

Minutes of the Eleventh Annual Membership Meeting of the Cove Pointe Owners Association, Inc.

Date: Tuesday, September 20, 2016
Time: 6:00 p.m.
Location: St. Andrew Bay Yacht Club Sailing Center
218 Bunkers Cove Road, Panama City, Florida 32401
Attendance: Officers & Directors: Buddy Dye, President/Director; Chris Reiss, Treasurer/Director; Tom Neubauer, Secretary/Director; Harry Breland, Director

Votes / Members/Lots #s

Class A Members:

- 1 Nicholas Armstrong (Lot 21)
- 1 Nancy and Harry Breland (Lot 16)
- 1 Michelle Cool (Lot 26)
- 1 Christ and Dawn Cordon (Lot 10)
- 2 John "Buddy" and Janice Dye (Lots 24 and 25)
- 1 Michael and Ann Grabner, represented by Proxy, Mike Hauser
- 1 Jimmie Hamilton (Lot 15)
- 1 Stephanie Hobbs (Lot 31)
- 1 Steve McClain (Lot 33)
- 2 Lorianne McElhaney (Lots 13 and 45)
- 1 Mable C Neel (Lot 3), represented by Proxy, Christine Reiss
- 1 Tom Neubauer (Lot 34)
- 1 Barry and Tammy Newton, (Lot 17) represented by Proxy, Mike Hauser
- 1 Mike Nichols – (Lot 23)
- 1 George and Christine Reiss (Lot 42)
- 1 Samuel and Gloria Resnikoff (Lot 27)
- 1 Mary Riehle (Lot 41), represented by Proxy, Mike Hauser
- 1 Kevin Rohan (Lot 4)
- 1 Shirley Spencer (Lot 1), represented by Proxy, Christine Reiss
- 1 J Carey Scott (Lot 5) by Proxy, [Tom, fill in name of Carey's proxy]
- 2 Mark Williams (Lots 6 and 7) by Proxy to CPOA President

Class B Member

Christine Reiss as representative for Cove Preservation Partners, Inc., for lots 36,43,44,46,47,48,49,50,51,52,53,54,57,58.

Class A Votes: 24 of 44 Class A members represented (54.5% of total Class A members)

Class B Votes: 1 (Cove Preservation Partners, Inc.)

The meeting was called to order at 6:03 PM by Buddy Dye.

- (1) Election of Meeting Chairman: A motion was made by Christine Reiss and seconded by several members to appoint President Buddy Dye as meeting chairman. The motion passed without objection.

- (2) Call of Roll and certifying of Proxies: Attendance was taken by individual sign-in and those in attendance constituted a quorum, since a quorum is the combination of (i) 30% of the total of Class A members, plus (ii) the Class B member.
- (3) Proof of Notice of Meeting: Buddy Dye noted for the record that the meeting had been properly noticed and explained that annual meetings and special board meetings are noticed with a sign posted in the subdivision. Annual meetings are separately noticed by mail and email. The statement was executed by Tom Neubauer as Secretary/Director. (attached)
- (4) Minutes of Previous Annual Meeting: A motion was made by Christine Reiss to approve the minutes of the September 24, 2015 annual Meeting. The motion was seconded by Tom Neubauer and the minutes were approved by unanimous vote.
- (5) Report of Officers: Mr. Dye discussed what he considers to be his responsibilities as association president, to include monitoring of the HerbaFex landscape contract, assisting with the preparation of meeting agenda's. He reported that the contractor is generally doing a good job and Mr. Dye meets with the contractor occasionally to discuss problem areas, specifically with the bush-hogging effort. The budget allows for the bush hog/mowing to occur four times per year and Mr. Dye generally decides when each of these will occur in order to maximize the length of time that the neighborhood looks it's best. The last cutting was completed in late August 2016. Christine Reiss noted that Mr. Dye walks the neighborhood and identifies issues as he can, but encouraged residents to take the time to report issues to Mr. Dye if and when something does not look right. One HOA member noted that the contractor has been using a different mower which is smaller and produces better results. Mr. Dye pointed out that he requested the lighter machine because it does less rut damage.

Financial Report: Christine Reiss reviewed the association financials and presented the 2017 budget, noting that the proposed budget is designed to draw down about \$3500 of the CPOA surplus in 2017 based on the proposed annual assessment of \$450 per lot for the year. She noted that this amount will be billed in early January and will be payable in early February. With regard to cash balances, Mrs. Reiss explained that \$30 per lot per year is placed in a reserve account to address unexpected repairs, such as the unplanned loss of the irrigation pump from lightning several years ago. She reports that as of July 31, 2016 (the date reports were prepared for the budget process) the balance in the Association's reserve account was \$13,416. CPOA member Christ Cordon voiced concern about the community dock, advising that it needs repair. President Dye asked Board member Harry Breland to discuss his recent suggestion with regard to a neighborhood clean-up day. Dr. Breland suggested that a Saturday could be designated to pick up trash and work on the dock, but no date was set. Further discussion included comments from Mrs. Hobbs, and others suggested that we look at other dock materials such Trex. If it is determined that replacement is necessary, Mrs. Hobbs offered to get Mr. Hobbs to take a look at the dock, noting it may be possible to purchase the materials at contractor prices. Returning to the financial report, Christine Reiss reported the CPOA cash balance in the association operating account to be \$35,481 as of July 31, 2016, and she anticipates an additional \$1,634 to be collected through 2016 year end, which will result in a projected year-end balance of \$17,572 after taking into account the additional expenses projected through 2016 year end. The unbudgeted but recently board approved expenditures for landscape improvements were taken into account in the calculation of the year end projected balance. Accordingly, Mrs. Reiss notes that if 2017 income and expenses are as projected in the 2017 budget,

