

SUMMIT VILLAGE CONDOMINIUM ASSOCIATION, INC.

BOARD OF DIRECTORS MEETING

SATURDAY JANUARY 19, 2019

I. CALL TO ORDER:	President Robison called the meeting to order on Saturday January 19, 2019 at 10:00am.
II. ROLE CALL:	Present: Dorothy Brown Sandy Jalbert Peggy Wass Letty Velazquez Mike Robison George Gonzalez
III. PROOF OF NOTICE	The Board of Directors has complied with the notification requirements of the open public meeting requirements by posting notice on the office bulletin board on January 17, 2019.
IV. APPROVAL OF MINUTES	A motion was made by Peggy Wass to approve the minutes from the November 6, 2018 meeting. Letty Velazquez second the motion. All board members present at the meeting voted in favor of approving the minutes. Motion passed.
V. MANAGER'S REPORT	Diane Gay advised that the landscapers that service Summit Village are the same landscapers that we have had previously however the name of the company has changed. Diane indicated that they have employed a few new people and thus, she is keeping a close watch on their service. Diane indicate that she is addressing the concerns residents had presented regarding the issue of the way the landscapers blow the patio areas in that they are blowing in towards the patios instead of out towards the property. Diane asked that if there are any concerns or needs with landscaping, please present those to Diane and do not address directly with the landscapers. Diane also advised that Pool #3 is currently closed due to health concerns. The pool was contaminated by Canadian geese inhabiting the pool.

	<p>Diane indicated that the replacement of electrical panels will resume next month and residents will be notified when their electricity will be turned off.</p> <p>Diane stated that we have 3 roofs left to complete and one is starting January 23 2019.</p> <p>President Robison indicated that we will replumb as needed. He stated if there is a problem we need to take care of then we will address it.</p>												
VI. COMMITTEE REPORTS:	<p>Treasurer's Report: Letty Velazquez reviewed the report:</p> <p>The report is for the months of January – December, 2018:</p> <table> <tr> <td>Total Income:</td><td>\$1,215,456.93</td></tr> <tr> <td>Operating Expenses & Reserves:</td><td>\$1,125,910.96</td></tr> <tr> <td>Net Income:</td><td>\$ 88,545.94</td></tr> </table> <p>Operating Account Balance \$ 146,325.94</p> <table> <tr> <td>Total Reserves</td><td>\$ 1,023,818.47</td></tr> <tr> <td>Total Delinquencies</td><td>0</td></tr> <tr> <td>Total files with Association Attorney</td><td>0</td></tr> </table> <p>President Robison indicated that 3 months in a row we have had 0 delinquencies and that is great news.</p> <p>President Robison indicated that the cap for percentage of renters to owners is 40% and we are currently at cap.</p>	Total Income:	\$1,215,456.93	Operating Expenses & Reserves:	\$1,125,910.96	Net Income:	\$ 88,545.94	Total Reserves	\$ 1,023,818.47	Total Delinquencies	0	Total files with Association Attorney	0
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VII. OLD BUSINESS:	None												
VIII. NEW BUSINESS:	President Robison indicated that in December 2018 we had our annual												

	<p>meeting which included our election of officers. President Robison indicated that we had 3 people apply for 3 vacancies. One was filled by Sandy Jalbert, one was filled by George Gonzalez and the person that had applied for the third vacancy had passed away. President Robison indicated that leaves an open vacancy. President Robison indicated that we had one person that had volunteered to fill that vacant seat. President Robison indicated that pursuant to F.S. 718 the Board of Directors has the authority to appoint that individual to the Board of Directors. President Robison indicated the person that applied was Flo Price, a long-time resident for 10+ years and a homeowner. As she meets the qualifications, President Robison indicated that he would entertain a motion to seat Flo on the Board of Directors.</p> <p>Letty Velazquez made a motion to seat Flo Price to the Board of Directors. Dorothy Brown 2nd the motion.</p> <p>All board members present at the meeting voted in favor of seating Flo Price.</p> <p>Motion passed</p> <p>President Robison asked Flo Price to take her seat at the table. President Robison thanked Flo for stepping up to fill that vacancy and advised her that we appreciate her service to Summit Village.</p>
<p>IV: Closing Remarks</p>	<p>President Robison asked if we had any new residents attending today's meeting. President Robison welcomed our new residents to Summit Village.</p> <p>President Robison indicated that on January 17, 2019 he participated in a 30-minute conference call with our Attorney (who is stationed in Miami) regarding the litigation between MMI and Summit Village. President Robison indicated that there is not a lot to report that is concrete. President Robison indicated that the litigation is still in discovery. President Robison indicated that this has nothing to do with WAWA. WAWA is still scheduled to be built. He indicated that what the litigation comes from is that when the property owner began developing that property, it was discovered that we have a drainage pipe that was installed in the late 60's/early 70's that drains Polaris Loop and some of Cascade. When the property was developed, the developers did not discover that pipe or even know it was there until the City of Casselberry told them it was there. The property owner moved the pipes and developed the site and now they want us to pay.</p>

