First Notice of Violation.'

Friendly Reminder

238.6 The Association may issue a Friendly Reminder for initial or minor violations.

238.6.1 A Friendly Reminder will be a communication designed to remind the Homeowner/Subject Entities of the section of governing document non-compliance, what is required to restore compliance, and to seek the Homeowner's/Subject Entities' assistance in fixing the issue.

238.6.2 A copy of the Friendly Reminder will be sent by USPS mail to the Homeowner's or Subject Entities' last known mailing address or email, if applicable.

238.6.3 The Homeowner/Subject Entities will have no less than 14 days from the date of the Friendly Reminder to address the potential violation and restore compliance.

First Notice of Violation

238.7 After determining a violation has been observed or reported in writing, or remains uncured after a 'Friendly Reminder', the Association, or its designated managing agent, will send a First Notice of Violation to the Homeowner/Subject Entities.

238.7.1 A First Notice of Violation will be sent as a formal notice identifying the non-compliance, identifying the applicable sections of the Governing Documents connected to the non-compliance, stating what is required to restore compliance, and stating possible outcomes or next steps of the Association if the violation remains uncured.

238.7.2 A copy of the First Notice of Violation will be sent by USPS mail to the Homeowner's or Subject Entities' last known mailing address or email, if applicable.

238.7.3 The Homeowner/Subject Entities will have no less than 14 days from the date of the First Notice of Violation to comply.

238.7.4 If applicable, the First Notice of Violation may include a Statutory Offer to Participate in Pre-Suit Mediation, pursuant to Section 720.311, Florida Statutes.

238.8 When a visible violation is cured, a dated photo must be submitted to the Association showing compliance.

Second Notice of Violation

238.9 If the violation is not cured within the 14-day cure period provided in the First Notice, then the BOD may notice a meeting at which it will vote to send a Second Notice of Violation/Hearing Notice, and may vote to levy a fine or suspension.

238.9.1 The Second Notice of Violation/Hearing Notice will be sent by USPS regular mail or by email to the Homeowner's/Subject Entities' last known mailing address or email, if applicable.

238.9.2 The Second Notice to the Homeowner/Subject Entities will inform the Homeowner/Subject Entities of the fine or suspension, and provide notice of a hearing before the Special Review Committee (the "Hearing") to consider imposition of a fine or suspension.

238.9.3 The Second Notice of Violation/Hearing Notice will provide a Hearing date, time and location at least fourteen (14) days from the date of the letter. The Hearing must be held within ninety (90) days after issuance of the Second Notice.

238.9.4 The Second Notice of Violation/Hearing Notice must include a description of the alleged violation; the specific action required to cure such violation (if applicable); the Hearing date and location; and access information if the Hearing is held by telephone or other electronic means.

238.9.5 The fining and suspension process set forth herein is established in accordance with the provisions of Section 720.305, Florida Statutes, as it currently exists and as amended from time to time.

238.10 If the violation is not cured within the 14-day cure period provided in the First Notice for any violation involving improvements or structures that have been added to any residential lot without ARC approval, or if any conditions exist that are in violation of the Governing Documents, Architectural Guidelines, or these Rules and Regulations, then the BOD, instead of fining, may demand Pre-Suit Mediation pursuant to Section 720.311, Florida Statutes, and/or bring an action for damages and/or injunction against the Homeowner or Subject Entities for the purposes of curing or correcting the violation.

Special Review Committee (SRC)

238.11 The BOD shall appoint a Special Review Committee ("SRC").

238.11.1 SRC is an independent group of owners to protect the rights of owners from unreasonable Association or management company enforcement of violations. It plays a crucial function in the community's check and balance system.

238.11.2 The SRC reviews the fine or suspension (to decide whether to confirm or reject the fine or suspension levied by the BOD) and hears any objections or defenses from the Homeowner/Subject Entities.

238.11.3 The SRC shall be composed of at least three (3) members of the Association.

238.11.4 No SRC member shall be an officer, director, or employee of the Association or the spouse, parent, child, brother or sister of an officer, director, or employee of the Association.

238.11.5 The SRC must follow the procedures as outlined in this section of Association Rules and Regulations and Section

720.305, Florida Statutes, as it currently exists and as amended from time to time.

238.11.6 Presence of Homeowner, Subject Entities, or their counsel at the Hearing does not ensure rejection of the levied fine or suspension.

238.11.7 A Homeowner/Subject Entities, and as applicable their counsel, shall have the right to attend the Hearing by telephone or other electronic means.

Hearing Procedures

Hearing Rights

238.12. At the Hearing, the Homeowner/Subject Entities will be able to:

- (a) Explain why they are in non-compliance
- (b) Present evidence in their defense
- (c) Cross-examine witnesses
- (d) Be represented by counsel; if the violating party wishes to have legal counsel attend the Hearing, the violating party must provide at least five (5) days written notice to the Association in advance of the Hearing. If timely notice is not provided, the attorney may be precluded from attending the Hearing.
- (e) Make a follow-up (rebuttal) presentation, if they chose, after the Association follow-up (rebuttal) presentation

Hearing Process

238.13 At the Hearing, SRC must follow the procedures as outlined in the SRC Procedures in its review of the information presented related to the violation and the levied fine or suspension and its decision to either confirm or reject the fine or suspension.

