



# Tidelands Estates - HOA

Tidelands Estates - Newsletter

December 2012



## Presidents Notes



**Merry Christmas  
Happy Holidays**

I can't believe it's the end of another year! When I was a kid my grandmother used to tell me, when I couldn't wait for Christmas to get here, that I should not be in such a hurry, that the older you get the faster the time goes by, and was she ever right.

This has been both a great year, and a time of major losses for our community. The loss of three good friends and outstanding members of our community with the passing of Steve Earhart, Tom Mitchell and Walt Youngblade was a shock to us all. They will be missed and remembered for their contributions to the community and as wonderful friends and neighbors to us all. On the positive side, projects that were in the works for several years have been completed, and maintenance issues are starting to level out all around the community. We have some great contractors working in our community, and the look and feel of our neighborhood is really starting to show.

Our neighbors in Phase-II are getting things together on that side. By working together, we have a bright future for our combined community going forward into 2013.

Three new homes have been approved for construction in our community, with a couple more land-

owner's talking about building in 2013.

The revenue to run the HOA is looking much better with 25 members that were not paying at the beginning of 2012 are now paying their ongoing fees as we go into 2013. We should have about 15 more paying by mid 2013, and that will put us in a strong financial position going forward.

Dues are going down!!! In a time when everything is going up in cost, we are able to reduce the monthly dues by \$20.00.



### Revised Entryway Sign

"Tidelands Estates" is now listed on the entry at the front gate.

### Phase-II Condo Direction (some things I know)

A lot of changes are in progress on the condo side of our development. The biggest change is that Centex is out of the development completely.

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Beginning in 2013, Toby Tobin will be taking over as President of Phase-II. As a side comment, your Board Members are working very well with the Phase-II Board with the objective of making our Tidelands community a better place to live for all of us.

The vacant Centex property that was allocated for future new condos was turned over to Phase-II and they subsequently sold it to a developer who will build new condos similar to the existing Phase-II condos. This can put to rest the concerns from some members as to what is going to be built in the future. There have been a lot of rumors regarding the use of that property over the past few years.

Phase-II will be installing coquina rock along the entire shoreline from the South point of the property to the North line where Phase-I single family homes start. (NOTE: this does not involve any Phase-I homes along the Intracoastal Waterway.

The Clubhouse has been turned over to Phase-II. I have no details of future plans for this facility, but look forward to seeing what the Board in Phase-II plans to do with the Club, and if there is any possibility of some level of Phase-I involvement.

### **Cost Share Overview**

The new Cost Share organization formally takes effect starting day one of 2013. The new Cost Share Board has taken a lot of working together between Phase-I and II to come up with a plan that is fair and equitable for both communities. I think we have accomplished this and look forward to moving our community forward working together.

The new structure will have three Board Members representing Phase-I and three representing Phase-II. With all being Board members and all meetings open to members we have a quorum at every meeting and can make the decisions required to run the community.

Our percentage of the Cost Share will be increased to 38.6%. The new percentage keeps the rate equal for all owners in Phase-I & II. When the new developer builds in Phase-II and the units are ready for occupancy there will be either a new Phase-III or they will be included into Phase-II. At that time, Phase-II will go to two representatives and the new development will have one representative. This change will not af-

fect us. We will still have three representatives and combined, the other side is still at three, so we stay equal. When this happens our percentage rate will go back to the original 27% since everyone in the community, including the new development will all be paying their share.

### **Things to look for in 2013:**

Street lights will be upgraded to the new low energy bulbs and any maintenance will be performed at that time such as straightening the poles and replacing the missing panels.

Curb and road repairs will be implemented and contracted after the first of the year.

Security, this is a Cost Share project between Phase-I and Phase-II. I will cover this more later.

Starting next year the night security guard from the private patrol will be eliminated and replaced with tighter security at the entry gate, and 50-hours of random patrol for the entire community by the Flagler County Sheriffs Department.

