

Meeting Minutes for Hamilton Bay Community Association
Meeting date: Saturday, July 19, 2008 9AM

The following are the minutes of the Board of the Hamilton Bay Community Association held on Saturday July 19, 2008 at the Community Pool House at Hamilton Bay West Palm Beach, FL 33411.

Board members present: Jeff Manz, Jeff Herman, Bill Martinez, Charles Collazzo

Item 1: Authorizing CMC to sign checks for HOA

Motion to authorize Scot Gherrish and Theresa Pussinen at Century Management Consultants (CMC) to act as the authorized signers of Hamilton Bay Community Association invoices.

Procedure as follows:

1. Invoices will be scanned and e-mailed to all board members.
2. Treasurer will be primary source for invoice approval, in his absence Secretary or President will be secondary source.
3. After approval is obtained by Treasurer or Secretary or President, authorized signers at CMC will sign and disburse checks.

Motion by Collazzo, seconded by Martinez, unanimously approved.

Item 2: Revisions to procedures for dealing with delinquent HOA accounts

Collazzo gave briefing on delinquent payers. There are 27 cases with the lawyer in the previous month.

- 2 have been closed (paid).
- 4 demand letters have been sent
- 9 liens are in place.
- 9 mortgage foreclosures by lenders are in process.
- 3 lien foreclosures are in process.

HOA lawyer has advised board that ""The association can choose to accelerate the quarterly assessments for the remainder of the current year once an account is 30 days delinquent.""

Motion to revise delinquent account procedures as follows:

1. Ten days after payment is due, send certified notice (demand letter) with a forty-five (45) day time limit. Demand will also include the late penalty, which is 10% of the amount due and any legal fees.

2. If full payment is not made within forty-five (45) days:
 - a. HOA will proceed to file a claim of lien on property, sending out another certified notice with forty-five (45) day time limit.
 - b. As is allowed by our documents, HOA will include in the demand amount the payment of assessment dues for the remainder of the year.

3. If full payment is not made within this second forty-five (45) day time limit, HOA will proceed to lien foreclosure.

Additionally, board adopts acceleration of quarterly assessments for the remainder of the current year once an account is 30 days delinquent.

Motion by Collazzo, seconded by Herman, unanimously approved.

Item 3: Bad debt write-off

Motion to write-off all \$65 receivables that show up on the June 23, 2008 Aging Balance from the accountant at CMC. There is no way of telling which are legitimate and which are as a result of errors during the switchover of management companies. CMC has no documentation on the history of these items, so the issues cannot be pursued for payment. There are 9 of these which total \$585. From this point forward, all fines will be documented properly.

Motion by Collazzo, seconded by Martinez, unanimously approved.

Item 4: Update report on the Buffer – SFWMD Compliance via PB Aquatics - Jeff Manz

Manz reported discussions with PB Aquatics, they stated they completed their “final” planting and will schedule SFWMD to inspect the buffer for final approval of the condition of the plantings in the buffer. Manz plans to attend inspection with PB Aquatics and SFWMD.

Manz and Collazzo have walked the buffer twice in the last two weeks and reported that with regard to homeowner violations, overall, the buffer is in reasonable shape. There were 8 violations, all minor. Three of them were discussed with homeowners during the walks and should be resolved quickly by the homeowners. Two others were items in the buffer that were moved back into homeowner’s yards. Two will require violation letter sent.

Manz and Collazzo mentioned that there were still small areas in buffer that had not been replanted properly, even though PB Aquatics says it is finished. Manz was not sure if 100% of buffer area had to be planted. Board agreed that further planting could be provided by Clintar.

Manz discussed fining by the SFWMD, amount is for \$7500. Manz will try to contact SFWMD and negotiate elimination.

Item 5: Discussion on Engineering Report.

Collazzo discussed engineering report and has not been able to talk to AT Designs yet. Discussion included the need for an evaluation if proceeding to take legal action against the developer will be worth the legal expense. Collazzo will talk to lawyer and AT Designs to get their opinions on how good our chances of success.

Item 6: remove phone from pool

Present budget is \$1200, actual cost last year it was \$1175.

Phone is not required by law, and there is no evidence it has ever been used.

Motion by Collazzo, seconded by Manz, unanimously approved.

Item 7: Late payers

As of 7/16/08, there are 59 homeowners, not counting the 27 cases with the lawyer, that have not paid their HOA fees for the second quarter, which were due on 7/1/08.

Board agreed to put a message on the sign at the entrance to remind people that the payment is overdue.

Collazzo recommended to the board that we delay sending any of these cases to the lawyer until a letter can be sent out to all homeowners advising them of the payment rules and how any payment not received after ten days will be sent to the lawyer for collection, which will involve a 10% fine and legal fees.

Manz will craft the letter and board will review.

Item 8: Brinks alarm service.

It was discussed whether it was possible to discontinue the Brinks service for all homes with payment delinquencies. Board will investigate further whether it is possible and what the legal ramifications are and report back.

11 AM meeting adjourned.