

**MAGNOLIA SQUARE  
CONDOMINIUM ASSOCIATION, INC.  
MINUTES OF MEETING OF THE BOARD OF DIRECTORS**

The meeting of the Board of Directors was held on Wednesday, February 15, 2017, in the Clubhouse of the Association. Notice of the meeting was posted at various locations within the common property. A copy is attached.

The meeting was called to order by Jim Cornell, President at 7:03 p.m.

**Present:** Jim Cornell, Ron Watkin, Brian Cassin, manager Michelle Sampson, Mike Dybka by Facetime. Excused Ray Biggart

**Unit Owners present:** Sign in sheet attached.

**Approval of Minutes of the Nov. 14, 2016 Board Meeting:** Motion, made by Ron Watkin, seconded by Brian Cassin and carried unanimously to approve the minutes and waive the reading.

**Approve Sales, unit #1703, 2504 and #3203, #2304** Motion made by Mike Dybka , seconded by Jim Cornell and carried unanimously to approve the sales.

**Approve Rentals, unit #1504, #1703, #2502 and #3404, #2304** Motion made by Mike Dybka , seconded by Ron Watkin and carried unanimously to approve the rentals

**Approve Patio, unit #1503, #1703** Motion made by Brian Cassin, seconded by Jim Cornell and carried unanimously to approve the patios.

**Discuss Replacement of Golf Cart** Motion made Ron Watkin, seconded by Brian Cassin and carried unanimously to approve the purchase of a golf cart from Golf Car Systems for \$3,775.

**Discuss Road Improvement** Motion made Jim Cornell, seconded by Mike Dybka and carried unanimously to approve the TCT proposal to improve the roads for \$34,303.

**Discuss Tennis Court** tabled until next meeting in order to obtain 3 bids.

**Replacing Roofs #300, #1200, #1500, #3600** Motion made by Jim Cornell, seconded by Brian Cassin and carried unanimously to approve the replacement of 4 roofs for \$53,200

**Discuss Dead Canary Palm Located in front of unit #2401** Motion made by Ron Watkin, seconded by Mike Dybka and carried unanimously to approve the removal of palm for \$725

**Discuss Magnolia Square Documents 6.3** Motion made by Jim Cornell, seconded by Mike Dybka and carried unanimously to approve the changes to 6.3 and send to the owners for approval.

**Discuss Addition to Rules and Regs 7. Bulk Items** Motion made by Ron Watkin, seconded by Jim Cornell and carried unanimously to approve the addition of 7. Bulk items.

**Discuss Addition to Rules and Regs 9. Patios** Motion made by Brian Cassis, seconded by Jim Cornell and carried unanimously to approve an addition to 9. Patios.

**Discuss Revision to Rules and Regs 11. Gardens and Lawns** Motion made by Ron Watkin, seconded by Brian Cassin and carried unanimously to approve the revision to 11. Gardens and Lawns.

**Discuss Addition to Rules and Regs 15. Flags** Motion made by Jim Cornell, seconded by Mike Dybka and carried unanimously to approve the addition 15. Flags.

**Discuss Addition to Rules and Regs. Plumbing Blockage** Motion made by Ron Watkin, seconded by Brian Cassin and carried unanimously to approve the addition to VIII Misc. 3. Plumbing Blockage.

**Discuss Revision to Rules and Regs sec. II. Recreation Facilities,** Motion made by Jim Cornell, seconded by Mike

Dybka and carried unanimously to approve the revision to sec II Recreation Facilities.

**Discuss Revision to Rules and Regs sec. III.Pets** Item tabled to Annual meeting.

**Discuss Revision to Rules and Regs, sec. IV Parking,** Motion made by Jim Cornell, seconded by Brian Cassin and carried unanimously to approve the revision to sec IV Parking.

**Discuss Revision to Rules and Regs sec. VIII. Miscellaneous 1.** Motion made by Brian Cassin, seconded by Mike Dybka and carried unanimously to approve the revision to sec VIII, Misc,1.

