

**The Village of Bentley Park Home Owners Association, Inc.**  
**Board Meeting**  
**May 25, 2017**

The Board Meeting for the Board of Directors of The Village of Bentley Park Home Owners Association, Inc. was held on Thursday, May 25, 2017 at the Pool Cabana at Bentley Park.

The Meeting was called to order at 6:00 PM.

**Certification of a Quorum:** Directors present were John Siamas, Bill Gopsill, Marlene Nachman, Seless Emanuels and Jean Strickland. A quorum was established. James Manfred was present for Management and Associates.

**Minutes from April:**

John read the minutes and there was one correction to be made. 2660 Bentley Drive must paint the fence with the approved color and then plant bushes around the fence. If this is not done within 30 days the FENCE must be removed. With this change Bill made a motion to accept the minutes and John seconded the motion. The motion passed unanimously.

**Treasurer's Report:**

John read the April balances and asked M&A's accounting to explain the two checking accounts.

**Collection Status:**

The motion was made by Bill to move forward with the liens on 2483 & 2688 Bentley Drive. John seconded the motion and it passed unanimously.

The motion was made by Marlene to write-off the amount due (\$123) on 2361 Bentley Drive. Since the account data does not give a definitive answer as to whether the amount was miss-applied (as the owner contends) or the amount was not originally paid (as the management company records show). Bill seconded the motion and the motion passed unanimously.

**UNFINISHED BUSINESS:**

**DRC Approvals:**

John read from the documents what was said about the DRC:

Per our By-laws Article IX Section 3 Design review Committee: "The Design Review committee shall have the duties and functions described in Article VI of the Declaration. It shall ascertain any proposals, programs, or activities which in its opinion may adversely affect the residential value of the Properties and shall advise the Board of Directors regarding Association action on such matters."

The DRC is a REVIEW committee hence the word review in the name which ADVISES the Board. We will keep it as such per our by-laws. NO ONE other than the board has the authority to approve or disapprove anything.

Per our Declarations Article VI Section 2 Members of the Committee: "The DRC, if and when it exists, shall consist of at least three (3) but not more than five (5) members. The

initial members of the DRC shall consist of persons designated by the Developer. Each of said persons shall hold office until all Lots have been conveyed by Developer, or sooner at the option of the Developer. Thereafter, each new member of the DRC shall be appointed by the Board of Directors and shall hold office until such time he has resigned or has been removed or his successor has been appointed, as provided herein. The Board of Directors shall have the right to appoint and remove (either with or without cause) any and all members of the DRC at any time except for members of the DRC appointed by the developer."

Article VI Section 5 ... " The DRC shall review and approve or disapprove all plans submitted to it for any proposed improvement, alteration or addition... "

Please notice what the DRC should be reviewing and that is "improvement, alteration, or addition" ... This does not include repairs or replacements hence there is no need to submit an application for a repair or replacement so long as structure and color codes are followed.

Per the Declarations and by-laws, since we currently do not have a DRC (minimum requirement of 3 members), and the Board can add or remove members of the DRC for or without cause.

John then made the motion to remove any members of the DRC that were appointed from a previous Board of Directors, and to remain without a DRC, and have the Board of Directors perform the duties of the DRC at the monthly association meeting. Seless seconded the motion and it passed unanimously.

Motion made by Marlene, seconded by Bill to approve the fence on 2660 with addendum that bushes must be planted around the fence to grow to the height of the fence. John entered the following into the minutes:

The current board is taking the fence located on 2660 Bentley Drive into consideration even though there is no documentation to support the decision made to allow this fence and per the Declarations of Covenants and Restrictions Article IX "Section Fencing. No fences or any similar type of enclosures may be erected on any lot without the approval of the DRC if established".  
We were told by a previous DRC member that the fence was approved but with certain requirements associated with the fence and we will follow through on the word of the previous DRC member. These requirements will be discussed at the board meeting dated 05-25-2017. The information related to this will be documented in the minute's report along with this statement.

Signed



John Siamas  
President  
Village at Bentley HOA

The Board passed this alteration 4 to 1 with John voting NO.

The Board then considered the additional DRC applications requests: 2419, 2579, 2629, & 2676 all were accepted as repairs or replacements and not alterations, additions, and modifications, which do not need DRC/Board review.

### **UNFINISHED BUSINESS:**

#### **Rules and Regulations for Dogs Unleashed:**

John pointed out that the Board only controls the Common Area and not the owner's lots. Therefore, when dogs are loose on an owner's lots they must contact Pinellas County Animal Control or the police. Also, they need to take pictures of the loose dogs so that there is some documentation to support the accusation of a loose dog without a leash. Calling a Board member or the Management Company does nothing as the county will view that as hearsay. The Board unanimously agreed with this statement. John pointed out that the Board only controls the Common Area and not the owner's lots. Therefore, when dogs are loose on owners lots they must contact Pinellas County Animal Control or the police. Also, homeowners should take pictures of the loose dogs so that they and the Board can build a case. Calling a Board member or the Management Company does nothing as the county will view that as hearsay. The Board unanimously agreed with this statement

#### **Scheduled Inspections:**

Since the Board is now the DRC, inspections will take place a week before the Board Meetings. The Board will then review all violations and approve or disapprove a violation and give the offending lot 30 days (as per the documents) to remedy the issue before the next inspection. The Violations will be based on Homeowners responsibilities as referenced in the governing doctrines. The main reference to the homeowner's responsibilities is Article IX in the Declarations of Covenants and Restrictions. Violations should reference a section from this article.

#### **FPAT Insurance Appraisal:**

Since the proposal talked of a "Condominium" the Board unanimously rejected the proposal. John made the motion Marlene seconded it.

#### **Audience Questions:**

The Board fielded questions.

Results were a restatement of the Loose Dog Procedures and that 2724's request will be tabled till next meeting.

The question of towing vehicles was made by a homeowner. The homeowner was told that towing procedures were included in the newsletter sent by the Board approximately 2 weeks earlier and that he should reference the letter for an explanation.

Homeowner disagreed with the dissolution of the DRC and the Board taking on that responsibility and feels that the DRC must be the entity to approve all changes in the Association even if they are repairs and/or replacements. This member was a former DRC member and the request was not in accordance with our governing doctrines

**Adjournment** – There being no further business to come before the Board, the meeting was adjourned at 7:30 PM. Motion by Bill, Second by Seless.

NEXT MEETING WILL BE THURSDAY, JUNE 22 AT 6:00 P.M.

Submitted by:

Accepted by:

---

James Manfred, LCAM  
Management and Associates

---

John Siamas, President