

# Timberwood HOA Board Meeting

April 9, 2025 @ 6:30 PM

## Meeting Agenda

### Call to Order

Meeting called to order by Wayne Fusco at 6:30 PM.

### Determination of Quorum

Wayne Fusco – Present

Sherry Snead – Present

Zach Crane – Present

Mark Heinz – Present

William Geronco – Not Present; Resigned

### Reading and Approval of Minutes

- Motion Raised by Zach Crane – Approve the Minutes of the January 8, 2025, BOD Meeting.
  - Seconded by – Sherry Snead
  - Motion approved by all.

### Report of Offices

#### **Budget Reserve Status**

- Zach Crane presented the status of the Association's Reserve Funds based on February's financial statements. Balance as reported is \$158,000.

### Old Business

#### **Rules of Decorum**

BOD discussed that the community was previously sent a copy of the Rules of Decorum. Wayne Fusco explained that the BOD had previously voted to adopt these Rules for BOD and ARB meetings, but the vote was not recorded in the associated meeting's minutes. To ensure that the vote was recorded correctly, the BOD is presenting, discussing, and voting on these rules again.

- Motion Raised by Mark Heinz – Implement the Rules of Decorum for ARB and BOD meetings, as previously sent to TLW Owners.
  - Motion Seconded by – Zach Crane
  - Motion approved by all.

### **Clubhouse Repairs and Re-Painting**

#### **1. Repair of Water Damaged Wood & Repainting**

BOD discussed the quote from All Weather to repair/repaint the exterior of the Clubhouse. The anticipated cost of this repair work was stated to be \$6980, with potential increases based on discovery work during the repair process.

- Motion Raised by Mark Heinz – Proceed with spending Association funds on this repair work and award exterior repair/repainting contract to All Weather.
  - Seconded by – Zach Crane

- Motion Approved by All

## **2. Water Fountain Replacement**

BOD discussed the community's concern for the state of the drinking water fountain located at the clubhouse pool. Currently, only one of the two fountains functions properly. Local plumbers provided information to the BOD that the fountain was not repairable and required replacement. The low bidder to remove and replace the drinking water fountain provided an estimate of \$2470. Wayne Fusco explained that he was currently working with St. Johns County Health and Human Services to understand if there was a requirement for the Association to maintain a drinking water fountain at the pool. Preliminary information indicated it was not required. Feedback was solicited from Members in attendance of the meeting regarding if the fountain was an amenity the community desired pay to maintain. All feedback received indicated that the fountain was not something valued by the Community.

- Motion Raised by Sherry Snead – Upon final determination of the drinking water fountain's requirement, award the replacement of the fountain to Village Plumbing Co for \$2470 if the Association must maintain a fountain, OR remove the fountain entirely if no such requirement exists.
  - Seconded by – Zach Crane
  - Motion Approved by All.

## **3. Installation of Gutters**

BOD discussed the desire to invest in rail gutters to shed rainwater away from the building's exterior wall surfaces to further protect the siding and building structure. It was explained that this investment would be particularly helpful as means of protecting the previously approved clubhouse repair work. Wayne Fusco explained that multiple quotes were received and the low bidder was Goode Brothers at \$1456. During public comment, Tyler Marrs stated this price was high and requested more quotes before a decision was made.

- The BOD stated that they would seek additional quotes and vote on gutters at a future meeting.

## **4. Flood Light Replacement**

BOD discussed the need to replace the floodlights on the exterior of the clubhouse. Wayne explained that there was limited response to the request to quote this work due to the small nature of the project. The low bidder to install Association-provided fixtures was All Weather at \$559.

- Motion Raised by Mark Heinz – Proceed with replacing the light fixtures and award this work to All Weather.
  - Seconded by – Zach Crane
  - Motion approved by all.

## **5. Pool Deck Recoating**

BOD discussed the pressure washing company last to clean the pool deck indicated that there was a possible need to repair and resurface the deck. Multiple companies

were asked to quote this work, but only two companies provided quotes. During BOD discussion, Zach Crane suggested that due to other more critical maintenance that is being approved at this meeting, it may be wise to delay work on the pool deck until it became a more pressing issue.

