

**Hammock Dunes Owners Association, Inc.**  
**Board of Administrators Meeting**  
**January 17, 2011**

**Call to Order**

The meeting was called to order at 10:00 a.m.

**Members Present:** George Bagnall, Cosmo DiPerna, Bruce Aiello, Howard Broussard, Kelli Jebbia, Dave Eckert, Phil Henderson, Jay Furbay, Don Finch

**Members Absent:** David Jacobs, Tom Sharpe

**Others Present:** Fred Annon, Travis Houk, Southern States Management Group, Inc.

A quorum was established. Members' sign-in sheet located in Association Meeting File.

**Mr. George Bagnall welcomed Mr. Don Finch to the Hammock Dunes Owners' Association Board of Administrators as the Hammock Dunes Club representative, a non-voting member.**

**Approval of the Minutes – November 15, 2010**

**ON MOTION BY Bruce Aiello, seconded by Howard Broussard, with all in favor, the Board approved the minutes of the November 15, 2010 Board of Administrators meeting with following amendments:**

- The last sentence on the 5<sup>th</sup> page under audience comments, "Mr. Eckert asked for a future agenda item to discuss formalizing separation of duties among board members" should be included under new business with a separate heading "Separation of Duties."
- On the 5<sup>th</sup> page under Billboard Buffer/A1A – George DeGovanni Email, the second sentence should be changed to read, "Mr. Bagnall stated the fence could be moved on HDOA property rather than fencing off HD Associates property from A1A."
- On the 5<sup>th</sup> page under "Waterfront Vacancy" the last sentence should be changed, "The Board determined to leave the Waterfront Vacancy open until the Annual Meeting election."

**Casa Bella Neighborhood – Avenue de la Mer Updated Discussion**

Mr. Bagnall and Mr. Aiello met with an attorney to discuss the Ave de la Mer Road/Casa Bella Neighborhood situation. The attorney's opinion is that when the plat was done the road was dedicated to the HDOA which means it is not owned by the Association; however the Association has the right to use the Road. The attorney stated the Casa Bella Neighborhood owns the road due to the quit claim deed and is responsible for the maintenance.

Mr. Henderson reviewed the history of the issue and the county's rejection of the roadway proposal. Mr. Bagnall reported dedication of the roadway is not a transfer of ownership, but a right to use. Mr. Henderson noted it depends upon the interpretation of the word "dedication", and advised he does not agree to the attorney's interpretation. Mr. Eckert stated the primary concern should be the safety of the road and that is what should be addressed. Mr. Henderson proposed forming an Ad Hoc Committee comprised of HDOA Board Members and representatives of Casa Bella Neighborhood Association and the Tuscany and Cambria Condominium Associations to review roadway issues and recommend a resolution to the matter. Mr. Eckert asked if the County should be included in the discussion or Ad Hoc Committee. The Casa Bella Neighborhood should not involve a third party but go to the County directly. Mr. Eckert stated the County has documents in their files that do not support the historical paper trail. Mr. Aiello advised that an Ad Hoc Committee is not necessary. He further stated the Board approved the right to close the road and the Casa Bella Neighborhood should come to a neighborhood agreement on what they want to do. Mr. Henderson stated the purpose of the Ad Hoc Committee is not to determine ownership but come up with an access/safety solution. Mrs. Jebbia stated safety is the primary concern and Board should assist in the financing.

**ON MOTION BY Phil Henderson, seconded by Kelli Jebbia, with Mrs. Jebbia, and Messer's Henderson, Bagnall, DiPerna, Furbay, and Eckert in favor, with Mr. Aiello opposed, and Mr. Broussard abstaining, the Board voted to establish an Ad Hoc committee comprised of representatives of the HDOA, Casa Bella Neighborhood Association and the Tuscany and Cambria Condominium Associations to review roadway issues and make a proposal to implement the recommendations to the HDOA Board of Administrators.**

## **Committee Reports:**

### **Communications Committee**

The Sandscripts newsletter has been mailed to owners. Mrs. Jebbia recommended posting information on all properties for sale in the community on the Association's website, including the residence address and listing realtor contact information. There was discussion regarding who would be responsible for maintaining this information. Mrs. Jebbia confirmed the Communications Committee would be responsible. Mr. Bagnall stated the Committee must ensure the HDOA does not have liability.

### **Design Review Committee**

Mr. DiPerna reported a recommendation has been made from a member of the DRC to change the designation of Parcel RP-A from "Recreational" to "Open Area, Conservation, or Non-Recreational." The parcel is a strip of land that extends into the existing lake with pine trees and palmetto vegetation. Mr. Bagnall expressed the parcel is really the only area in the Community that is common property and available for future recreational use. Mr. Eckert stated the DRI could be violated if the parcel was changed. Mr. Bagnall recommended the Board not approving the change since this could impact future Boards.

