

GRENELEFE ASSOCIATION OF CONDOMINIUM OWNERS NO. 1, INC.
Minutes of the Meeting of the Board of Directors
April 19, 2018

The president called the meeting to order at 10:08 a.m. on the date above noted at the location and time specified in the notice of meeting.

Those present were:

John Rasmussen, President	Earl Monari, Director
John "Randy" Kuhl, Treasurer	Joyce Morris, Director (via phone)
Carl Bauer, Director (via phone)	Chris Gourdie, General Manager
Tom Leiser, Director	Carol Post, Bookkeeper

Richard Moore, Glenn Norton and Bryon Smith were absent.

The president announced a quorum was present and that the notice for this meeting was posted in accordance with the bylaws and statutory requirements.

The first item on the agenda was the renewal of the Association's property, liability and umbrella insurance. Chris Gourdie stated that the property insurance premiums are increasing by 14 percent. He explained that the Association has had some good years prior to this, but now the industry is resetting itself and taking advantage of the recent hurricanes. Another factor that affected the premium is that every three years the Association is required to have a professional property appraisal. That occurred recently and the cost of replacement went up by approximately 4 million. Tom Leiser asked what type of increase was budgeted this year, and Mr. Gourdie said 5 percent, so a portion of the \$30,000 increase is already included in the budget. Tom Leiser moved and Randy Kuhl seconded a motion, which was approved unanimously, to accept the new insurance policies as proposed.

Carl Bauer then joined the meeting via telephone.

The next item on the agenda was consideration of the trash compactor proposals. Mr. Gourdie stated that he updated what he had presented the prior year. He reported that when Republic Services realized the Association was obtaining other bids, it dropped its bid from \$47,000 to \$32,000. He said that the \$32,000 is an attractive cost, but that historically, Republic has had periodic cost increases and extra fees. He stated that he asked Advanced Disposal about yearly increases, and the representative responded that the only increase would be if the dump fee increased, which would be something they could not control. He indicated that he would get some historical figures from Advanced on how much the dump figures have increased. He said that in the past, the Association has had to put a cap of 3 percent on Republic's annual fee increases. He stated that the Association has not enjoyed working with Republic. He felt that they were difficult to work with, although that has improved since Republic lost Polk County's business. Mr. Gourdie reported that he checked references on different companies, and Polk County said that it has had fewer problems working with Advanced than any other provider.

Earl Monari asked what is the percentage of breakdown time with the compactors, and John Rasmussen stated that the ones he had during his employment in Winter Haven were broken about once every two months. He said that while new, they were fine, but after about two years, they had almost monthly service calls due to so many hydraulic parts, which is why it's a good idea to lease rather than own.

Mr. Gourdie indicated that one of the types of compactors he discussed with Advanced had a four-by-four opening with a swing door, and every third time the door closes, it compacts automatically. The electrical panel will be located in the back of the unit, so no one can tamper with it. The Association would have a fence all the way across the front of it with an opening, and residents will put their trash in there. When the company pulls the compactor out, the inner gate will close, a sign will say the site is temporarily closed, and there will be a map directing people to the west side. The compactor is dumped and brought back the same day. In the case of breakdowns, they leave an open container, and the Association will just pay for the weight of the trash.

Mr. Monari asked if the Association has a way to monitor what is dumped, indicating that someone disposed of a dishwasher that morning. Mr. Gourdie responded that he had looked into having restricted access to the area, such as arms that would require the use of a card, but then people who don't have access would simply throw their items on the ground.