**New Business**

**TCT Repair Storm Sewer \$2975** Motion made by Jim Cornell, seconded by Ron Watkin and carried unanimously to approve paying the invoice from TCT.

**2503 Water leak \$1025 The Paint Wizard** Motion made by Brian Cassin, seconded by Ron Watkin and carried unanimously to approve paying the invoice from the Paint Wizard.

**Report of Treasurer** – see page 6

**Report of President** – see page 7

**Scheduled Board Meeting:** The next Board of Directors meeting will be at the call of the Chair.

**Adjournment:** There being no further business, motion made to adjourn. The meeting was adjourned at 8:15 pm.

Respectfully Submitted:  
Ray Biggart  
**Secretary**

**Minutes Not Approved**

It is proposed to amend the Declaration of Condominium by deleting the last 2 sentences in the first paragraph of Section 6.3 and adding the following language to the end of Section 6.3 of the Declaration (See present provision 6.3 for current language) as follows:

6.3 Lien for Assessments. The Association shall have a lien on each unit for any unpaid assessments and for interest thereon against the owner thereof, which lien shall also secure reasonable attorney's fees incurred by the Association incident to the collection of such assessment or enforcement of such lien. Said lien shall be effective from and after the time of recording in the public records of Pinellas County, Florida, a claim of lien stating the description of the Unit, the name of the record owner thereof, the amount due and the date when due, and the lien shall continue in effect until all sums secured by the lien shall have been fully paid. Such claims of lien shall be signed and verified by an officer of the Association or by a managing agent of the Association. Upon full payment, the party making payment shall be entitled to a recordable satisfaction of lien. Liens for assessment may be foreclosed by suit brought in the name of the Association in like manner as a foreclosure of a mortgage on real property. In any such foreclosure the owner of the unit shall be required to pay a reasonable rental for the unit and the Association shall be entitled as a matter of law to the appointment of a receiver to collect the same. The Association may also sue to recover a money judgment for unpaid assessments without waiving the lien securing the same. ~~Where an institutional Mortgagee or other purchaser of a unit obtains title to the unit as a result of the foreclosure of the mortgage or as a result of a conveyance in lieu of foreclosure of the Institutional Mortgage, such acquirer of title, its successors and assigns, shall not be liable for the share of the Common Expenses or assessments by the Association pertaining to such unit or chargeable to the former owner of such unit which become due prior to acquisition of title in the manner above provided, unless such share is secured by a claim of lien for assessments that is recorded prior to the recording of said mortgage. Such unpaid share of Common Expenses or assessments shall be deemed to be Common Expenses collectable from all of the Unit Owners including such acquirer, its successors and assigns.~~

Notwithstanding anything to the contrary contained in this Declaration, upon the foreclosure of a first mortgage, the first mortgagee taking title by foreclosure or deed in lieu thereof shall be required to pay such amounts as are contained in Section 718.116, Florida Statutes, as amended from time to time. All others obtaining title by foreclosure of a first mortgage or deed in lieu thereof shall be obligated to pay all amounts owed by the previous owner as allowed by law..

To All Owners,

The Board will be discussing the following changes to the Rules and Regulations at the BoD meeting on Feb. 15<sup>th</sup>. If you wish to comment please attend the meeting and fill out form to speak or send an Email to the office. *(strike thru means delete, red means new, black means no change)*

### **Proposed amendments to the Rules and Regulations**

7.

a. No storage is permitted in walkways, stairwells or any other public spaces or common areas.

b. It is the owner's responsibility for the disposal of bulk Items ie; furniture, appliances, mattresses etc. Leaving bulk items in or around the dumpsters is prohibited and subject to a fine. Magnolia Square has a bulk pickup program. See posted notice or inquire at the office. If space permits items may be stored at the shed until the next scheduled pickup. Failure to coordinate with management or maintenance first will be considered dumping.