**ON MOTION BY, Cosmo DiPerna, seconded by Howard Broussard, with no one in favor and Messer's Bagnall, DiPerna, Eckert, Furbay, Aiello, Broussard and Mrs. Jebbia opposed the Board voted to change the Parcel. Motion fails.**

Mr. DiPerna agreed with the outcome of the vote and stated the reason he brought it to the Board was that it was recommended by a member of the DRC.

### **Financial Committee**

Mr. Aiello reported year-end financials were not included in the agenda packets as the Board is working with Southern States Management Group to make adjustments in the reserve accounts. Based on preliminary year-end reports, all three Associations ended the year within budget. Additional properties of owners who are delinquent in paying monthly assessments have been referred to the attorney for collection and the attorney has re-filed liens that were expiring. One delinquent property in Island Estates was sold via short sell and removed from the attorney's list. Several banks have taken possession of properties, and it was asked that the Board try to make the banks foreclose. The Board discussed the cash flow issue with Ocean Estates and the financing of the Playa del Sur seawall. Mr. Bagnall stated the cash for Playa del Sur is not available but invested. The Board discussed loan options from the HDOA to Ocean Estates. Mr. Aiello proposed 2% to loan the money. Mr. Eckert expressed his disagreement and lack of cooperation among neighborhoods. Mr. DiPerna recommended the HDOA should loan the money and not charge an interest rate or cash out the CD's. Mr. Eckert said if the finance committee wants to keep the books separate then cash out the CD's.

**ON MOTION BY Bruce Aiello, seconded by Jay Furbay, with Messer's Bagnall, Aiello, Furbay in favor and Messer's DiPerna, Broussard, Henderson, and Mrs. Jebbia opposed with Mr. Eckert abstaining the Board voted to cash out the CD's and remit payment on the seawall . Motion Fails.**

Mr. Eckert stated this is not a big financial issue but a teamwork issue.

**ON MOTION BY Bruce Aiello, seconded by Dave Eckert, with all in favor the Board voted to designate the authority to the finance committee to resolve the cash flow issue in the best interest of both HDOA and Ocean Estates Neighborhood Association.**

#### **Security & Emergency Response Committee**

Mr. Aiello reported that the Security Committee received a request for installation of additional speed limit signs in September 2010. There are many existing speed limit signs around the Community. The signs are expensive to purchase and install. The Board tabled additional speed limit sign discussion.

There have been several requests to establish a date certain to have the wireless web network operational. The Security Committee requested that the Maintenance Committee reactivate this project.

#### **Long Range Planning Committee**

The Board was encouraged to support County Commissioner Melissa Holland in her attempt to create a brand for Flagler County, "Greatest Outdoors". Flagler County census data is available on the internet. The current number of residents in Flagler County is 95,000. Mr. Eckert reviewed an updated worksheet regarding future build-out and planning projections which he has also reviewed with the DRC.

#### **Maintenance Committee Updates**

Work at the Granada Estates entranceway bollards is complete. Mr. Eckert requested approval to install a sand fence where the beach connects with the dune at lot 38 Playa del Sur, 500 ft. south. A decision regarding fence installation must be made in the next month, due to changes in tidal conditions and sea turtle nesting during the warmer months. DEP consultant Kevin Partel recommended installing the sand fence and will be the contractor of record.

**ON MOTION BY Dave Eckert, seconded by Howard Broussard, with all in favor, the Board authorized the Maintenance Committee to spend not more than \$4,000 to install a sand fence test site prior to the end of February 2011 to be located in the dune area at the north end of lot 38 Playa del Sur and extending south to lot 33 Playa del Sur, with prior approval from owners with residences adjacent to the test site area**

Roadway striping has been delayed until the weather is warmer. Sod has been laid in the cleared area adjacent to the 15<sup>th</sup> hole, but some of the trees have not been planted yet, because the hedge row has to be relocated. Owners in the Grande Mer neighborhood have asked to change one of the streetlights from a single bulb to a three prong configuration. Funds are available in Grande Mer Neighborhood reserves to cover \$3,500 estimated cost to convert the light.

**ON MOTION BY Dave Eckert, seconded by Kelli Jebbia, with all in favor, the Board voted to authorize the Maintenance Committee to spend up to \$4,000 to convert the street light at the circle in the Grande Mer Neighborhood from a one bulb to a three bulb configuration.**

Mr. George DeGovanni requested approval to move a chain link fence from its current location on the property where the H.D. Associates sign is located to facilitate maintenance of the area. The committee will advise the Board of the cost of the extension at the next Board of Directors Meeting. Mr. Bagnall said there is not much of hope of the HDOA buying the property and the Board should proceed with the installation of a new fence. Mr. Eckert stated the Committee is reviewing multiple options for A1A beautification and there is a chance the new fence may be moved or taken down in the future.

