

FLHA Special Meeting Minutes

May 28, 2025

Location: Zoom

Start Time: 7:30 PM

Adjourned: ~9:30 PM

Presiding Officer: Carol McGhee

Secretary: Lori March

1. Roll Call and Attendance

- Board Members Present: Carol McGhee (President), Lauren Pitts (Treasurer), Lori March (Secretary), Jan Salomon (ACC), Bruce Martin (ACC), Bud Pontius (ACC), Elaine Herrera (ACC), Dennis Duff (Director); Graham Byng (Director)
- Additional Homeowners: Joseph R. Kopta

2. Call to Order

Carol called the meeting to order and clarified that the primary purpose was to determine the HOA's next steps regarding property owner's son, Ross's, activities on the community easement and beach access.

3. Old Business

- Ross has continued extensive clearing work and construction preparation on his property without proper permits or compliance.
 - Concerns were raised about environmental damage, shoreline destruction, fire hazards, potential erosion, and unauthorized road/easement blockage.
 - Several homeowners observed and documented non-compliant behavior, including cutting trees to the shoreline, using heavy machinery, and building unauthorized stairs.
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4. New Business

A. Legal Counsel and Options

- Attorney Joe Kopta and board members emphasized the need for an expert Geotechnical (geotech) report to assess slope stability and environmental risk.
- Cease and desist letters or injunctions were discussed as legal paths forward. An injunction would require evidence (e.g., geotech findings).
- Joe noted that while injunctions are difficult to obtain, a cease and desist or court order to prohibit future road blockages could be more immediately enforceable.

B. Ross's Intentions and Community Impact

- Ross has suggested removing or relocating the community easement to build his house on the lower portion of the lot. His actions have already impeded beach access and raised legal concerns over property rights and potential devaluation.
- Statements from Ross indicate a willingness to obstruct access again, framing it as a negotiation tactic.

C. Proposal Withdrawal

- The ongoing vote to allocate \$5,000 for a geotech evaluation was discussed.
- Board members agreed to reframe the case around protecting the community easement and access rights, rather than focusing primarily on the Geotech report.

5. Action Items

- **Legal Strategy:** Carol will schedule a consultation with attorney David Horton using previously approved funds. Joe Kopta will assist if available.
- **Supporting Documentation:** Community members are asked to submit all questions and key points for legal review by Friday. A working session will be scheduled for Saturday or Sunday to consolidate materials.
- **Communication:** A revised summary with photos and documentation will be prepared to inform the broader HOA membership and request support for legal recourse.

- **County Engagement:** Bruce and Jan will inquire with the County Department of Community Development and Shoreline Management for clarification on permitting and compliance.
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6. Other Items

- Concerns were raised about the HOA's duty to include all property owners (including Ross's mother, Wendy, the listed owner) in official communications. Board will continue efforts to secure an email contact.
 - Board emphasized that all written communications should assume potential court review.
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Adjournment:

Meeting adjourned around 9:30 PM.