**GROVE MINUTES FOR EMERGENCY MEETING**

**DECEMBER 17, 2024**

The Emergency Meeting was called to order at 6PM at the 43 West Clubhouse, quorum was confirmed with board members Tim Mahaffey, board members, including Stephen Carroll, Anna Azmi and approximately 30 homeowners in attendance.

Tim postponed the agenda and made a motion. Tim nominated Anna Azmi to the Board of Directors. Steve seconded the nomination and Tim called for the vote, which was unanimous.

Tim briefed the Board and Residents that minutes from the March through October 2024 had not been recorded in the last 8 months and that they were now ready for approval. Tim asked if the Board had reviewed the minutes from the last 8 months and if he can have a motion to accept them. Steve moved to accept the minutes and Anna seconded and the minutes were approved unanimously.

The Treasurer was absent, and Tim gave a report that was created by the Treasurer. The balance in our operating checking account as of November 30, 2024 is $4,288.16. in addition, we currently have $180,287.43 in our investment account for a grand tolal of $184,575.59. We spent $3,006.56 from our operating account, included in the expenses were two payments to Precision Lawns for $1,500 and irrigation expense for $205 and the normal monthly expenses totaling $1,301.56. A deposit of $6,000 was made in the Reserves. Receivables are $6,681.65 with 5 Residents in arrears: 1 Quarter behind, $1,716.24; 1 Resident 2 Quarters behind, $682.21; 1 Resident 3 Quarters behind, $1,545.14; 1 Foreclosure in arrears $3077.40 and advancement payments of -$339.34. Steve moved to accept the November financial report, Anna seconded the motion and the report was passed unanimously.

Residents commented that some assessment billings were incorrect. The Board tabled further discussion until we could speak with the Treasurer. Revised statements would be provided to those affected.

**Old Business:**

**ARB Report**

The ARB reported that due to a breakdown in communication with the HOA email account submissions had been made and not dealt with for over two months, but now all submissions for improvements or changes had been reviewed with 6 roof replacements, 1 landscaping project approved and then finally one pending homeowner construction project that is still be reviewed.

**Maintenance Report**

We’re two and half months into our contract with Precision Lawn Management and pleased with their work. The communication is good and they have been timely and generous. They will be onsite 51 weeks annually with mowing service 39 times annually. They have tested our irrigation system and recently completed maintenance. And have spread wood chips on one our dog parks and will be completing the spreading of wood chips at the back entrance on the opposite side of our mailboxes.

Paul Heyman Tree Service completed the tree trimming on Hamlets Grove Drive on Tuesday, December 4th and provided additional tree service to our Residents that continued on Tuesday to Wednesday, December 4th. Paul Heyman will be back on Thursday, January 9th to complete work that is open, complete work that has been quoted and give new quotes.

On July 1st new legislation went into effect that impacts HOA Rules and Regulations, which the Maintenance Committee will be reviewing and revising our Rules and Regulations after the 1st of the year.

Discussion occurred regarding the new legislation regarding HOA’s with Board and Residents.

**Article XXV:**

At the October Board Meeting, discussion occurred regarding the damaged fence on 49th street and who is responsible for the repairs and replacements. Per the October Minutes and I quote: “*The board discussed property damage from hurricane Milton and the debris left in the neighborhood. The board discussed the responsibility of the repair of the fence. Steve Carroll stated that our Articles of Incorporation state that the Resident is responsible for all repairs, additions, etc*.” The Maintenance Committee volunteered to research the Articles of Incorporation and found guidance to support what Steve Carroll said in Article XXV RESTRICTIONS in section 11. **Nuisances** in letter (e) Maintenance of Improvements. Which reads: “Owners shall maintain their residences and all other improvements, including walls, fences, screen enclosures and so forth, in good and safe condition and the repair of any damage, decay or evidence of wear and tear on the exterior of any building shall be made promptly.”

“The Grove Homeowners Association will cause to be maintained along 49th street and along Murray Lane a border fence in good and working condition taking into account normal wear and tear. The Homeowner will be responsible for repairing any damage to the fence resulting from attachments or fixtures upon the fence, plant or undergrowth surrounding or attached to the fence or any damage resulting form negligent actions of the Homeowner, whether intentional or unintentional.”

At the October meeting it was decided and I quote from the Minutes of the October meeting: “*The consensus of the board was to have the association repair the fence and then, moving forward, have the residents, whose homes bordered 49th Street and Murray Lane be responsible for the cost of the fence when repairs were needed*.”

