



# Tidelands Estates - HOA

Tidelands Estates - Newsletter

December 2011



## Presidents Notes

Well, another year is almost gone and the holidays are upon us. We are busy getting set up for 2012 and hope it does not go as fast as 2011 did. We have made a lot of progress as a community this past year, and much of it is starting to show in our community. Most notable enhancement to our community is the new North Point Park and the ICW Pathway. This project has been in the planning stage for several years and under construction since February 2011. I can assure you that at least two of us are really happy to see it finally nearing completion.

It's looking like we have finally hit the bottom of the real estate market in our community; we have several lots that have closed in the past 30 days and several additional lots and at least one home under contract and in the process of closing. I have been in contact with two people that are looking to build homes quickly on two of the Intracoastal lots. This is really a positive move for our community. Early next year, we could have three or four new homes under construction in our community.

**Cost share committee:** I have been in contact with the President of the Phase-II Association and have met with several Board Members, and a couple of potential new Board Members running for 2012 in Phase-II. The key thing with these discussions is that we are now talking. We could never talk to the people there before, but now we are starting to resolve some of the problems between our two communities. As an example; Phase-II has been charging us for Storm Water charges for over a year. We have been refusing to pay because we pay for this in our water bills every month and felt this was wrong. The total owed by Phase-I to the Cost Share was over \$7,000. They were threatening to lien all of our properties for this. I spoke to Marianne Tomei, President

of Phase-II and she ask why we were not paying monies owed to the cost share. I told her we had been requesting the invoices for almost a year and they refused to give them to us so we could resolve the issue. She had one of her people look into the situation and they discovered that none of us should be paying these fees. Phase-II is getting a refund from the City of Palm Coast and everyone on our side should start seeing a 28% credit on your water bills starting soon to refund some amount of the Storm Water charges. The \$7,000 + was removed from our Cost Share invoice.

**Security:** The Cost Share Committee is working on an upgrade to the front gate security to eliminate the follow-through traffic we have today where multiple cars are lining up waiting for someone to open the gate then everyone races through. The solution we are looking at is to add gate arms at the single lane entry just before the large metal gates. When you turn into the community and click your opener, the arm will go up and you can drive in. While you're driving in the big gates it will start to open and the small arm gate will close immediately behind your car "isolating" just your car in the single lane entry area. This will eliminate drive-through traffic. We are working with the gate people to come up with a solution to the non-resident people who sit in the middle and wait for somebody to come out the gate so they can run quickly through the out gate as well.

**Entry Landscape:** We received approval from the Cost Share to open bids on improving the look of our entry area. The bids have been submitted and we will meet again on the 15<sup>th</sup> of December to select a company and approve the upgrades.

(Continued on Page #2)

## Tidelands Estates - Newsletter

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We are looking at cleaning up the entryway and installing some new plants and rearranging many of the existing plants to get us a much better looking entry, which is something we can all feel good about.

**Cleanup:** For the first time in many years, we now have the maintenance person who maintains the clubhouse area and Phase-II making a drive through of our area and picking up trash along the roads. He will also walk around our lake and pick up any trash in that area.

**Lakes:** We have a new arrangement with the Cost Share Committee regarding lake maintenance (which is a good start in the direction I want for the future where the Cost Share is very small). Effective last month, we separated the Lake in Phase-I from the Cost Share, and we will maintain our lake and fountains ourselves. Phase-II at the same time took full control and responsibility of all their lakes located in Phase-II and removed them from the Cost Share. This is a good first step at separating Phase-I and Phase-II from the Cost Share.

**Security Cameras:** The Cost Share is reviewing proposals for security cameras at the entry gate capable of monitoring incoming traffic as well as recording the license plate numbers for every car entering our community. Over the past year we have had gate damage amounting to several thousands of dollars to the metal gates being hit by cars and delivery trucks. We have no way of knowing who did it. With the cameras anybody hitting a gate will be recorded along with a plate number. As I have been told by some members, this is not a security system, but it will work as a deterrent to people coming into our community with thoughts of doing harm or damage.

