

**TARA MASTER ASSOCIATION
BOARD OF DIRECTORS MEETING
THURSDAY, APRIL 22, 2010 - 7:00 P.M.
@ CDD COMMUNITY CENTER**

ROLL CALL: Present: Andy Cotsanas, Bill Kett, John Lane, Wilma McCray, Marge Palacio, Ed Porter and Don Stoddard, Chairman. Also present: Larry Perkins, Property Manager and Jo Ann Mastrangelo, Property Secretary. A quorum was established.

PRESIDENT'S COMMENTS: Per TMA documents, Board meetings are conducted under Robert's Rules of Order and State Statutes. This is a BOD Meeting, not general membership meeting. TMA members may speak for three minutes on an agenda item prior to the meeting. Members may also speak for three minutes after meeting on non-agenda items. Members who sign up to speak are to advise name and house address; may not yield their time to another; and could waive right to speak if several others have made same points.

ADOPT AGENDA: Ed Porter Moved to amend the authorization previously adopted to fund the Twelve Oaks Plaza Committee, so that from this point on, all funding will cease, except that TMA will meet the required financial liabilities it has already incurred. What those liabilities are will be determined by a sub-committee of Directors Lane, Cotsanas, Kett and Porter, with the assistance of the Property Manager. Motion was stricken as it is barred by Roberts Rules of Order.

A motion to adopt Agenda by Stoddard, seconded by Kett, motion carried (5-2), Porter and Cotsanas opposing.

APPROVAL OF MINUTES – MARCH 1, 2010: Motion to accept minutes by Stoddard and seconded by Palacio approved (7-0).

SECRETARY'S REPORT: Palacio reported two resident letters were received regarding bulk cable TV. Proposed draft reply, with minor revisions, was unanimously approved (7-0) by consensus. .

PROPERTY MANAGER'S REPORT: Manager Perkins distributed 2009 to Directors the 3/30/10 Independent Auditor's Report by Cavanaugh & Co. Discussion: need to get a professional reserve study to know how much should go into TMA voluntary reserve fund. Larry reported that Regions Bank account has been closed to consolidate all funds at one bank. The funds are fully protected by the FDIC. We are in the process of setting up investment directions with RBC bank.

Accounts received were a net decrease of \$11,045 in March 2010 calculated as follows: The Association received \$18,732 in payments. Accounts receivable were increased by \$1000 in administrative process fees, \$3,773 in legal and finance charges, \$3,466 refunds for excess payments by members and \$700 in charges for lawn services on foreclosed properties. One account was written off as non-collectable for \$1,252. Approximately \$36,472 from 72 members owing the current \$493 regular assessment. Totaling approximately \$125,354 is due to with the 60 members owing the multiple year regular assessments, interest, late fees and legal fees. Our receivables are \$52,053 higher than last year at this time. Income Statement: March's net income a better than budget by \$5,439 which is due to Landscape expenses being under budget by \$2,520 plus Finance charges which was over budget by \$3,090 plus other small variances.

There is a new expense line item for the Twelve Oaks Advisory Ad hoc Committee in the amount of \$7,129. There is also a detail of that line item on an attached schedule. The Board has previously approved up to \$40,000 which leaves approximately \$33,000 in unspent funding. The committee has a proposed budget of about \$32,000.

TMA ATTORNEY 3/9/10 LETTER/OPINION RE UTILIZING ASSOCIATION FUNDS FOR Twelve OAKS DEVELOPMENT ISSUE: Perkins reported receipt of Attorney Vander Wulp's letter. Excerpt: "It is the opinion of this law office based upon review of the governing documents of this community, that the Board of Directors has the power to utilize excess operating funds to further the best interest of this community by negotiating and participating in the DRI modification project ongoing between the neighboring property developer and Manatee County".

STATUS LAWSUIT FILED BY MAGNOLIA CROSSING RESIDENT: Perkins reported that this is a complaint by a neighbor that another neighbor was being noisy, disturbing her sleep. Magnolia Crossing made an offer to plaintiff – still waiting for a response. Legally, Magnolia Crossing is the first required to address the lawsuit, TMA second.