- The BOD collectively agreed to defer this project for future consideration.

### **Clubhouse Cleaning**

The BOD discussed that the interior of the clubhouse (main area, kitchen, two restrooms) had been cleaned since the last meeting. This cleaning was executed as ongoing maintenance for the property and involved total spending of \$90.

- Motion Raised by Sherry Snead - Ratify the invoice from SeaBreeze Cleaning for \$90.
  - Seconded by Mark Heinz.
  - Motion approved by all.

### **Clubhouse Sound Abatement Project**

The BOD discussed the history of sound deadening attempts. Previously the BOD purchased low-cost foam panels from Amazon, but this product did not have an impact on noise reduction. The BOD has been seeking quotes from local contractors for a more professional solution. Wayne explained that currently only 1 company has expressed interest in quoting this work. The BOD is targeting to have quotes for the next BOD meeting.

### **Public Comment on Old Business**

## **New Business**

### **Financial Audit**

Wayne explained that some members of the community have recently expressed that they speculate mismanagement of Association funds and irregularities in the Association's financial books. The BOD discussed that a Member had requested and been provided several years of Association financial information, but their concerns persisted. Due to Members insisting the existence of improprieties, the BOD discussed that a professional financial audit performed by a CPA or equivalent Accounting Firm seems to be the only way to settle any fear within the community. Wayne explained that the Association is required to maintain financial information for 7 years and, as such, suggested that an audit of all 7 years would put the issue to rest. The expected expense for such an audit is \$5500 - \$6500, but could increase further based on the complexity and total number of years included in scope. The names of the companies who have been spoken to so far were provided to the Members.

- Motion Raised by Mark Heinz – Finalize quotes for audits scoped for 5-, 6-, and 7-year durations, then proceed with spending Association funds on a professional audit.
  - Seconded by – Sherry Snead
  - Motion Approved by All.

## **Resignation Director, William Geronco**

### **Appointment of New Director**

Wayne announced that since the last BOD meeting, William Geronco provided a formal resignation from the BOD to PMSI. Two Members had expressed interest in appointment to fill William's remaining term as Director: Tyler Marris and Mike Marimpietri.

- Wayne asked if there was a motion to nominate Tyler Marris for appointment to the BOD.
  - No Motion was raised.
  
- Wayne asked if there was a motion to nominate Mike Marimpietri for appointment to the BOD.
  - Motion Raised by Mark Heinz – Appoint Mike Marimpietri to the BOD to fulfill William's remaining term.
    - Seconded by – Zach Crane
    - Motion Approved by All.

### **ARB Request for 280 TWD**

*[Item Removed from BOD Meeting Agenda – The ARB request had been approved by the ARB]*

### **Payment Request by Mr. Marris**

Wayne informed the BOD that Tyler Marris recently power washed the pool deck without approval from the BOD or PMSI, then requested payment of \$650 from PMSI for this work. The BOD discussed that Mr. Marris had not been requested to perform this work, nor was he an approved vendor of the Association's.

- Motion Raised by Mark Heinz – Do not approve the payment of Mr. Marris' invoice or otherwise compensate him for this unapproved work.
  - Seconded by – Zach Crane
  - Motion Approved by All.

### **Owner Comments**

1. Public Comment – Member's requested to have common area sidewalks power washed again.
  - Wayne informed Members that the BOD would be soliciting quotes for this work soon.
2. Public Comment - Pool maintenance seems to be a common complaint. Members would like a clearer understanding of what maintenance is expected.
  - The BOD informed Members that the current pool contract includes weekly pool service during the off-season and twice weekly service during swim season, beginning in April.
3. Public Comment - Pool and bathroom codes are difficult to locate when moving into the community.