**Lawn maintenance:** The Board has approved a new company, Affordable Lawn Care of Flagler to handle our lawn maintenance for 2012. We did an extensive review of work being done and went on site to review some of the properties being maintained by Affordable and spoke to several references people and the feed-back was all positive. After receiving bids from several companies for the contract, the Board selected Affordable as our maintenance company going forward. Affordable is the same company that did the construction of our North Point Park, and continued maintenance of that area was included in their new contract as well as cleaning up and trim-

ming the Palm Trees.

**Security Guard Night Service:** At the December Board Meeting, one of the largest items in the 2012 budget was for security. We had open floor discussion regarding this item with almost 50 members of our community in attendance. I told everyone up front that I was going to take a general opinion from everyone present as to whether they want this security and are willing to pay \$40 per paying member per month to keep it, or should we eliminate the security. There were a lot of opinions, good input from many present regarding what they would like to have from this service. After much discussion I asked the members present for their opinion, did they want security or not. Of the 50+ in attendance, forty five want the security with modifications to the nightly routines. A motion was made by the Board to keep the security for 2012 and the Board vote was three yes votes, one no vote. John Loudermilk, Bob Orr, Walt Schaaf voted to keep the security and Dennis Cusack voted against keeping the security. Board member Ron Smith was not in attendance for the Board meeting.

**Intracoastal Pathway:** Our new coquina pathway running from Phase-II to the North Point Park area has been completed. The Cost Share Committee as agreed to maintain the pathway going forward. We did not install lights on the pathway. So we are designing a sign to be placed at the south entrance by the condos stating that the path is closed from dusk until dawn. Many of our owners are already taking advantage of this beautiful walkway. If you have not been on this pathway you need to get out there and see what you are missing.

**Phase-II Legal Update:** I have been meeting with members of the Phase-II Board of Directors off the record, discussing some issues of the legal process we are currently involved with. This is not to argue legal points as much as to make sure that they understand why we were forced to bring this legal action. These discussions have been very promising. The direction that I have outlined for the Cost Share committee as far as reducing the size is something that they could be agreeable to doing.

(Continued on Page #3)

## Tidelands Estates - Newsletter

They still have a problem with the control side, but at least we are talking. If we continue to work out some of these issues we may be able to come to a reasonable agreement on control and size. I hope we can get to a place where we can sit down and discuss these things openly and we may be able to resolve this situation and get our entire neighborhood back together as a community.

**North point Park:** The park and pier is near completion. I want to thank Bob Orr for the many hours of work that he has put into this project. I also want to thank Gail and Lillian for putting up with all the time Bob and I spent at the point while this project was in the works. I want to thank all of the committee members Jon Graff, Tom Mitchell, Bob Koelbel, and Gordon Patrick, along with Vlaja Telfer, Janet Schaaf, Carol Ogden, George Appleby and Stacy Vinson as alternates who really attended and assisted the entire team with the planning for this area. I think our park is something we can all be proud of and get many hours of enjoyment with our neighbors over the years ahead.



There are still a few small items that need to be completed such as lighting and a set of rules to post on the dock. Controlling this area is something that will require everyone's attention to what is happening in the area and to help assure that we do not have anyone destroying the area that we have spent considerable money and time to accomplish. Everybody needs to remember this is your park so we need your help to maintain it and help monitor what is happening there.

