

**Nature Trail Homeowners Association, Meeting of the Board of Directors**  
Minutes of the Meeting, August 14, 2018

Location: 8775 Foxtail Loop, Pensacola, FL 32526

Board of Directors in Attendance: Bob Barron, John Kellas, Richard Murray, Peg David, Joshua Jackson, & Russ McCormack

Additional Persons in Attendance: Braden Ball (HOA Attorney), Rob Bell (HOA Manager), & Kristin Stewart (Asst. HOA Manager)

HOA Members in Attendance: Todd & Michelle Kaufman, Tom Downing, Hank DeVoll, Patrick Cobb, Richard Podemski, Jerry Fritz, Doug Mehle, & Brad Johnson

- **Meeting was called to order at 6:00 PM by Bob Barron, President**
- **Proof of Notice**
  - Notice was posted at the Lodge on August 7, 2018 and emailed by Kristin Stewart.
- **Approval of Previous Minutes**
  - John Kellas motion to approve minutes for April 24, 2018. Russ McCormack Seconded, unanimously Approved.
- **HOA President added two items to the Agenda**
  - Fining Committee
  - Motion to move \$1000 from landscaping budget to tree budget
- **Fining Committee**
  - Bob Barron informed the Board and residents that a new Fining Committee was being formed, in accordance with Florida statutes and the HOA Covenants Article VII, Section 35, to handle fines identified in the Safety SOP and other HOA governance documents.
  - Members of the Fining Committee cannot be on the Board or related to a Board member.
  - 4 residents were selected to be on the Fining Committee:
    - Steve Colony
    - Scott Frantz
    - Thomas Pennington
    - Robert Turner

Discussion:

- Peg David, Board Secretary, asked Bob to explain the role of the Fining Committee and how members were selected.
- Bob Barron stated the Fining Committee will establish a Charter to deal with all fines imposed by all Board governance documents. The Committee may recommend fines for covenant violations.
- Rob Bell and Bob Barron contacted individuals they thought might be willing to serve on the Committee; which Bob Barron indicated would have no term limit.

- Peg David stated there should be a process of service determined for this committee and others; that allows for new volunteers to be solicited to sit on committees such as the Fining Committee and others – i.e., Amenities Team, ARC, Events Team; along with term limits.
  - Bob Barron agreed to a 2-year term for all members of the Fines Committee.
  - **\*\*Action:** Bob Barron, assisted by Braden Ball's (HOA Lawyer) will review Florida statutes and develop the draft Fining Committee Charter.
  - John Kellas motion to approve Fining Committee. Richard Murray Seconded, Approved. Peg David Opposed.
- **Manager's Report**
    - The Management Company provided their Manager's Report that details actions undertaken since the last HOA Board Meeting.
    - Peg David requested the Board receive monthly updates for situational awareness to keep abreast of items in work or actions completed between 3-4 month Quarterly HOA meetings. Also, as residents approach her or other Board members - and ask questions or request a status update – it's incumbent on the Board members to have those answers and knowledge.
    - **\*\*Action:** Bob Barron agreed to a Monthly Manager's Report.
- **Unknown Financial Impacts to the Reserve Fund in 2018**

Front Gate exit to Nine Mile Road Construction Update:

- This topic was raised by residents and discussed in previous Board meetings – and dealt with enhancements to turning lanes at the Front Gate onto Nine Mile Road.
- Bob Barron stated after speaking with FDOT, it appears that Nature Trail will not require any expenditures at the Front Gate – as:
  - FDOT is providing NT with a left and right-hand turn lane going out of the neighborhood and one lane coming into the neighborhood. They will also restripe the area at the front gate.
  - The back gate will remain the same. There will be a left-hand turn lane and a right-hand turn lane or straight lane.
- Russ McCormack previously asked about the potential of swapping the Front and Back Gates.
- Answer: Bob Barron indicated we do not have enough real estate at that location (Back Gate) or funds to do a swap, at an approximate cost of over \$150,000.

Drainage Issue and Road Repair on Lobelia Lane:

- The Engineering Company determined the situation can wait until Fall 2018 – and conduct another survey to recommend a course of action. Billy Lawrence, resident of NT, is the NOVA engineer engaged for this effort.

- **Expenditure Requests**

- Peg David, also the current Amenities Chair, provided a list of items purchased to date for 2018 out of Amenities budget. As was decided in earlier Dec/Jan meetings; the Amenities budget was reduced this year from \$25,000 to \$14,000 to put toward ponds' remediation.
- Purchases to date: Chair/table rack, disposable bags for dog waste stations, propane tanks for grills, two (2) Cat 5 cables installed by Cox Communications, and 6 new pool umbrellas.
- Proposed purchases discussed previously are Front Gate access software and a mobile radar sign.

