

**Fawn Ridge Maintenance Association, Inc.**  
**C/O Wise Property Management, Inc. 18550 N. Dale Mabry Hwy**  
**Phone 813-968-5665 Fax 813-968-5335**

**Special Board Meeting Minutes**

**Date: September 27, 2023**

**Time: 7:00 PM**

**Place: Zoom**

<https://us02web.zoom.us/j/84327265287?pwd=eW9WYWZrU2h3OGRzVmQrNUFsRWJjQT09>

Meeting ID: 843 2726 5287

Passcode: 540946

1. Call to order: 7:10 PM EST by President Racine
2. Roll Call of Elected Board Members Conducted
  - a. President – Matthew Racine
  - b. Vice President – Chris Renshaw
  - c. Treasurer – Denise Acevedo
  - d. Secretary – Ashley Coxwell
  - e. Director at Large – Greg Smith → Absent
  - f. Quorum Present: Yes
  - g. Wise Property Manager Present – Camilo Clark
3. General Discussion - Open floor limited to 3 minutes per speaker.
  - a. Bob Robertson
    - i. Nice job pulling together comments and capturing suggestions!
    - ii. 3 Things to bring up regarding the proposed changes we're discussing tonight:
      1. Fining Policy Page 6 → The addition of the right to request a deadline extension is good. Recommends 1<sup>st</sup> violations set at 14 days vs. 7 days, as proposed.
      2. ACC → Noted change back to ARC name.
        - a. Page 15 – Does not agree to charge residents \$100 to change paint palette Asking board to budget \$400 for quarterly paint palette review and if not spent, roll back into budget.
  - b. Mike Castro
    - i. Stated issues with some of the revisions. No provision in governing docs for board to change these guidelines with approval from the ARC.

- ii. Expressed the following points as well:
  - 1. ARC cannot extend powers of board.
  - 2. Board can borrow funds, contract, protect and defend area, enforce provisions of statement of commitments, does not make restrictions for lot owners to abide by.
  - 3. Section ARC – Can only approve structures with color and similar materials.
  - 4. Stating that there is a conflict of interest here.
  - 5. Board or ARC cannot vote to make changes to governing docs. Need 90% majority to pass any changes.
- c. James Desmond
  - i. Expressed opinion that BOD/community would benefit from legal advice on these matters. Concerned that we don't want to do anything that affects or could possibly supersede D&C's. Does not want to rush a vote and do anything that won't protect our D&Cs.
  - ii. Suggested that the BOD look at what other HOAs are doing to comply with this law.
  - iii. Asked BOD to follow amendment process in this case and not a simple board vote.
  - iv. Suggested that BOD follow state statute and copy/paste into docs.
- d. Michelle Williams
  - i. Discussed the short Term rental near her home and wants to try to deal with short-term rentals as a general rule.
  - ii. Stated that restrictions state that you cannot run a business out of your home. County commissioner advised that we are not in a business zone, you cannot run an Air B&B business. Additionally, the specific house she discussed is licensed as a cleaning company and not Air BnB, so they're not paying hotel tax. Could report to county tax commissioner as another way to shut this Air BnB down.
  - iii. Advised that HOA regulate with internal regulation.
  - iv. Expressed additional concerns that she is unsure of who is staying there, noise and trash concerns in addition to affect on community property values.
  - v. Mentioned trend is to prevent these from being put in residential areas by city legislature.
- e. President Racine – Response:
  - i. Regarding the short term rentals, that is not on agenda tonight, but looking to address short term rentals in the future.
  - ii. Stated that the proposed changes had the intended affect of generating discussion and recommendations by/from the community. We will most likely have to get legal involved prior to submitting anything final and will probably see some more changes after tonight.
  - iii. Stated that council did provide some guidance before last meeting but that the BOD had not received feedback on the revisions yet.
  - iv. Noted that the statement "supersedes declaration" needs to be removed.

- v. Noted last ARC guidelines updated in 2021.

#### 4. Unfinished Business

##### a. Governing Document Modifications

##### i. Policy, Procedures, Fining Policy – Version 1.2 Approval Vote

##### 1. Discussion led by President Racine:

- a. President reviews the changes and notes to the Fining Policy.
- b. Wants to shorten fining to 7 days but open to 14 days.
- c. Treasurer Acevedo wants to keep at 7 days.
- d. President Racine replied by pointing out the extension process.
- e. States that he would like to go to legal.

##### 2. Vote - BOD Meeting Policy, Procedures, Fining Policy as it stands – Version 1.2 Move to legal for review

- a. President Racine moves to move document to legal for final review.
- b. 2<sup>nd</sup> – VP Renshaw
- c. Ayes have it – no opposition, no abstentions.
- d. Director at Large Smith absent for vote.
- e. Fining Policy 1.2 approved to send to legal for review before final vote.

##### ii. Architectural Guidelines – Version 1.4 Approval Vote

##### 1. Discussion led by President Racine:

- a. President Racine reviews changes to ARC guidelines and makes additional notes prior to sending to legal.
- b. BOD discussion to reduce paint palette fee to \$50. Can reduce from \$100, but still need to account for extra time/effort/printing to adjust paint palette.
- c. Question regarding if landscaping needs to be approved by ARC.
- d. Comment to legal to remove “supersedes” comments in section 23.
- e. Would like to move to legal like the Fining Policy.
- f. Opens floor to comments:
  - i. James Desmond: Said to keep state statute “as is” and deal with it as issues arise.
  - ii. Bob Robertson: Keep it simple until state offers some clarification.
- g. Mike Castro: Keep it simple.

##### 2. President Racine goes through changes to flag guidelines.

##### 3. VOTE - Architectural Guidelines – Version 1.4 Approval Vote to move to legal for review.

- a. President Racine moves to move document to legal for final review and will bring back to membership before final vote.
- b. 2<sup>nd</sup> – VP Renshaw

- c. Ayes have it –no opposition, no abstentions.
- d. Director at Large Smith absent for vote.
- e. Architectural Guidelines – Version 1.4 Approval Vote approved to send to legal for review before final vote.

5. Next Meeting

- a. Date: October 11<sup>th</sup>, 2023 @ Maureen B. Gauza Public Library
- b. Time: 7-8:30PM
- c. Communications chair to run Zoom. Past general discussion, zoom attendees will be muted beyond discussion at beginning of meeting.

6. Adjournment at 8:11PM

- a. President Racine moves to adjourn Fawn Ridge Special Meeting.
- b. 2<sup>nd</sup> – VP Renshaw
- c. Ayes have it. No opposition. No abstention.
- d. Director at Large Smith absent for vote.
- e. Meeting adjourned at 8:23PM