### **Budget for 2013 - Rates Reduced \$20.00**

The Budget Committee consisting of Walt Schaff, Jay Martindell, John Graff, and myself spent considerable time reviewing all aspects of the 2013 Budget. We reviewed the Grounds and Maintenance Contract and identified all areas of common and resident areas to assure the best agreement to go forward.

**Foreclosures:** We plan to continue to go after non-paying members using the foreclosure threat to the banks that are sitting on properties rather than foreclosing. When we send the Notice Letter denoting non-payments, it is getting the banks (in most cases) to move forward with a foreclosure. Two of our largest debtors are about to go into bank foreclosure, so it should get a couple more off our books soon. Total number of bad debts starting in 2012 was 63. To date this year that number is now 38 that owe over \$1,000. We have ten lots owned by one person which accounts for \$40,000 of our bad debt. I have instructed our attorney to contact Bank of America and tell them that we are starting foreclosure on these properties as well.

I hope this will get them off the dime and they will either start foreclosure or short sell the lots. If they start foreclosure, it will at least get us one year back and monthly payments going forward. There are six additional properties I have our attorney working on the same way. The positive side we have approximately 25 members paying today that were not paying last year.

### **New Gate Security System**

As most of you know, we started early last year working with Phase-II on a new Front Gate Entry System that will give us better security, and control of our community. The company chosen to install and manage this new system is Envera. They will have virtual guards located in Sarasota, Florida, but it does not really make any difference where they are located because they are virtual, using TV cameras to view anyone accessing our property. As an owner, you will be able to drive up and a proximity reader will pick up your signal and pass it to the control center and the gate arms will open. You drive in and the gate arm will close behind you and the large gate will be in the process of opening. This eliminates the line of drive-through people that wait for someone to open the gate so they can piggyback into our community. Access through the exit gate (which some have reported seeing) will also be reduced by not allowing a straight through shot. All turn around traffic will be sent back to the main street. Visitors will talk to a virtual guard, just like he is sitting in the building, and if they are on the list they will be allowed into the community. There will be 7-TV cameras monitoring the gates so any problem will be recorded. I think this is a very good - cost effective - solution for us and will give us even stronger security access to our community than we have had in the past. Joe Golan is working with Toby Tobin from Phase-II to coordinate this project and they have sent a time line to everyone that will be updated when needed. Training for those that want it will be set up soon.

### **Common Area and Leased Land**

**Common Area Use Committee:** This Committee was formed when we started the park and pier project. Now that that is complete, a motion was made to disband this Committee and move all common area responsibility to the ARC. This motion was passed by the Board unanimously.

**Vegetated Buffer Area:** This area along the Intracoastal waterway (as most of you know) is under the control of the St. John's Water Management District. Their requirements are very strict, but if done properly, not too complicated. Well, not too complicated if you know what you're doing. We don't! We have asked the Board and have approval to contract with Affordable to review what is there today and supply us with a list of what needs to be repaired, replaced, or upgraded to position us to pass the St. John's requirements. By the way, the book is about 200 pages thick. Bruce has been in contact with the St. John's and he is qualified to do the reporting and he is also qualified to do any maintenance that is required. This will be a twice a year report, once at the end of the rainy season and once at the end of the dry season. The first report will be out early next year. **It is important that you make any corrections that are required as soon as possible in 2013.** The second report that is required around June 2013, will be sent to the St. John's as our official reporting. **Now read this again if needed.** This report goes in if your area is not up to standard, then you will have to go to the St. John's and get a permit and do everything to their standards and have this agency come out and sign off for the repairs. If you don't want to go through a major hassle in the future, it is imperative that you get the corrections done soon. This is a one-time shot at getting everything done without getting a permit from the St. John's. Permit is \$80.00 and does not include any work. Bruce from Affordable is qualified to do any work that needs to be done and since he is doing the reporting it will be correct the first time. He is our approved contractor for this area. He will be doing a review and document all property that needs to be upgraded within the next few weeks, and this report will be sent to everyone along the Intracoastal Waterway.