ATTORNEY ADVICE RE CDD AND TARA GCC PROPORTIONAL PAYMENT OF TARA BLVD. MAINTENANCE: Attorney advised arrangement was set up by developer who refused to split responsibilities of CDD & TGCC. Prior TMA Boards have reviewed this issue to determine if the cost could or should be split. The developer refused to adjust the documents before transitioning to the residents. At this point TMA is following the rules and procedures until further notice.

Discussion: Get another attorney's opinion (expense?). Current arrangement is firm per documents. It can only be changed by membership vote – may not be changed on BOD authority alone. Amendment of Declaration and Bylaws requires two-thirds approval (66-66% prox) of entire membership. We require 1,034 affirmative votes, more than is likely to achieve on an issue that probably will not receive much Phase I support. **Motion to accept Manager's Report by Palacio, seconded Lane, unanimously approved (7-0).**

COMMITTEE REPORTS:

FINANCE: Chairperson Woolley reported that the Finance committee met on March 8, 2010. She reported that a professional reserve study cost might outweigh the value. The committee reviewed the Management Company's report on the Audit; as well as the remaining delinquencies. There are well over 100 delinquencies. Seeing more homes sales and payoffs. There is a line item for bad debt 2009 budget, increased significant from 2009–2010. Woolley explained the RBC arrangement, such as lock box, credit card payment, etc. A few committee members will serve again next year and encourages members to volunteer. Committee was asked to report at next BOD meeting the breakdown of how many members paid annual fee by credit card. **Lane moved to accept report, seconded by Kett, unanimously accepted (7-0).**

COMMUNICATIONS: Chairperson Meyer reported research on live broadcast of TMA meetings has been delayed. The web site and TV access channels are running smoothly. The committee is happy to help with the election ballots mailing and counting, and to help the Management Company with whatever is needed. Committee volunteers are needed. **McCray moved to accepted report, seconded by Lane, accepted (7-0).**

ARCHITECTURAL REVIEW: Chairperson Bond reported the status of requests and non-compliance issues encountered. Cypress Strand is in compliance and the residents have voted to move monies to have the roofs cleaned. She distributed to Board a final draft of the revised and updated ARC standards manual for their review. The standards now comply with new Florida friendly law. Law requires homeowners receive two weeks posting notice before ARC can vote to adopt. She thanked the Board for its support. The Board expressed appreciation for Beth's dedication to this time consuming function, especially the successful personal contact approach instituted by her. **Motion to accept ARC report by McCray, seconded Cotsanas, unanimously approved (7-0).**

COMMUNITY AFFAIRS: No committee report at this time.

Twelve OAKS PLAZA AD HOC ADVISORY AD HOC COMMITTEE: Bill Pastori advised they are meeting every Thursday and have accomplished much. Meeting notices are posted on the web site. Answers to many typical questions are posted on web site under FAQ. Meeting notices will also be on designated bulletin boards per TMA procedures. All meeting notes and minutes are sent to BOD for TMA file. They have met with the developer in December and in April. Engaged a retired county planner and land use attorney. Committee liaisons are meeting with various county personnel to get as much info as possible. He reported on the danger of a Walgreens on the corner of State Road 70 and Tara Blvd., already rated dangerous by DOT. Traffic hazard issue is our best argument. Of the petitions mail to all members – 1,272 were in support of actions/purpose of this Ad hoc committee – 33 support but oppose funding. **Important:** County Planning Dept. hearing on June 10. Need good turnout of Tara members – wearing red shirts. **Lane moved to accept report, seconded by Palacio, unanimously accepted (7-0).**

UNFINISHED BUSINESS:

MOTION TO APPROVE THE MONUMENT SIGN MAINTENACE AGREEMENT: An amended motion was unanimously approved (7-0) to have TMA's Attorney review contract prepared by CDD Attorney.