Discussion:

HOA Board reviewed new items requested to be purchased using Capital Improvement Funds.

### Solar Powered Radar Sign

- Russ McCormack, a member of the Safety Working Group (SWG) previously obtained 3 quotes regarding 3 different mobile speed signs, with similar capabilities. All three collect data and are mobile, but none take a photo. The sign provides a warning when you speed, is solar powered and sits on a small trailer, which allows it to be moved to different locations throughout the neighborhood.
- Approximate cost: \$3,100 – 3,300.
- Bob Barron recommended the Board table this purchase to the next meeting in case there were other expenditures that might arise.
- Todd Kaufman, a NT resident, and member of the SWG, reiterated in earlier SWG meetings, the team proposed a variety of implementations to make the neighborhood safer. He did not agree the Board should table this purchase, as it's been discussed numerous times, and briefed at the Dec 4, 2017 Annual BOD Mtg. Bottom line - someone is going to get hurt, if proactive action is not taken.
- Russ McCormack, also a member of SWG, agreed with Todd Kauffman. He stated it is well documented these signs help reduce speeding in most HOA's by 95%.
- Peg David referred back to spreadsheet and made a point that even if we purchased everything listed, we would have a balance of \$2,000. She agreed with the purchase now.
- Richard Murray concurred this would be a positive addition.
- Russ McCormack motion to approve purchase of mobile speed sign. Peg David Seconded, unanimously Approved.

### Installation of 2 Gym Cameras

- Bob Barron initiated discussion stating there have been many issues involved in the gym. There is a missing kettle bell weight, signs have been ripped off the wall, and hygiene issues using Lodge couch pillows on gym equipment. There are cameras at the pool, lodge, front & back gates, but nothing monitoring our assets at the gym.
- Approximate cost identified by the Management Team to add 2 cameras was \$1,830.
- Peg David indicated some residents do not feel comfortable using the gym with cameras and received 3 resident's emails requesting cameras not be installed.
- Russ McCormack believes a more cost-effective solution would be installing a Wi-Fi camera using a Cat 5 drop; to record continuously for 7 days and cost less than \$600.
- Braden Ball, HOA Lawyer, stated cameras must be video only and no audio.
- Bob Barron motion to take the installation of 2 cameras taken off the agenda. Russ McCormack Seconded, unanimously Approved.
- \*\*Action: Russ McCormack will look for Wi-Fi camera options; and report back to the Board.

### Replacement of 4 Outdoor Fans

- The Lodge, back porch exterior fans with lights are working but worn.
- Management provided an approximate replacement cost of \$918.00 (installed/down rods).
- Russ McCormack stated we should save funds and defer to next year since the fans are still working, functional, and no safety issues.
- Peg David stated this is part of routine Lodge maintenance. The interior was painted, exterior painting will begin soon, and the parking lot restriped. Fans will need to be replaced at some point but not necessarily right now. Asked if monies are available in the Lodge budget line to accommodate.
- Rob Bell stated the team can look at end of year budget to see if funds are available at that time to replace fans.

### Additional Dog Waste Station

- Residents requested an additional dog waste station, like those previously purchased with Amenities funds, be installed along the curve on the big bend area of Foxtail Loop.
- The closet dog waste stations are located at the intersection of Foxtail Loop and Marsh Elder and Salt Grass Drive by the pond entrance.
- Approximate cost: \$125.00
- Russ McCormack motion to purchase doggie station. Joshua Jackson Seconded, unanimously Approved.

### Flag Pole at Lodge

- John Hodges and team funded the Flag project thus far for flag pole, flag, and solar light. Pole is 30 ft. high and 6 in wide.
- There is additional \$1,500 in expenses incurred, as the tree root (from cypress tree that was removed), must be removed completely and prepped to install the pole in sand/concreted base 4 ft. down.
- Peg David suggested \$1,500 be taken out of amenities to augment the Flag project, as funds are available.
- Residents at the meeting recommended we also ask for donors via Facebook; which Peg David indicated is being done for planting areas.
- John Kellas motion to take the estimated \$1,300 needed out of Capital Improvement fund. Russ McCormack Seconded, unanimously Approved.