Randy Kuhl moved that the Association accept the proposal by Advanced Disposal, stating that he has not been happy with the service provided by Republic, that the receptacles have had doors that are broken, and he would like to try Advanced's service, putting a cap on the increases. Mr. Gourdie indicated that Advanced would want a signed agreement from the Association stating that it is moving forward, so Advanced can get the compactors built, because they have to finance them. Earl Monari then seconded the motion. Tom Leiser asked if the motion was to go with Advanced as soon as possible at both sites. Mr. Gourdie reported that the Association would have to pay through the end of Republic's contract. Mr. Kuhl asked if the size of the service can be diminished, such as cutting the west side off and putting a compactor in there. Mr. Gourdie advised that the Association would have to be careful, because diminishing the service would create a new contract. Mr. Gourdie stated that preparing the sites will take time, since the Association will have to build pads, install gates, get electricians in, etc. It also takes about a month to get the compactors built. Mr. Gourdie said the Association would have to look at the costs and whether the advantages of getting the compactors in sooner would be worth having to pay the remaining contracted months for the containers. The Association's lawyer also needs to look at the situation. Mr. Leiser felt it would be good to try to get the compactors installed before the annual meeting. Mr. Gourdie recommended doing the west side first, since there is room to move the containers to the side while the prep work for the compactors is done. Mr. Rasmussen advised that the Association has to make sure it doesn't run afoul of the contract by allowing a second company to come in. A vote was then taken, and the motion passed unanimously.

Mr. Rasmussen stated that the discussion about assigning parking places was inadvertently left off the agenda and would be included on the June agenda.

The next item on the agenda was natural area management. Mr. Rasmussen stated that it is his opinion that the volunteers need to stop all work until the board comes up with a plan and it

comes to a membership vote. It had been his understanding that no new areas would be done until a plan is in place, but he continues to see new areas being done. He said that he feels the work being done is an alteration of the common element and shouldn't be done without a 75-percent vote of the record owners.

Randy Kuhl asked where Mr. Rasmussen is seeing new areas being done. Mr. Rasmussen indicated right across from the resort center, Sherwood and one other location that were not done when the board decided to not do anything else. Mr. Kuhl stated that the area across from the resort was previously agreed upon, that it was marked last year by Mr. Gourdie and landscape manager Tony Aboytes, which was the process that was put in place when work was requested by anyone. Mr. Rasmussen stated that it may have been marked, but nothing had been taken out until after the board agreed not to take out anything else until the Association had a plan. He also said that nothing had been done on Sherwood at the time the board decided to halt the work, but work has been done there since. Mr. Gourdie responded that that work was done by a particular owner who was told to stop but didn't.

Mr. Rasmussen reiterated that he feels the work being done is an alteration of the common element and the issue needs to go to the membership rather than allowing people in a volunteer group to decide for the entire membership. He stated that if the membership decides it wants the work to be done, he's behind it 100 percent, but now he's not because the membership hasn't voted.

Mr. Leiser asked if there is a difference between what the volunteer group has been doing versus what the Association's employees do under Mr. Gourdie's direct supervision, because they're clearing and doing a lot of work also. Mr. Rasmussen stated that the Association employees are having to go behind the volunteers and clean up after them. Mr. Gourdie explained that the Association used to have tree work done at a cost of \$1,500 to \$1,800 per day, then used a tree person who would work for a fee of \$50 per hour between his other jobs. Now the Association uses a person with a Bobcat who is able to take out the smaller dead trees.

Mr. Rasmussen indicated that in his opinion, Mr. Gourdie can't go into the natural areas and remove plants, either, because he would be altering the common element. In the absence of written approval of 75 percent of the record owners, the board can proceed, providing the owners who are opposed don't bear any cost and the work doesn't infringe upon their rights, but that the issue must first go before the membership.

Randy Kuhl stated that the volunteers have not done anything Mr. Gourdie hasn't authorized, that he has the responsibility to preserve the assets of the Association and that letting vines grow up trees and kill them isn't preserving the assets. Mr. Kuhl indicated that he agrees there needs to be a plan and has even mentioned that at board meetings. He said that Mr. Gourdie followed up with a forester before the volunteers got into doing anything in these areas, but a plan was never developed. Now he understands there is another meeting scheduled with someone else tasked with implementing conservation of natural areas. His opinion is that the Association is failing in its duties by allowing vines to kill natural assets. Mr. Monari stated that he has made a list of questions and feels the board needs to listen to the person who will be visiting from Polk County, that it needs that direction in order to come up with something to present to the membership. He feels the Association has a responsibility to take care of the lands and hasn't been doing some of

that in the natural areas. He indicated he would like to have the property look like it did in the 1980's.