**ON MOTION BY Dave Eckert, seconded by Howard Broussard, with all in favor, the Board approved designating the project to the Maintenance Committee of moving the chain link fence from its current location on HDOA property to the area behind the HD Associates property and billboard to allow for installation and maintenance of a permanent landscape buffer.**

#### **Maintenance Updates:**

##### **Extra Fill Dirt Approval**

The initial contract for seawall installation specified 100 truckloads of fill dirt, but the contractor delivered 185 truckloads of sand.

**ON MOTION BY Dave Eckert, seconded by Cosmo DiPerna, with all in favor, the Board approved expenditure of up to \$8,000 for 85 additional truckloads of sand for the seawall project.**

##### **Landscape Plan with DRC Approval**

The Maintenance Committee is still deciding if the broken sidewalk should be replaced at the Playa del Sur lake bank until the initial landscaping is completed, which may take two to three months. The DRC approved a proposal to plant sections of shore juniper or shore jasmine adjacent to the seawall. Sod will be planted along the sidewalk. The estimate to retrofit the irrigation system for the lake bank is a maximum of \$8,000. The estimate for planting grass and the juniper or jasmine is between \$25,000 and \$30,000. It is not anticipated that any money will be available until April from Playa del Sur reserves. Reimbursement of Playa del Reserves will not commence until the end of summer. There was extensive discussion regarding the length of time required to finish seawall landscaping work. Mr. Bagnall expressed the landscape including trees should be done as soon as possible instead of waiting 2 or 3 years. Mr. Eckert stated his displeasure with the Granada Estates residents complaining about the seawall when they did not pay for the project. Mr. Eckert reviewed the 50 year cost of the sea wall and stated a special assessment or increased assessment would be required to install immediate landscape and he is opposed to it. Mr. Bagnall stated the landscape should be finished now and from a cash standpoint it should not make much difference over 3 years. Mr. Eckert advised the Board will be voting for Ocean Estates when they make their decision.

**ON MOTION BY George Bagnall, seconded by Kelli Jebbia, with Mrs. Jebbia and Messrs. Bagnall, Furbay and DiPerna in favor, Messrs. Aiello, Henderson, and Eckert opposed and Mr. Broussard abstaining, the Board voted to complete lake bank landscaping in a short period of time as opposed to waiting two or three years. The motion carried.**

#### **Association Updates and Discussion:**

##### **Baliker Sculpture**

Baliker has offered to loan the Association a bronze sculpture of a great heron for one year to be located in the flower bed at the main entrance to the Hammock Dunes community. The statue would be mounted on a large coquina rock. There was discussion regarding the sculpture and liability. Mr. Broussard said the initial cost of the statute is \$14,000.

**ON MOTION BY Bruce Aiello, seconded by Kelli Jebbia, with Mrs. Jebbia , and Messrs. Aiello, Furbay, Broussard in favor, and Messrs. Henderson, Eckert, and Bagnall opposed and Cosmo DiPerna abstaining, the Board voted to accept Baliker's offer to donate for one year a bronze great heron sculpture to be placed in the flower bed by the main entrance to Hammock Dunes Community at no expense or liability to the HDOA. The motion carried.**

### **Speed Limit Signs**

This item was discussed in committee reports.

### **6 Via Bellano – Abandoned Home**

Travis Houk reported the DRC has discussed the abandoned home at 6 Via Bellano. The Association has spoken to the property manager and sent certified letters regarding the condition of the property to the owner. The owner is not delinquent in paying member assessments, but the house is not in compliance with community standards which is an HDOA enforcement issue. The Board may have to take legal action against the owners. Mr. Houk will contact the county for possible code enforcement.

### **New Business:**

#### **Separation of Duties Among Board Members**

This topic was tabled until the next Board of Directors Meeting.

#### **Annual Meeting Date**

The Annual Members Meeting and Election was scheduled for March 28, 2011, pending verification that a meeting room in the Hammock Dunes Club is available.

Mr. Furbay suggested that the Association solicit bids from Bushong and Universal insurance agencies for renewal of Association insurance policies. Mr. Bagnall asked Travis Houk to follow-up with these agencies.

#### **Audience Comments**

No member comments.

#### **Adjournment**

**ON MOTION BY Phil Henderson, seconded by Howard Broussard, with all in favor, the meeting was adjourned at 12:51pm.**