**HOA leased land along the Intracoastal Waterway:** All leased property along the Intracoastal waterway was identified by the original Common Area Use Committee to be separated from the Standard Grounds and Maintenance Agreement. This required all residents with homes that purchased the leases to make arrangements for their own lawn care. After a thorough review of this requirement, the Board has approved the use of irrigation water from our irrigation supply to be used.

Each owner will have to contract with our landscape company for installation of the irrigation system, but you will be allowed to tie into the community system and not pay for city water as the original plan specified. Affordable is the approved landscape company for all leased property along the Intracoastal Waterway. We have negotiated a per-square foot rate with Affordable, and home owners will be responsible for securing a contract to maintain your leased land.

### **Grounds and Maintenance - Joe Golan**

Over the past year we have upgraded many of the problem areas under this committee. Joe has overseen the installation of the new aeration system in the lake and now we have been able to re-stock the fish and underwater plants are growing well so the new small fish have a place to hide as they grow. Several electrical control boxes have been replaced with either plastic or regular boxes incased in plastic to extend the life cycle from the Palm Coast rust that eats up anything metal in the area.

Joe has worked very closely with the irrigation people from Affordable and our system is running very well. Water schedules are now reaching all homes in the community after many hours searching and repairing broken lines and problem areas things are now running well.

### **ARC (Architectural Review Committee) & Compliance- Jay Martindell**

Jay and Tess Mitchell have spent a lot of hours over the past few weeks upgrading the ARC Rules and Regulations. Our ARC documents are now in good shape to support the building of new homes starting for the first time, in a long time in our community. After looking at the requirements from both committees it really made sense to rewrite and update the compliance documentation as well and make a few adjustments where we are allowed within the covenants to do so. We had a problem where the compliance committee was setting some rules and we wanted to separate this from compliance. It is the job of Compliance to enforce the direction of the ARC or Board direction to maintaining rules in the community. They do not write the rules. The new revised documents were presented to the Board for an early read before the meeting and a motion was made at the meeting to approve the new documents. The Board vote was unanimous.

### **Legal**

I wish all the legal issues were behind us, but we still have one more court date in January regarding the legal fees to Centex since we lost the cast on their side. I have discussed this with our attorney in Jacksonville and he thinks the judge will rule on this to just what was done, not what the other side would like for it to be.

On the positive side, I have talked to the people at Centex and they are at least talking to me. There is only one employee left at Centex and word is he will be leaving at the end of the year. Pulte has given them notice to be completely done and out of here by the end of the year, and I know they have to have the Tidelands Phase-II done by next week. I have it from a good source that all the attorneys have been paid in full by Centex. With everything going away, and nobody left to come after us I am hopping we do not have to even go to the hearing in late January. With any luck this will go away.

### **Thank You**

I want to thank our Board Members, Walt Schaff, Ellis Norton, Joe Golan and Committee Chair member Jay Martindell for all of their contributions to our community this past year. They are wonderful to work with and together they have done so much to move our community forward going into 2013.

We want to wish everyone a Merry Christmas, Happy Holidays and may the season bring joy to you and your families. We look forward to going forward in 2013. If you would like to get involved give me a call, we would love to have you.

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)

- Continue the legal action to get better representation on the Cost Share Board. (Done)
- Continue the cleanup of non-paying properties.
- Work with the new landscape contractor to cover the common area starting in 2013.
- Work with Phase-II to implement the new gate security system. (In Process)
- Work with Cost Share to upgrade the street lights (Pushed until early next year)
- Work with Cost Share to get the streets and curbs repaired.(On the list for Centex to complete)
- Design a system to support the irrigation behind the homes on the ICW. (Done)
- Review and implement a water conditioning system to control the salt content of our Irrigation water.
- Replace metal electrical boxes around the lake.
- Add a lighted flag pole to the North Point Park.

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### Tidelands Estates Board of Directors & Committees

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