

Lely Country Club Property Owners Association, Inc.

Board Meeting Minutes

October 14, 2024

1. Call to Order & Establish Quorum:

Mark Batchelor called the meeting to order at 6.03 p.m. at the Lely Presbyterian Church 110 St Andrews Blvd.

2. Proof of Notice:

Due notice was given, and a quorum was met with the following attendees:

- Karen Poufcas
 - Jerry Golf
 - Will Rudman
 - Greg Johnson
 - Mark Batchelor
 - Paul Labonte
 - Richard Saunders
 - David Tate
 - Bart Anderson
 - Victor Faszczuk
- Via ZOOM
- Via ZOOM

Also Present:

- Philippe Gabart of Resort Management.
- Several unit owners.

Absent:

- Jason Donahue

3. Approval of Previous Meeting Minutes June and August Meetings:

Dave Tate moved to approve the September 2024 minutes as distributed. The motion was seconded by Richard Saunder and passed unanimously.

4. Treasurer's Report:

- Paul Labonte, the Treasurer, presented the August financial report.
- He provided a breakdown of key financial details, including operating cash, administrative expenses, legal fees, and uncollectible accounts.

a. August Financials:

LCCPOA reported a surplus of \$7,880 for the month. Operating cash declined by \$4,187. This is significantly better than the previous month. We did not exceed the General Administrative Expense budget for the month and are currently at \$15,390 over budget YTD. Legal Fees (\$7,800 over budget YTD) and Office Expenses (\$5,692 over budget YTD) are the two main drivers. We started the month with \$113,312 in operating funds and ended with \$109,125. This is typical for this time of year since we are simply spending down dues collected at the beginning of 2024. Even with the added overruns, we are in good shape and should finish the year in the vicinity of \$65,000 in our Operating Balance if all goes as planned.

In Reserves, we began the month at \$119,985 we earned \$387 in interest for the month, we ended the month at \$120,372. On a positive note, we expended no funds to date.

- Comparative cash balances:

On a comparative basis, our operating fund as of August 31, 2024, is \$34,958 higher than on August 31, 2023. Uncollected accounts receivable continues to trend lower than a year ago. We had \$18,285 less in uncollected accounts at the end of August 2024 vs August 2023. Our Reserves are \$26,498 higher than this time last year.

- Projected year end cash balances:

Looking ahead, we could end the year with an operating account balance of about \$65,387 assuming we collect more of our receivables, pay our outstanding bills/ expenses and remain within budget for the balance of the year. Our year-end reserve balance will of course depend on what, if any, expenditures we approve from that account.

b. Aged Receivables:

- Paul outlined the aging receivables and emphasized the need for a committee to address overdue payments. He proposed prioritizing collections, including placing liens on properties and sending certified letters to those with outstanding balances.
- The Board discussed and agreed on the proposed collection strategies, with a motion made and seconded by Victor.
- Karen expressed concerns about setting a precedent for writing off payments, but Paul reassured her that the focus would remain on significant accounts

Priority #1:

We currently have 4 members who are past due since 2020. The combined total owed to the HOA is \$10,048. They have been notified via late notices and attorney letters and have not responded. Proposal is to place a Lien on the property. We currently have 4 members who are past due on their payments and currently owe the HOA more than

\$880 or more per account. The 4 accounts have a balance of \$4,257 in total. Proposal is to have our attorney send them a collection letter.

Priority #2:

We have 8 members who owe the HOA who owe the HOA more than \$330 or more per account. Those 8 accounts have a total balance of \$6,891.

Proposal is to have Resorts Management send them a certified letter of late payment with a signature of receipt. We have 8 members who have not paid their dues for 2024. They were at least twice this year via a letter that their dues were outstanding. Proposal to have a board member reach out to each of them. We have 16 members who have both pre-paid in the past but paid late this year. The total amount is \$624. Looks like they just simply miss the due date. Most only owe \$30. The proposal is to write them off this year only. Finally, we have 8 members who owe us \$6.91 or less. The total amount is \$36.43. Proposal is to write them off.

Paul Labonte made a motion to eliminate all outstanding dues under \$100. Dave Tate seconded the motion, and it passed unanimously.

5. New Business:

a. Compliance Review Dave Tate.

- Dave Tate introduced the compliance review process, which includes the appointment of a Compliance Chairman and a Hearing Committee.
- The process involves identifying violations, sending violation notices, and holding hearings to impose fines.
- Dave outlined fines for specific violations, such as improper lanterns, missing mailbox tops, and dirty roofs.
- The Board discussed the fines and procedures for handling compliance issues, with input from members.
- Karen and other members raised concerns about the transparency and fairness of the compliance process.
- Dave clarified that Hearing Committee members are appointed by the President, and their identities remain confidential.
- The Board debated the need for transparency and whether Board members should be informed about committee appointments.
- A suggestion was made for the Board to publicly approve committee members, but Dave argued that this is not required by law.
- Dave Tate agreed to send the names of the Hearing Committee members to the board.

b. 2025 Budget discussion- Paul Labonte presentation for November final approval:

- Paul presents the proposed 2025 budget, detailing forecasted expenses and income.
- The budget includes increases in office expenses and legal fees, with a total expense of \$159,525.
- Paul explains the rationale behind the budget, including contingencies and reserve funds.
- The board discusses the budget and agrees to review it further, with Philippe responsible for notifying homeowners.

6. Old Business:

- Victor Faszczuk expressed concerns regarding Astrid DiGrazia's involvement with Association data, despite prior assurances from management.
- Philippe clarified that Astrid was only performing basic tasks in his absence and did not have access to any sensitive information.
- The Board agreed to monitor account access more closely and address any future concerns regarding transparency.

Victor Faszczuk made a motion to ensure that Astrid DiGrazia is not granted access to HOA files during the current manager's absence. The motion was seconded by Paul LaBonte and passed, with Mark Batchelor opposing.

7. Comments.

8. Adjournment:

Dave Tate made a motion to adjourn, which was seconded by Karen Poufcas. The motion passed with unanimous approval, and the meeting was officially adjourned at 7:30 p.m.

Respectfully submitted.

Philippe Gabart, CAM