ALTERNATIVELY, take items to Pinellas Waste Landfill. For directions call (727) 464-7500

*(Added current policy to rules to enhance enforcement)*

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9. Patios may be constructed at the expense of the requesting owner. A request to construct a patio must be submitted to the Board for approval **prior to any work being done** and must conform to the specifications set out by the Board, and established in Section 5.2(c) of the Condominium Documents. **The approved portion of patios on common elements is the responsibility of the owner and must be maintained in good order. Only outdoor patio specific furniture is allowed on an approved patio.**

*(explains responsibility to patios)*

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~~11. When timbers rot, beds will be edged by the Association unless the grading requires a different treatment. Owners may replace the timbers around their gardens at their own expense. For conformity, only 8 feet X 3 inches X 4 inches rounded treated landscape timbers may be used.~~

### **11. Gardens and Lawns**

Gardens and lawns are a common element and are the responsibility of the Association. To ensure uniformity borders will be upgraded and modified only by the Association.

a. Edging: When timbers rot, beds will be edged (with trimmer, no border) by the Association unless the grading requires a different treatment. Gray, concrete, scallop edging will be used to separate gardens and lawns from walkways and patios.

b. Shrubs and Flowers: Any gardening done by an owner must be maintained and conform to the same specifications followed by the landscape company, landscape committee and maintenance. All shrubs or flowers will be trimmed to not exceed seven feet in height, to not obscure the view of another owner's window and to be maintained at least six inches from the border and not touching the walls of any building.

c. Pots and Objects: Dead plants and empty pots will be removed. When the unit is unoccupied pots and objects must be removed, disposed of, or stored within the owner's unit. (ref: rule VIII.1, hurricanes, insurance) Failure to comply will result in removal by the Association.

d. Garden fencing is prohibited.

*(Clarifies responsibility of Association, sets uniform standards for all to follow, complies with Insurance requirements, reduces costs and maintenance manpower, removes a termite haven.)*

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15. a. Signs, advertisements, posters and similar notices may not be exhibited, inscribed, painted or affixed to any part of the outside of any building or inside a building if located in such a way as to be visible from outside.

b. Flags are permitted as per **Florida Statute 718.113.2(4)**. No other flag is permitted except for special circumstances and which requires the approval of the Board. The Association reserves the right to display an American Flag and a Canadian flag.

*(Clarifies our flag rules)*

**Addition:** Approved at BoD Mar 27. 2014.

### **Plumbing.**

**Our** waste plumbing is made of cast iron and is over 40 years old. It is very rough on the inside and susceptible to blockage.

**1. Blockage.** If a unit has a plumbing blockage they call the association first. If it is outside normal maintenance hours there will be a \$25 charge. If Larry is unable to rectify the problem a plumber will be called. Plumbing blockages will not be paid if the association is not called first.

**2. TOILETS:** Only toilet paper in the toilets. Nothing else! That means no wipes, no pads, NO FLUSHABLES! No Floss!! It's recommended you use Angel Soft. Non-compliance will result in costs being the responsibility of the offender.

**3. DRAINS:** Please, no grease or oil down the drains. It builds up and causes blockages

*( Adds a current policy to the Rules and Regulations, )*

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## **II. Recreation Facilities.**

**2.** The pool is open from 8 a.m. to dusk (~~11 p.m.~~)

**6.** All Furniture in or around the recreation building is the property of the Association and cannot be removed from the recreation facilities.

**a.** Exception: Folding Tables and Chairs may be signed out by current residents of Magnolia Square. Please see the Manager for sign out application form.

**b.** The Party Room may be reserved by current residents for private, non-profit use. Please see the Manager for reservation application form

**c.** Weapons of any kind are not allowed in the recreation facilities.

*( Allows for use of facilities, tables and chairs )*

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## **IV. Parking and Related Matters.**

Each unit has one numbered parking space. The current resident must use the unit's assigned space. Any unit having more than one vehicle on the property will be charged \$25 per month per vehicle. Daily visitors and guests visiting for up to 21 days are excluded. Excess cars prior to February 15, 2017 must be registered at the office and will be exempted. Future excess cars from this date will not be exempted.