NEW BUSINESS:

FIRE MARSHALL NOTICE REQUIRING SIGN AT ENTRANCE ON MULTI-UNIT RESIDENTIAL STRUCTURES PER ALDRIDGE-BENGE FIREFIGHTER SAFETY ACT – FLORIDA STATE STATUTE: Required to have signs placed in front of multi-unit buildings to inform fire fighters whether roof beams and floors are wood for their safety. **A motion by Stoddard, seconded by Kett, approved (7-0) to have the Management Company research the matter and report at the next Board meeting.**

MOTION TO RESCIND THE MOTION PASSED AT THE MARCH 1, 2010 BOD MEETING “ADVANCE OF \$1000 FUNDING FOR CREATION OF A NON-PROFIT CORPORATION FOR THE TARA BRIDGE OPPOSITION” was made by John Lane as it would be setting a precedent. **Lane motion to rescind, seconded by Palacio, was unanimously approved (7-0)**

PROPOSED TMA “RULES REGARDING PARTICIPATION AT BOARD MEETINGS; AUDIO OR VIDEOTAPING BOARD, COMMITTEE OR MEMBER MEETINGS” and “RULES REGARDING OFFICIAL RECORDS REVIEW”: Tabled until the next meeting.

MOTION TO POST TMA BOARD AGENDAS ON THE WEBSITE AND TV ACCESS CHANNELS.

Palacio reported that members have complained about limited posting of TMA meeting agendas. **Palacio made a motion to post meeting notices with agenda on TMA web site and TV access channels.** Discussion followed. Further research required. **Motion did not carry.**

DIRECTORS' COMMENTS:

Bill Kett reported that after research and thinking about the issue regarding the Twelve Oaks Plaza, he would not rescind his decision to have every doorstep pay toward putting a stop to the Twelve Oaks Plaza rezoning request . Now that it has commenced, we need to proceed.

Wilma McCray wished members present tonight could have been at last BOD Meeting to hear many members speak about their concern over Twelve Oaks Developer's plans. Felt we had to go with the funding to keep our properties from devaluing, and to stop developer from putting a Walgreens and a cell tower so near to our community.

John Lane said it was great to have so many members at tonight's meeting. Looks forward to listen to future issues presented. Hopes members give serious thought to signing up to volunteer for committees.

Marge Palacio After sitting in on a Twelve Oaks Ad hoc committee meeting, I voted in favor of funding to protect our property values and our community. Clarified that we must follow Roberts Rules regarding members' comments at meetings. In view of Ed Porter's computer problems, and the ensuing communication problems regarding the Agenda, a hard copy of future TMA BOD communications will be put in his mail folder. TGCC BOD has extended an invitation to TMA Board members to attend a seminar on Robert's Rules May 10th (time and location to be advised).

Andy Cotsanas Feels there isn't enough communication between Board and residents. Has problem with way Twelve Oaks went about forming their committee.

Ed Porter thanked all the residents for attending the meeting, and was sorry issue of Twelve Oaks funding didn't get on the agenda. His own opinion is that building of a Walgreens is not good for the community, but way it has been funded is wrong.

Don Stoddard advised those who signed up to speak before the meeting on items they thought were on the agenda, will now speak after the meeting, with a reminder to avoid repetition where possible

NEXT MEETING: Annual Members Meeting May 13, 2010, CDD Community Center 9:00 AM.

NEXT MEETING DATE: May 13, 2010, Annual Members Meeting, 9 AM CDD Community Center.

MEETING ADJOURNED.

MEMBERS SPEAKING FROM THE FLOOR:

Cathy Woolley regarding Tara Blvd. and Bill Pastori regarding Twelve Oaks Development.

Nancy Breo, Tom Carson, Randy Kraft, Wayne Shinn, Charles Griffite, Mike Dyer, Dan Powers, Dan LaFerriere, Robert Bolcik, Tom Horner, Darby Connor, Marlene Kaufman, Grace Coppage, Carolyn Primus, Gail Martin and Will Russell regarding opposition to Twelve Oaks funding method.

RESPECTFULLY SUBMITTED,

Marge D. Palacio, Secretary, 5/10/10