238.14 To be read by the Committee Chair to open Hearing Proceedings:

1. This Hearing is authorized by Declaration of Covenants, Conditions, Restrictions and Easements for The Meadows at Saint Johns (the "Declaration") and Section 720.305, Florida Statutes, and may be attended only by the Special Review Committee ("SRC"), Association representatives, agents or legal counsel, and the Homeowner/Subject Entities and the Homeowner's or Subject Entities' legal counsel.
2. The Homeowner (or Subject Entities) has received required notifications under the Declaration and FS 720.305, but is not required to attend. The Homeowner (or Subject Entities) has the right to be represented by counsel and to cross-examine witnesses.
3. The Association and the Homeowner/Subject Entities may choose to present evidence to the Special Review Committee ("SRC"). The Association will present its evidence first.
4. The Association and the Homeowner/Subject Entities may then choose to make a second presentation to the SRC. The Association will present first.
5. Adequate time will be allowed for both parties to present relevant information.
6. The SRC may question either party following their presentations.
7. The party having the floor will be allowed to speak without interruption.
8. The Chair of the SRC will maintain order as necessary, and may eject individuals who are disruptive.
9. Additional Hearings, if any, will begin with a new reading of these procedures (unless waived by Homeowner/Subject Entities).
10. The Homeowner/Subject Entities will be notified in writing of the SRC's decision at his or her designated email address or mailing address in the Association's official records within seven (7) days from the date of the Hearing.

Decision and Notification

238.15 After the Hearing, the SRC members will hold a closed session to make a decision on each violation referred for a Hearing.

238.15.1 The SRC shall have seven (7) days after the Hearing to make its determination as to whether to confirm or reject a fine and/or suspension against a violating party. If the SRC, by majority vote, does not approve a fine or

suspension, the proposed fine or suspension may not be imposed.

238.15.2 The SRC shall provide written notice to the Homeowner/Subject Entities at his or her designated mailing or email address in the Association's official records of the findings related to the violation(s), including any applicable fines or suspensions that the SRC approved or rejected, and how the Homeowner/Subject Entities may cure the violation (if applicable), or fulfill a suspension, or the date by which a fine must be paid.

238.15.3 In no instance shall the BOD have the authority to impose a fine and/or suspension when the SRC votes to reject a fine and/or suspension.

238.16 After the Hearing, the Homeowner/Subject Entities will be notified in writing of the SRC's decision at his or her designated mailing or email address in the Association's official records within seven (7) days from the date of the Hearing.

Fines and Penalties

238.17 Fines may not exceed \$100 per violation, per day.

238.18 The maximum allowable fine shall not be more than \$1,000.00 for each violation.

238.19 If the violation is cured and the Homeowner/Subject Entities later repeats the violation, the repeat violation may be treated as a new violation by the Association and any fines levied against the Homeowner/Subject Entities for the repeat violations will be treated as separate fines for purposes of calculating the maximum allowable fine amount.

238.20 If a violation is not cured prior to the Hearing and the proposed fine is approved by the SRC by a majority vote, the SRC must set a date by which the fine must be paid, which date must be at least thirty (30) days after delivery of the written notice to be provided by the SRC. If a violation is cured before the Hearing, the fine may not be imposed.

- 238.21 A Homeowner is jointly and severally liable with a violating tenant, guest, or invitee for any fines imposed as a result of a violation of the governing documents or rules by any tenant, guest, or invitee. Attorney fees and costs may not be awarded against a Homeowner, tenant, guest and/or invitee based on actions taken by the Association's BOD before the date set by the SRC for the fine to be paid. Attorney fees and costs may not begin to accrue until after the date noticed by the SRC for payment of the fine.
- 238.22 Pursuant to Section 720.305(4), Florida Statutes, as it currently exists and as amended from time to time, the Association may also suspend the voting rights of any Homeowner who is ninety (90) days or more delinquent in the payment of any fine.
- 238.23 Fines may be incurred due to non-compliance of these Rules and Regulations, the Architectural Guidelines, or the Governing Documents.

Enforcement Actions

- 238.24 After 10 days of written notice, any improvements or structures that have been added to any residential lot, without ARC approval, or if any conditions exist that are in violation of the Governing Documents, Architectural Guidelines, or these Rules and Regulations, the Association has the right, but is not obligated to, bring an action for damages and/or injunction against the Homeowner/Subject Entities for the purposes of curing or correcting the violation. Provided, however, that such right is subject to any pre-suit mediation demand requirements established by Chapter 720, Florida Statutes.

238.25 After 10 days of written notice, any improvements or structures that have been added to any residential lot, without ARC approval, or if any conditions exist that are in violation of the Governing Documents, Architectural Guidelines, or these Rules and Regulations, the Association has the right, but is not obligated to, enter upon your residential lot to correct, or remove any items. This will be done at the sole expense of the Homeowner. Pursuant to the Declaration of Covenants, Article 10.5, Homeowners are responsible to pay on demand the actual costs of performing the enforcement plus 20% of the actual costs. Any such costs incurred by the Association shall be treated in the same manner as assessments, and are subject to collection in accordance with Section 720.3085, Florida Statutes, as it currently exists and as amended from time to time.

Non-Waiver Clause

238.26 The failure of the Association to enforce any rules, regulations, covenants, restrictions, obligations, rights, powers, privileges, authority or reservation contained in these Rules and Regulations, the Architectural Guidelines, or the Governing Documents, however long continued, shall not be deemed a waiver of the right to enforce the same thereafter as a breach or violation.