Carl Bauer then asked if the Association's documents designate the areas in question as "natural areas." Mr. Bauer stated that although he sides with Mr. Rasmussen, he doesn't believe the argument that the work requires a 75-percent vote of the membership is valid because if that was the case, every time Mr. Gourdie did an install, there should have to be a vote. He said that he looked at some of the areas done recently and agreed that they are significantly different from what they were before. He asked why a section of a vine can't be cut off, leaving the top part to die, then have the bottom portion sprayed with Roundup so it will die, too. He questioned whether everything has to be cleared out in order to do that. Randy Kuhl responded that they don't go in to cut everything down, but to get to the vines, some things have to be cut down. When that is done, they find there is virtually nothing on the ground. Mr. Bauer felt that the volunteers could have been less destructive in the areas he looked at the prior day.

Mr. Kuhl stated that in the first area the volunteers did, it took two months to take down the Brazilian pepper trees, which have been outlawed in the state of Florida. They covered most of that area and there was nothing underneath them except dead wood and weeds. He indicated that in the Maple Leaf island, the only thing left is the vines running underneath the soil, that there are no plants other than what was planted around the outside circles back when Grenelefe was built in the early 1970's.

Mr. Bauer reiterated that the board needs a plan, and maybe that plan is that once the vines are cleared out, new plants, possibly palmettos, are installed to restore it to where it was. Mr. Kuhl stated that that had been discussed with Mr. Gourdie, to possibly plant some ridges around the outside to beautify and soften it. Mr. Monari said that Mr. Gourdie has taken the responsibility for how to go out and implement the plan, but the board needs to make a solid decision on how to move forward after meeting with the person from Polk County. He questioned whether there might be a grant available but believes it may only be for government lands, not private. He has begun to investigate it, though. Mr. Gourdie indicated that he had looked into seeing if there was someone to remove the Brazilian pepper trees and there wasn't.

Mr. Leiser then asked if the board could entertain comments from the owner present. Mike Lane began by saying that he wanted to point out what the board has already done and referred to the minutes of the March 2016 board meeting, which stated that the season for the volunteers was ending and the board would talk about coming up with a plan later in that year. He indicated that in September of 2016 it came up again, and a forester had come in and given guidelines regarding the destructive trees and vines, and during that discussion, the board agreed to move forward, with Chris and Tony communicating to the volunteer group what was to be done. Mr. Lane stated that pepper trees are cited by the State of Florida as a destructive, invasive species, and that anyone who contributes to the growth and not the removal of these, can be held liable and fined, as well as other consequences. He said that the law required that the Association, as owners of the property, remove them and not allow them to spread. He felt that if the Association stopped the actions of the volunteers and the forestry department came out to inspect, the Association could open itself up to fines and penalties from the State. Mr. Lane also expressed the opinion that if one member of the board receives negative input and does not support the direction of the board, it's not helpful for the board or the condo association. In his opinion,

when those emails arrive, it should be stated that the board has made the decision based on the direction of the State of Florida.

Mr. Lane suggested that the board consider two options: letting the volunteers continue their work in the fall or hire outside contractors to do the work, but that the Association needed to move forward with the clearing of the destructive vines and trees. He felt that when necessary, the Association has been able to come up with the funds to do major improvements, such as the road resurfacing project, and should be able to fund the preservation of the wooded areas.

Mr. Rasmussen stated that he agrees vines should be removed, and always has, but he does not agree with the way it is being done. He felt that when the volunteers have left behind nothing but dirt, they've gone too far. He argued while no one may plant Brazilian pepper trees, there is nothing in the Statutes that says existing trees have to be removed. He also indicated that the Association is using its funds to clean up after the volunteers, because they are cutting things down and putting the debris in piles, and that this is taking away from the grounds crew maintaining the existing landscaping around the buildings. He stated that the board has said there needs to be a plan, and he has expressed repeatedly that the work needs to stop until there is a plan, but it hasn't stopped. He also argued that the board does not have to agree on everything, that each member is allowed to have an opinion and to express that opinion. But if the membership chooses the direction to take, as president of the board, he will support it wholeheartedly, even if he doesn't agree.

