

## MINUTES

### Sand Bay Homeowners Association Board of Directors Meeting

Zimmerman Residence – 3100 Shipwatch Drive, Holiday

Date: April 17, 2024

Carol Malfa called the meeting to order at 8:35 AM.

#### IN ATTENDANCE

Board: Carol Malfa, Tom Wibirt, MaryKay Zimmerman

Guests: Glenn Zimmerman, Gary Malfa, Austin Smith, Bobby Rauber, Karen Edwards, Tim Reid, Denis Griesmer

Carol called for nominations to HOA Board to fill two (2) vacancies: Vice President and Treasurer. Denis Griesmer restated his self-nomination for Vice President. Bobby Rauber stated his interest to fill the Vice President position. By a majority vote of the board, Bobby Rauber shall fill the position. Karen Edwards had previously offered to assume the vacant Treasurer position. By a vote of the board, Karen shall fill the position.

Alen Bradaric and Austin Smith discovered that taxes have never been filed with the IRS for our HOA, which is a legal requirement. Karen has been appointed to file form 1120-H. Also, bank signatures must be updated.

Carol related the response from the HOA attorney to questions posed from attendees at the March 30, 2024, annual meeting:

- (1)** Petition to Dissolve is a valid document and was written in same format as revisions proposed in 2004;
- (2)** Everyone who has ownership within our 52 lots has a valid vote in matters of the corporation;
- (3)** In 2004, Articles of Incorporation (Item IV b.) and Declarations (Covenants and Deed Restrictions) were revised to remove the developer from documents. The board erroneously eliminated wording for collection of HOA dues assessments. The only enforcement ability is for lots with overgrown yards to be

mowed and the lot owner would be billed for that service. To revise Declarations, a three-fourths majority vote of members would be required. History (i.e. In 2018 the board attempted to revitalize the association but could not get a simple majority vote from members) shows that to be unlikely. Again, there would be no means in which to assess any annual dues;

**(4)** Regarding dissolution, attorney addressed dispersal of remaining funds. As no property is owned by the HOA, any outstanding bills would need to be paid, and if funds remain, they would be evenly distributed to homeowners.

Certifications of board members had been questioned. Carol produced copies of all board certification forms, following protocol. Karen handed in her certificate to the board. Bobby must complete his form for board files.

It was suggested that the board should address the budget for monies allocated to pond repairs.

The next Board Meeting is scheduled for April 22, 2024, 8:30 AM. to discuss budget revisions and the agenda for continuation of Annual Meeting, tentatively scheduled for May 4, 2024.

Carol thanked Bobby and Karen for serving on the board.

Meeting adjourned at 10:13 AM.

Respectfully submitted,

MaryKay Zimmerman, Secretary