we should still have a \$14,000 cash cushion in the operating account at year end 2017. She also noted that the association will have about \$8,400 in a separate park funds account even after the recently approved landscape improvements to the park are completed. There was further discussion about park improvement options and park landscape maintenance to include "thinning out" the vegetation in the park area. There was also discussion about the need to improve lighting in certain areas such as the park area, which several members suggest is not sufficiently lit. Following the comments, Mrs. Reiss suggested that a group look into park lighting options. Mrs. Breland suggested up-lighting in that area and perhaps up-lighting the larger heritage trees as well. Mrs. Reiss and others concurred that directional ambient light might be an attractive option. There was some question as to how the existing street lights were acquired. Mrs. Reiss explained that the street post lighting was purchased by the developer, dedicated to the City of Panama City and the city provides the power. Mr. Christ Cordon agreed that the community should not install cheap spot lights. Members who agreed to participate in the effort to consider lighting options and make recommendations to the board include Mr. Cordon, Nancy Breland, Kevin Rohan and Dr. Breland; Stephanie Hobbs also expressed willingness to participate. Christ Cordon advised the group that he will have someone from Gulf Power look at the lighting issue as well. Mr. Dye thanked the members for their willingness to help and noted that there are 19 homes in Cove Pointe either built or under construction. A member posed the question of the board as whether it would be possible to gate the community. Mrs. Reiss advised that she believes there is no chance of this as the streets were dedicated to the city and therefore must remain open to the public. Creation of a gated community would at a minimum require the streets to be owned and maintained by the subdivision lot owners. There was also some discussion about drivers cutting through the subdivision as a shortcut from Mercedes Ave. to 3rd Street and concern about the speed of the traffic. There was discussion about the possibility of installing speed bumps, which Ms. Reiss pointed out must be approved and constructed by the city. Kevin Rohan agreed to consider looking into this.

The financial report and budget presentation continued briefly and was completed by Mrs. Reiss

(6) Report of Committees:

Nancy Breland provided an update on the landscape improvement effort, discussed replacing pines, adding shi shi camellias to provide winter color, adding Aztec lyrias in front of entry signs, and noted that golden Lantana has done well and additional Lantana will be added. Ms. Breland also noted the neighborhood has lost major oak trees due to construction and advised that oak trees will be planted in the ROW, common areas or in the park. Also, area cleaning will be done to enhance two oak trees in front of the park and these trees are good candidates for canopy lighting which could be done with park funds. Mrs. Breland also advised that there is a Hawthorne blight in the neighborhood and affected plants will be replaced with Lantana near lot 1.

(7) Election of Inspectors: The members agreed to open the election for 2016 directors and Christine Reiss explained the option of the membership to waive the requirement for appointing inspectors by allowing a verbal (non-ballot) vote.

(8) Election of Directors: It was noted by Mrs. Reiss that the class B members elect three directors and those directors would remain the same Dr. Roger Spencer, Christine Reiss and Tom Neubauer. Class A members elect the remaining two directors. The members in attendance were asked if anyone would be interested in serving on the board and there were no responses. A motion was made to

retain the current members, Mr. Dye and Dr. Henry Breland. The motion was seconded and passed unanimously.

(9) No unfinished business

(10) New Business: John Dye brought up the issue of covenants and the need for direction on what should be done about violations and compliance. He referenced article 10 and asked members if we should let violations go unchecked, or if we should we enforce them. Following much discussion he noted a unanimous consensus that the covenants must be enforced to protect the community and property values. That direction from the membership included the possibility of using the latitude provided by the covenants to implement fines for non-compliance. In response to a property owner's question regarding how to proceed if he believes that post building conditions render the installation of his approved landscape plans impossible. In that instance, Mrs. Reiss advised that it would be the responsibility of the property owner to request and obtain ARB approval of an alternative landscape plan to be installed by the property owner. Following that discussion a member currently building a home initiated an exchange suggesting that he was unaware of the Cove Pointe Covenants, did not receive a copy and further alleged that the association prevented him from constructing a seawall on his property. Mrs. Reiss advised that this was simply untrue and explained that the covenants, which are a matter of public record, clearly designate the ARB as the entity responsible for approving all plans. In accordance with the covenants which are public record, any tree removal, building plans and landscape plans, must be submitted to and approved by the ARB. Mrs. Reiss further noted that she was personally familiar with every communication and owner submittal regarding the lot in question and there was never any mention of a seawall much less an approval or disapproval of one by the ARB. The member restated that he believes he was denied a seawall permit by the FDEP somehow because of the association. Mrs. Reiss advised that neither the ARB or Association had any interaction on this matter. Further discussion ensued about the property owner's improper destruction of trees without the requisite approval of the ARB.

With no further business to discuss, Mr. Dye thanked the members for attending and adjourned at approximately 7:20 PM.

Cove Pointe Owner's Association, Inc.



Tom Neubauer, Secretary

Approved 10-16-2017