- Wayne stated that when the pool codes were last changed, BOD did not send an update to the community and committed to not letting this happen again.
  - The Bathroom Code (*REDACTED*) and Pool Code (*REDACTED*) were provided to all Members in attendance.
4. Public Comment – Do backyard modifications / items require ARB request?
- The Association’s Attorney explained to Members that since “backyards” vary greatly in their visibility from frontages, neighbors, and common areas, the community’s restrictions, as well as Florida statues must be evaluated to determine the full extent of limitations and requirements. Tyler Marris provided comment that contradicted the Association’s Attorney and requested a formal evaluation of recent Florida statutory changes be conducted to more clearly understand backyard restrictions and/or ARB requirements.
    - Wayne informed Mr. Marris that he would have the Association’s attorney perform this evaluation to provide a firmer point of view of Member’s backyard.
5. Wayne explained that Alex, the Association’s Attorney was present to address a number of concerns and allegations raised by Tyler Marris, many of which included legal claims against the Association. Alex provided detailed explanations and answers to Mr. Marris and other Members during the meeting, a brief summary of which included:
- Mr. Marris claimed that the legal firm McCabe and Robinson represented both the Association and PMSI, causing a conflict of interest,
    - McCabe and Robinson represents the Association, not PMSI.
  - Mr. Marris alleged that Directors were being compensated in their role of Director.
    - Directors are not compensated. However, they may be reimbursed for direct expenses incurred for conducting Association business if those expenses were paid for with personal funds.
  - Mr. Marris alleged that Directors were embezzling Association funds and conducting other forms of gross mismanagement.
    - Directors do not have direct access to Association funds and conduct themselves within their legal means.
  - Mr. Marris claimed that Association Documents were illegally password protected.
    - Password protecting Association documents is within the means of the Association, however the password to these documents was recently removed to make access easier. The Association’s legal documents are also public records, available within St. Johns County online record systems for anyone to access.
  - Mr. Marris alleged that Directors allowed exorbitant spending throughout 2024.

- Fiscal Year 2024 spending was over-budget by roughly \$1500: well within a reasonable budgetary amount.
- Mr. Marrs alleged that the Association was not meeting Florida statutory requirements by not updating Declaration and Covenants documents.
  - Declaration and Covenant documents are not required to be updated with each Florida law change. Changes and amendments must be made through legal means. Smaller changes, such as storm shutter requirements/restrictions can be made through the Association adopting a policy rather than amending the covenants.
- Mr. Marrs demanded a complete itemization of all financial spending by the Association.
  - All Members can make records requests for this information. Mr. Marrs previously requested several years of financial information from PMSI, and these requests were satisfied.
- Mr. Marrs requested a commitment to update or amend the covenants.
  - The Association has no legal requirement to update these documents beyond the need to do so every 30 years.
- Mr. Marrs requested better understanding of the official means for communicating with the 'Association'.
  - The neighborhood Facebook group is for neighbor-to-neighbor communication; not an official means of contacting PMSI or the BOD. The official means of communicating with the Association is through PMSI. If PMSI cannot provide resolution, they can route the question/request to the proper party.
- Mr. Marrs requested to understand if Association funds were spent to send him a Cease-and-Desist Order.
  - Mr. Marrs made unfounded serious legal allegations against the Association in public areas of Facebook (not the neighborhood's Facebook group) including tagging local TV News Networks, a local real estate group, Governor Ron DeSantis, and other Florida government departments. Based on the unfounded nature of these allegations, potential impact on Member's properties, and in overall protection of the Association, Association funds were spent to send Mr. Marrs a Cease-and-Desist Order.

6. Public Comment – How can the BOD spend money without approval?

- Wayne explained that governing documents state that all maintenance is to be performed by the direction of the Board. Regular maintenance or upkeep of the community may be conducted between BOD meetings so long as no recurring contracts are entered, and spending remains minimal compared to the Association's overall budget.
- Wayne, Olivia, and Alex exchanged conversation regarding possibly adopting a resolution to define and limit spending between BOD meetings to a set dollar amount to help clarify these rights.

7. Public Comment – Request for replacement shade umbrellas at the pool.

- Wayne informed Members that replacement umbrellas are already here and will be placed outside ASAP.
8. Public Comment – Why does it cost so much for Members to rent the Clubhouse?
    - The BOD will consider revising the rental fees for the Clubhouse.
  9. Public Comment – Where did the community common area signs go?
    - Tyler Marrs stated that he removed the signs to clean them, and they were currently at his home. Wayne asked Tyler to return the signs to the Clubhouse front door so they can be reinstalled throughout the common area.

**Adjourn**

The meeting was adjourned at 7:49 pm.