Mr. Lane stated that, under Mr. Rasmussen's interpretation of altering the common element, there are so-called alterations every year, with all the beautification that has been done to the property. Mr. Rasmussen argued that that is maintaining an area that already has landscaping in it, and that when the volunteers remove plants from a forested area, that is not the same. Mr. Lane gave additional examples of installing retaining walls and new beds of plants and relocating the trash containers, all of which are things that need to be done and make the property look better. He said that four people sending emails shouldn't determine the direction of the board. Mr. Rasmussen stated it is more than four people, and as long as there are people who want the work done and those who don't, it needs to be a membership decision.

Mr. Monari expressed concern that the community is changing to be more of a rental property where people are becoming more apathetic, and he doubted that the Association would be able to get a vote of 75 percent of the membership. He questioned whether the board could come to an agreement and the issue not leave the board. Mr. Rasmussen stated that the common element can be altered as long as there isn't any cost and it doesn't infringe on anybody's rights. He felt that if an owner says he has a right to privacy and doesn't want to look at the next building, he can ask the Association to not clear out the natural areas around his building.

Mr. Monari asked about getting Westgate on board with a decision, and Mr. Bauer said that Westgate has never been happy with the volunteer scenario. Mr. Monari asked if it would be acceptable to move away from using volunteers and hire people capable of doing the work, with a possible 1 to 4-percent increase in the budget. Mr. Bauer responded that Westgate wouldn't have the votes to override something like that. Mr. Rasmussen explained that the board sets the budget and the owners only vote whether to waive full funding of the reserves. He felt that the board needed to come to a consensus that it would present a plan for removing the invasive vines

that would make most people happy and wouldn't involve stripping the areas down to the dirt, and that until the membership voted, nothing else should happen. He also said that management needs to tell owners to stop taking it upon themselves to do work.

Mr. Kuhl asked Mr. Rasmussen to specify exactly what work he wanted stopped, and Mr. Rasmussen indicated all the work the volunteers are doing in the natural areas. Mr. Gourdie said that he had already put together a plan to do plantings in these areas this summer and already had that in motion. Mr. Rasmussen agreed that plants need to be put back in the areas where things had been removed, that that isn't changing anything. Mr. Gourdie reported that in the area across from the resort center, where asparagus ferns were part of the landscaping, he planted plumbago along the edge. Mr. Rasmussen stated that he felt putting plants back wasn't an issue, and Mr. Bauer suggested having the Association attorney address it.

Mr. Kuhl agreed that nothing else would be done until after the board came up with a plan. His interpretation of the prior discussions was that the volunteers were to continue in the areas they had started and that Mr. Gourdie had marked last year, but not move to any new areas. He reiterated that his group had nothing to do with Sherwood Lane being stripped and has not made decisions regarding the work to be done, simply followed Mr. Gourdie's and Tony's direction. He stated that there are areas of the property not being addressed that used to be landscaped, trees planted 40 years ago that are being destroyed by the vines. He said that the only way to kill the vines is to cut them off and poison them, and that the board is doing a disservice to the community by not preserving the assets, but agrees there has to be a plan.

Mr. Rasmussen clarified that there would be no further work done in the natural areas by the volunteers, even if it was previously approved, until there is a final plan, except for putting plants back. Mr. Kuhl asked if Mr. Rasmussen wanted Maple Court left the way it is or wanted the vines pulled down, and Mr. Rasmussen felt nothing should be done until the board comes up with plan to present to the membership. Mr. Monari asked if the issue could be handled during a board meeting, and Mr. Rasmussen said it needs to go to the membership. Mr. Leiser clarified that the only work that would continue would be cleanup of existing trash areas, removing debris from the work that was done by the volunteers, taking care of safety issues such as dead trees, and moving forward with the planting that has been planned. He asked if the work with the Bobcat was to be stopped, and Mr. Rasmussen said to stop the Bobcat except for picking up the debris.

Mr. Leiser continued, stating that the board would come up with a plan in June, and asked if that would then need to be taken to the annual meeting, and Mr. Rasmussen agreed, because that would resolve the issue for good. Mr. Leiser asked if today the board only needs to approve the first two steps, a temporary halt of the volunteer work, with no work being done except what Association personnel does, and at the June board meeting come up with a comprehensive plan. Mr. Rasmussen said that was what he felt the board should do.

