

**HUNTER'S TRACE HOMEOWNERS' ASSOCIATION  
BOARD OF DIRECTORS MEETING MINUTES  
FEBRUARY 11, 2016**

The meeting was called to order at 2:00 PM by Cindy Head, President. Present were Cindy Head, Forrest McIntyre, Doug Langlois, Tim Bell and Shirley Sjolund. Also present was resident, Elbert Wilkinson. It was verified that a quorum was present. It was also confirmed that proper notice of the meeting was posted at the front entrance, in accordance with the By-Laws.

The minutes from the November 10, 2015, Board meeting were read. Forrest McIntyre moved that the minutes be accepted as written. Doug Langlois seconded the motion.

Resignations and Elections:

Elections will be held at the next annual meeting for the two Vice Presidents. Forrest McIntyre, Exterior Vice President, indicated he will not be seeking reelection for another term. Doug Langlois, Interior Vice President, has not made a decision about seeking reelection. Cindy asked about any residents interested in running for office. Candidates should understand that the sole purpose of serving on the Board is to uphold our Deed Restrictions and Maintenance Covenants by enforcing them, and keeping our neighborhood looking nice.

Communications:

A letter from Chuck Trout concerning the amendment to our Deed Restrictions will be discussed under Old/Unfinished Business.

Shirley distributed copies of a memo to the file detailing Don and Shirley's loan to the fence fund.

Report of Officers:

Forrest reported that the work on the outside portion of the front fence had been completed. Three gallons of stain were left over. Residents who were sent letters about foliage growing on the fence had complied, but one branch is hanging over a portion of the fence. Forrest indicated it would be removed.

Doug reported that there was no activity by the Architectural Committee.

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Shirley distributed updated lot lists and resident directories to the Board members.

Tim reported on the current status of the budget: General Fund - \$1,967.43; Fence Fund - \$20.19; and Reserve Fund - \$8,000.00, for a total of \$9,987.62. He further indicated there were four delinquent assessments remaining. Also, funds have been received from estoppel letters. The only change to the proposed budget was a \$25 increase to insurance for the Board. The annual assessment is suggested to remain at \$35.00. Doug moved that we approve the budget as presented. Forrest seconded the motion.

From time to time, a Board member in their capacity as such, will have occasion to communicate and hold inconsequential conversations with a resident regarding deed restrictions and the general administration of Board duties. It was unanimously agreed by all Board members present that only significant matters requiring the Board's input need to be shared with the Board of Directors or reported.

### Report of Committees:

None present.

### Old/Unfinished Business:

Wording for the proposed amendment to the Deed Restrictions to allow sheds/storage buildings was received from Chuck Trout and his committee and presented to the Board. This will be listed on the agenda for the annual meeting and voted upon.

The vote necessary was discussed, and both the requirements of our Homeowners' Association documents and those of Florida Statutes were debated. Section XII, Sections 5 and 9 of the Deed Restrictions offer conflicting voting requirements. Doug stated that Section XII, Section 5 indicates the Deed Restrictions and Maintenance Covenants may be amended by a two-thirds vote of the members at a meeting of the Association, and he feels this is what we should follow. The small number of homeowners attending the annual meeting was mentioned, and would not necessarily be a reflection of the entire voting interests. Florida Statutes 720.306 (1) (b) states: Unless otherwise provided in the governing documents or required by law, and other than those matters set forth in paragraph (c), any governing document of an association may be amended by the affirmative vote of two-thirds of the voting

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interests of the association.

It was determined by the Board that “intent” is always a part of our considerations when attempting to resolve conflicts between Florida Law, County Law and our Covenants and Restrictions. Part of this consideration and review requires the Board to consider the time, parties involved, and which of these (laws or rules) would most likely prevail in a Court of Law and further best serve the residents (and not the Builder or Developer at the time of development). In this regard, it was determined by the Board of Directors that the requirement to have Mortgagee notice, response, and vote was only of service to the Developer at the time and his investors or bankers, especially during the initial first phase of development. Now that Hunter’s Trace is fully developed and much time has passed, it serves no purpose to the residents to involve Mortgagees. In this day and time, Mortgagees (banks) would most likely not respond as it is not cost effective nor concerning to them. This position was reiterated by Elbert Wilkinson and Cindy Head, both of whom have years of banking and residential lending experience. Therefore, we will not require Mortgagee involvement or response in voting for amendments or otherwise.

A vote of Board members was taken as to which voting requirement we will follow. Forrest indicated Florida Statutes as did Tim and Shirley; Doug indicated our Homeowners’ Association Deed Restrictions; Cindy withheld her vote as President. It was determined by the Board that Florida Statute 720.306 (b) shall be the required number of votes for passage of an amendment or other change by the members.

Discussion followed as to the shed specifications submitted by Chuck Trout. Cindy recommended that the shed not be visible from the street, and it would be best to require it to be allowed only in yards with wooden shadow box fencing. Requests for installation of sheds must be approved by the Architectural Control Committee to ensure the requirements are being met.

The annual meeting notice will include a proxy for those who cannot attend the meeting, but a ballot will also be necessary in order to obtain a vote on the proposed amendment. In addition, the proposed amendment will be placed on the web site for viewing.

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During discussion about the annual meeting, it was decided that the minutes of the meeting will be mailed to residents this year, along with the assessment notice, but hereafter will be posted to the web site and no longer mailed.

New Business:

None.

Announcements:

None.

Adjournment:

There being no further business, the meeting was adjourned at 3:10 PM.

Respectfully submitted,

Shirley Sjolund, Secretary