Originally when it was started we brought in the owner and his lawyer and, along with our lawyer, sat down and tried to negotiate with him to solve the situation. There were other factors that were involved also. President Robison said there were some easements that we were trying to negotiate, especially the easement that goes out to the light at the entrance to Summit Plaza. President Robison said that the owner refused to negotiate on that and so we ended up doing nothing. President Robison indicated that the owner went ahead and moved the pipe and he has now filed litigation wanting Summit Village to pay for moving the pipe.

President Robison indicated that our lawyer has been trying to negotiate with their lawyer. They keep passing it around on their side and still nothing concrete. Our lawyer seems to think that we have a winnable case but of course, nothing is concrete. The big thing they attorney is trying to do now is to push the other side to move forward so that we can resolve this issue.

The Plaintiff's attorney is supposed be talking to the City of Casselberry to trying to depose the City of Casselberry on the existence of a drainage pipe running under the property.

Board Member George Gonzalez asked what type of fees might Summit Village incur if this does go to litigation. President Robison indicated that part of the challenge is that the Plaintiff will not give us a dollar amount they are looking for. President Robison indicated the word that they have used is "reasonable". President Robison indicated that reasonable is subjective.

Diane Gay indicated that the attorney was hoping there was an easement when the property was first developed and the pipe installed however, there was not one because all of the property was initially owned by the same individual when it was originally developed. An easement was not needed at that time.

Letty Velazquez, who also participated on the call, indicated that our attorney advised that under the law, Summit Village may have what they call a prescriptive easement. She indicated that means that for over 20 years that pipe has been openly used by the association. That could be favorable to Summit Village. Letty indicated that all things are subject to interpretation.

Board Member George Gonzalez asked if we discussed offering to pay a small amount. Letty indicated that our attorney, at some point, came up with a number that he shared with the board however never

	<p>communicated that amount of the plaintiff. George asked that in weighing the litigation costs against the amount we were offering to pay, how would we fair. Letty indicated that is what they are trying to figure out. She indicated we do not know at this time how much it will cost us to go to court. Diane Gay indicated that it will not cost us much to go to court as our insurance will cover it, less a \$1000 deductible, which has already been paid. Diane Gay indicated that the cost to Summit Village would be any settlement amount that comes out of the case. Diane Gay indicated that the insurance will not cover the settlement amount but will cover the legal fees.</p> <p>Letty Velazquez indicated that the owner is trying to sell the property at the current time. Letty indicated that if the property was sold, and if they made a profit on the sale, that would be favorable to Summit Village because they would be making money and not losing money on the sale. As that would reduce the damages it is likely that the demand will become invalid.</p> <p>President Robison indicated that per our attorney, we have a good case. President Robison indicated that the attorney for the plaintiff seems to be dragging their feet a little bit and since they are very familiar with these types of situations, it could be a result of them feeling they do not have a strong case. President Robison indicated that this is all speculation at this time and nothing is concrete. President Robison indicated that everything is still in discovery and we do not want to jump the gun and offer money at this time because the owner will try to gouge us.</p> <p>Diane Gay indicated that this has not affected sales in Summit Village at this time. Diane indicated that every mortgage so far has been approved.</p> <p>Diane Gay announced that Attorney Paul Wean is no longer practicing law. He is sitting on various councils and will be involved in certain ways, however he will not be involved with clients like us. Helena Mackel will be our contact person.</p>
V: Adjournment	<p>Letty Velazquez made a motion to adjourn the meeting.</p> <p>Dorothy Brown seconded the motion.</p> <p>All board members present at the meeting voted in favor of adjournment.</p> <p>Motion passed.</p> <p>Meeting ended at 10:24 am</p>