Mr. Kuhl stated that there is no reason to make a motion to halt any activity, that there are only three or four volunteers still at Grenelefe. Everyone else has gone home. He said there will be no more organized meetings on Saturday morning, but that there are still piles from the work done the previous Saturday. He indicated that he and a neighbor have been raking into piles what is left behind by the Bobcat, for Association personnel to remove, trying to make the area on Maple

Leaf island look more pleasant. Mr. Rasmussen said he has no problem with that. Mr. Kuhl stated that he has taken offense to Mr. Rasmussen's comment that the volunteer group has done anything other than what was understood of them to do, that they have not done any work other than what Mr. Gourdie and Mr. Aboytes have instructed them to do.

Mr. Rasmussen responded that Mr. Kuhl was reading what he'd said differently from how he'd written it, that he didn't say the volunteers were violating an agreement, but that there was no agreement. He felt that the board needed to make it clear to the owners that they can't take it upon themselves to perform work on the property, that there has to be an approved plan. Mr. Kuhl added that the board can let the membership know there will be a meeting with an expert and Mr. Gourdie will be putting together a plan for the board to review. It was decided by consensus of the board that all work is to be halted except that previously discussed until a plan can be formulated and to have Mr. Gourdie notify the membership of such.

Mr. Rasmussen then stated that although it wasn't on the agenda, the board would discuss some ideas about parking for Mr. Gourdie to be thinking about for the June meeting. Mr. Kuhl indicated that he was raising the issue because he was experiencing a problem with his unit, that the tenants in one of the units in his building have three cars and there are not enough parking spots. He said that other associations he has visited have spots assigned to particular units, with other areas for visitor parking. He stated that he finds cars that are unregistered, for which the Association has a process for removal, and that sometimes vehicles occupy a spot and aren't moved for months. Mr. Monari indicated that he, too, has a unit in his building where three people occupy one unit and have three different cars.

Mr. Rasmussen stated that there is no limitation on number of vehicles. He pointed out that while the board may assign parking spaces, once a space is assigned it changes from being common element to limited common element, attaches to the property and becomes part of that deed. Mr. Gourdie added that if the board went that direction, it would find that there aren't enough spots for some of the buildings since the property was originally intended as a resort. Mr. Kuhl felt that there is more of an issue with the rented units than those occupied by owners and asked if there was a limit on the number of vehicles in the rental program. Mr. Bauer said he wasn't sure, that he would have to check. Joyce Morris stated that in her association, parking is limited based on the size of the unit. Mr. Bauer asked how the limits would be enforced, unless there was a system where the Association was issuing parking stickers, and the only way to enforce it would be to have vehicles towed. Mr. Rasmussen said that residents would have to register their vehicles with the office. He believes that the board has the authority to limit the parking spaces to two vehicles. He instructed Mr. Gourdie to do a parking space audit, with the number of units in each building and the number of spaces at each. Mr. Gourdie also indicated that with so many of the units being rentals, parking problems can be cyclical as different residents move in and out.

Mr. Bauer then stated that he had pulled up their lease, and tenants are allowed to park no more than one vehicle for each bedroom, and each vehicle is to be registered. Mr. Gourdie suggested that Westgate could rent spaces at the conference center for overflow parking. He felt as long as there was an area people could park and be shuttled to the unit, they would respect the parking restrictions. Mr. Bauer pointed out that commercial vehicles are also prevented from overnight parking and asked if the Association has a rule like that. Mr. Gourdie responded that anything over six wheels and a certain weight are not allowed. Mr. Bauer said that he wouldn't be

opposed to the Association limiting the number of vehicles, because it was already in his lease. Mr. Rasmussen stated that the issue would be placed on the June agenda.

Mr. Monari then asked about the lighting project. Mr. Gourdie said that it was decided at the last meeting that the topic would be discussed at the June meeting.

At 11:37 a.m., Randy Kuhl moved and Tom Leiser seconded a motion to adjourn, which was approved unanimously.

Respectfully submitted,

A handwritten signature in cursive script that reads "Carol Post".

Carol Post

Secretary pro tem