**49th Street Fence Repairs**

At the October Board meeting, the Board approved one final repair on the 49th street fence. Anna stated that the Maintenance Committee had solicited a quote from Tony Nigro and Associates for the repairs of the 49th Street Fence. Anna made a motion to approve expenses for the fence repairs for a total of $3,700 for Tony Nigro and Associates. Residents voiced concerns. Discussion occurred and once satisfied, the motion was called again seconded by Steve and then approved unanimously.

Tim stated we are now at the Board/Committee Participation and Management Company issue. Tim made a plea for support from the Residents to consider joining the Board and Committees. He stated that the Board has been struggling and that there has not been enough support to handle the responsibility of the HOA governing. Tim stated that we are at the point that a Management Company is necessary to maintain our operations and if there is not enough Resident support then the Management Company may need to assume more responsibilities. Steve listed a number of duties that are open that need to be completed. Dan added that the Maintenance Committee meets weekly and at times two to three times weekly and that they barely have begun to tackle the list of improvements. Residents and Board members had a lengthy discussion weighing the pros and cons for the addition of a Management Company versus self-management. There were many questions that were answered by Board and Committee members. Discussion continued about the financial management and inconsistent invoices, reports and communication. Steve made a motion to pursue identifying a Management Company to handle our HOA operations, Tim seconded and the motion was passed unanimously. It was discussed that an immediate meeting needed to be made with the Treasurer. Tim and Steve agreed to schedule this meeting.

It was agreed to move on.

**Review of 2025 Annual Budget**

The budget review was tabled due to an incomplete proposed budget. Dan stated that a revised budget with back up and comparisons would be emailed and mailed to Residents who do not provided email contact addresses. The next board meeting will review the 2025 Budget for approval.

**Nominating Committee**

There are three standing committees for our Association and they are: The Nominating Committee; The Maintenance Committee and The Architectural Review Board (The ARB). In ARTICLE X COMMITTEES it states: “…Each Committee shall consist of a Chairman and two or more members and shall include a member of the Board of Directors. The Committees (except The ARB) shall be appointed by the Board of Directors within thirty days after each annual meeting of the Board of Directors to serve until the succeeding committee members have been appointed.” The Nominating Committee is first on the list because in my opinion it is the most important and unfortunately has not been active for some time, but is necessary to the sustained health of the Board of Directors present and future. It is the main responsibility of the Nominating Committee to meet regularly to discuss and identify future Board Members and particularly when an Election approaches. It is their purpose to develop the Board and continue to search for Residents who can lend their expertise, knowledge and leadership to govern and serve their fellow residents. In ARTICLE VI ELECTION OF DIRECTORS, NOMINATING AND ELECTION COMMITTEES it states: “ Nominations for election of Board Members shall be made by the Nominating Committee and they shall make as many nominations for election to the Board as it shall in its discretion determine.” “When there is a vacancy on the Board, due to any reason the positions should be filled by a majority vote of the Board after consulting with the Nominating Committee.” Does asked if anyone here have an interest in serving on the Nominating Committee and two Residents volunteered, Danny Preston and Suzanne Middleton and Dan also volunteered

**4720 Fence Repairs**

A discussion occurred to what should be done with the side fence on their property. The Committee reminded the Residents that Article XXV Restrictions states repairs are the Resident’s responsibility. It was stated that when the Resident has a plan, this plan should submit their plans to the ARB for approval. The Resident agreed to the process.

**New Business**

Dan made a motion to buy Christmas Decorations for next for the total of $250 Steve seconded and the motion was approved unanimously.

Dan also stated that his two-year term as a Director of the BPA Board will end in March, 2025. He stated that he represents the interest of The Grove on the BPA Board and that all 5 associations are supposed to be represented on the Board. There is a position open from the Estates. He said that this position is important to voicing the concerns that The Grove have and may have for the future. He also said that by giving four months notice to the Board, recruitment should begin immediately. Dan described the time commitment as well as the number of meetings and responsibilities that are part of the directorship. Discussion continued with questions answered by Dan.

**Resident Comments**

Tim asked if Residents had comments or questions. A number of Residents brought forth questions and comments, Board or Committee members were able to answer their questions. Discussion occurred and once all concerns were resolved, Tim asked one last time for any comments or questions and there were none.

Tim adjourned the meeting at 7:38pm