**Dock Roofs on the ICW:** There has been a request submitted to modify the ICW dock permits to include roofs. This only requires a modification to the City of Palm Coast plans. This was not in the original approved plan with the City because at the time it would add several months to the approval process of our plan. The Architectural Committee is working now to defined requirements for roofs and this will be taken back to the city to amend our original permit to include these new roots on the ICW

**Budget approval for 2012:** The Board approved the Budget for 2012 as presented. This is the budget that was sent to everyone by mail to all owners. Although we are not happy with the increase to \$299 for home owners and \$183 for lots it is the only way to balance the budget going into 2012. Bob Orr gave an overview of non-paying members and banks to explain help everyone understand why we had to do these increases. First, we are out of surplus funds that were used for the past four years to subsidize the monthly amount. Primarily the increase was caused by deadbeats within our membership that are not paying their monthly fees. We have 152 properties within Phase 1. We had to plan and balance the budget based on 90 member properties paying. We have over 60 member properties that are not paying. We did a complete review of all contracts to keep the monthly payment as low as possible. The security issue mentioned earlier was one of the largest single cost expenses in the Budget. That is why we wanted to put this information to the members and be sure the majority wanted to continue the service. Bob announced that we have two properties now in foreclosure, and six additional properties we are getting ready or foreclose on. We are also going after individuals, and since HOA fees are not part of a mortgage, but personal, we will be taking some people to small claims court in an attempt to collect additional money. We have hired a new attorney that is going after everyone on a very aggressive stance. We have quite a few properties in foreclosure. Many of these properties are scheduled to be sold on the courthouse steps over the next few months. The sale of these properties will put them with someone that we are hoping will pay the monthly fees going forward and we expect to collect some from back months from the banks selling the properties.

(Continued on Page #4)

## Tidelands Estates - Newsletter

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We have a very optimistic goal of reducing the number of non-paying properties in half by midyear 2012. On a positive note, we just collected on two properties that sold \$2,800 on one and \$2,400 on the second. If we are successful with this plan we hope to do another review and possibly make some downward adjustments to our monthly fees in third or fourth quarter.

As you know we have been able to hold the amount and not had any real increases for several years. Those years were subsidized to some extent and this year that subsidy money is gone. We do have a small amount of money left in the Easement Lease and Beautification Budget. We plan to hold this money in a reserve in case of an emergency going forward until we can get more of our membership paying and back on track.

We hope to recover some of our past expenses from legal action now in work. In all we are not too bad, we expect more paying member properties in 2012, we expect to sell additional Easement Agreements at \$20,000 each, and we expect to recover some of the bad debt from nonpaying properties. I have been talking to many other developments around Palm Coast and we are still a bargain for someone that wants to own or build a home in Tidelands Estates. When you add up the cost of lawn care, irrigation, insect control, and trimming as part of our monthly fee we are still a bargain.

I want to thank everyone for your support this past year. Our committees have done an outstanding job with our community. Get involved and give them a hand.

Looking forward to an exciting 2012 for our community with new growth and construction planned to start early in the year, and our new North Point Park to enjoy.

I would like to wish everyone a very Merry Christmas, Happy Holiday, or whatever you are celebrating, and may you all be safe in your travels.

For your Board,



John Loudermilk  
President

## Projects and Goals Currently Underway or Planned

**Mission:** Tidelands Estates will be the community that the residents envisioned when they moved to the area, and be a model-gated community.

**Board Goals:**

- Establish an efficient, effective and fully funded organization in accordance with applicable regional, state and federal laws and good business practices.
- Ensure that the members of the HOA have all the information regarding activities in work, future planning, and finances required to take the community forward.
- Ensure that Tidelands Estates properties (residential and common) meet the highest standards possible using our contractors to their maximum benefit.
- Ensure that the Tidelands Estates Compliances are enforced when necessary.

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**Pending Items in Work: (Partial List of Major Tasks)**

- Pier Construction — Complete 2011
- North Point Park Construction — Complete 2011
- Start Construction on the pathway — Complete 2011
- Continue the legal action to get better representation on the Cost Share Board. (In Process)
- Update the ARC Guidelines Document (In Work)
- Cleanup and get 50% of the non-paying properties paying
- Work with the new landscape contractor to up=grade our community
- Work with the night security company to get better use and security from the service
- Work with the Cost Share to upgrade the entry security
- Work with Cost Share to upgrade the street lights
- Work with Cost Share to get the streets and curbs repaired
- Work with Cost Share to upgrade the community entry look

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### Tidelands Estates Board of Directors & Committees

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