No-one may use a numbered parking space without written permission of the unit's owner and informing, in writing, the association.

Bicycles, in daily use only, may be kept within the confines of the resident's numbered parking space or on one's limited common element.

## **VIII. Miscellaneous.**

~~1. If a unit is unoccupied, the outside water source must be turned off, and no objects may be left outside.~~

**1.** Unoccupied or vacant unit.

**a.** Water: When a unit is unoccupied for more than 72 hours it is the responsibility of the owner to ensure the outside water source is turned off.

**b.** Outside Items: Due to insurance regulations NO furniture, tools, objects, pots, etc. are to be left outside if a unit is vacant for more than 72 hours between June 1st and November 30<sup>th</sup> (Hurricane Season) or vacant for more than 21 days between December 1<sup>st</sup> and May 31<sup>st</sup>. Failure to comply will result in removal and disposal of items by the Association.

*( Clarifies current rule, satisfies an Insurance requirement. )*

# Board of Directors Meeting

## Treasurers Report

February 15, 2017

Operating expenses during 2016 were a challenge because there were some unexpected expenses that popped up. There were also some expenses that were lower than budgeted. Notable expenses over budget were

Golf cart replacement (not a budgeted item)

Office (mail outs and web page)

Legal fees

Bad Debt (uncollectable assessments written off). We expect to see this expense decrease dramatically going forward as the general economy continues to improve. Banks are foreclosing much sooner to get bad mortgages off of their books. There should also be fewer new foreclosures since improved property values should result in fewer mortgages that are underwater.

The change from an outside management company to employing our own manager has resulted in much better support and service from the office.

Notable expenses significantly below budget were Insurance, Electricity and Water.

Going forward, the onetime expenses above will disappear and the reduced expenses we realized will hopefully carry on. As a board we will continue to pursue any opportunity to reduce, eliminate or at least maintain any and all expenses.

We are working with a CPA to have our yearend financial statements audited for the first time, and are looking forward to sharing them with everyone when they are available sometime in March.

Our capital reserve position is in very good shape based on the reserve budget that was approved in November. We have some significant projects that will need to be completed in the next few years and we need to ensure that we have the resources (money) in place to avoid major assessments down the road. The board will continue to review and evaluate the future capital needs and recommend any necessary changes. The goal is to ensure Magnolia Square's future as a clean, well maintained, affordable, safe and pleasant community to live in.

Respectfully submitted,

Mike Dybka

## 22. Report of President

Lee Irrigation is now servicing and upgrading our sprinkler system on a monthly basis. We are pleased with the results and expect to have reliable, complete and comprehensive within two years.

You will notice 2 new signs at the front entrance. We are replacing weathered signs and introducing new ones that better inform our residents of the rules and policies of Magnolia Square.

The lights around the recreation complex have been evaluated resulting in replacing the flood lights with motion detecting lights.

The shuffleboard court has been recoated, an outdoor storage shed has been purchased and access has been improved from the back patio to the courts.

We now cover the pool every night in the winter. This has resulted in significant savings from the pool heater and warmer pool water in the winter.

We continue to encourage recycling. Brian is in the process of twinning all the bins so you will only have to go to one location to recycle and dispose of garbage

This year, 2017 we will be replacing 4 roofs and regrading the first section of roads.

I would like to thank the Social Committee under Naoma Watkin for the very successful year they are having.

Monday morning coffee social has been very successful. They have also purchased new tables and chairs for the meeting room and patio furniture for the side patio.

Many thanks to Carol Kerr and her landscape volunteers for volunteering to continue their good work this year keeping the invasive vines in check and maintaining and improving our gardens.