### • **Security Software Selection and Purchase Recommendation**

- Bob David provided his Report, which researched vendors & products that provide automated software for HOA gated communities. He reviewed studies and products that provide increased security capabilities, assist to control access, with emphasis on the Front Gate.
- His report concluded there were two viable options: Gate House Solutions or On Guard Solutions.
- Both options allow Nature Trail to use existing equipment and provide an encrypted secure program; however, costs of the two vary tremendously:

#### 1) Gate House Solutions

- Initial cost is \$10,000 for 1<sup>st</sup> year
- Additional charges \$350/month totaling \$4,200/year
- Includes a hand-held scanner & printer
- 5-year investment cost: \$31,000

#### 2) On Guard Solutions

- Initial one-time fee \$330
- \$99/month for cloud access
- \$297 paid quarterly totaling \$1,188 annually
- Additional charge - \$1,695 for 1<sup>st</sup> year – scanner & printer & \$400 for s/w licenses
- 5-year investment cost: \$10,000

#### Features:

- IOS Support via internet or Apple iPhone/iPad. Residents can access account and update information as well as schedule visitors. Android currently not supported.
- Driver's license is baseline used to scan visitor and other access information; all of which is retained in a traceable database.
- Online training for CES staff is available and fully supported.

Recommendation: On Guard Solutions. Conduct 30-day trial; with a full refund if needed.

Discussion:

- Several residents raised concerns re fixing the Back Gate first before we spend money on software for Front Gate; i.e., 10-15 cars can come through the Back Gate once a resident opens it, given the slow closure.
- Russ McCormack stated he thought any amount of money invested in the Front Gate is wasted as long as there is Back Gate weak link.
- Bob Barron brought up the survey from last year and how the Back Gate upgrade was not on the high end of the survey. He also stated everything at the Front Gate is currently done manually. This has allowed for errors, such as a homeowner's daughter being issued 10 car decals for various friends.
- Rob Bell stated it would cost approximately \$150,000 to provide another 24/7 operation at the Back Gate.
- Peg David stated she has reviewed all the minutes for past 5 years and the Front Gate continually remains a concern for residents.
- Russ McCormack suggested a compromise and try out the Front Gate software given its 30-day refundable trial period. Then address the Back Gate issues, whether that is controlled access during certain hours, a split gate system, or a video/keypad where a guard at the Front Gate could let people in, or other considerations.
- **\*\*Action:** Resident requested Management Team to ask Johnson Communications how many opens occur at back gate in a time period.
- Richard Murray motion to try out security software. Joshua Jackson Seconded, unanimously Approved.
  
- **Salt Grass Common Area Landscape Funding**
  - At last BOD meeting, the Board was asked to look at the budget to see if we could find funds to update this common area.
  - Peg David obtained 2 quotes from landscaping companies. The lowest was \$3,500 and the other was \$7,500. Still plan to obtain one more quote.
  - HOA would have to purchase an irrigation meter for an estimate of \$650.
  - Once all bids have been attained, we will bring back to next meeting for review.
  - Resident questioned how the common areas are prioritized.  
Answer: The Mgmt. Team/HOA does not have specific funds identified in the budget to upgrade common areas.
  - Peg David wants to investigate options and process required to make the Rose Mallow detention pond a real pond with plants, perhaps a fountain, and attract wildlife; as well as work to enhance other common areas.
  - Rob Bell stated upgrading the Rose Mallow pond would require a change in permit. Also, need to make sure David Fitzpatrick is satisfied with the conditions of the ponds because we want to avoid being fined. Last time Management Team looked into adding a pond, the cost was \$250,000.
  - Peg David restated the discussion is not about adding a new pond but seeking to see what would be required to modify the current pond to hold water and still maintain its function – whether that be retention or detention, given Florida has many similar ponds in other neighborhoods; and this one is highly and publicly visible from residents and visitors alike. Recommended the HOA/Mgmt. Team look at the permit process, discuss with the Engineer, and see what is doable.

- **Engineer Retention Pond Report**

- David Fitzpatrick, Engineer, is drafting a Request for Proposal (RFP) to submit to 5-6 contractors to get cost proposals and bids for six (6) ponds.
- The report cost paid to the Engineer: \$8,400.
- Bob Barron stated a maintenance plan for ponds is also being established by the Engineer.
- Russ McCormack motion to approve pond report. John Kellas Seconded, unanimously Approved.

- **Radio Controlled Model Airplanes**

Background:

- HOA has been in discussion with NT residents regarding the noise and safety issues regarding the Radio-Controlled Model Club that uses an airstrip close to the Rose Mallow Loop and that end of Nature Trail.
- Approximately two and half years ago, the Club flew model airplanes from their field, at times, over the NT neighborhood, which got the County involved. Several NT neighbors worked an agreement with the Club; with one condition they would not start flying until 9 AM on weekends – Saturday/Sunday.
- The Club now falls under the Escambia Park and Recreation Department and the D1 County Commissioner, who recently updated the Club's contract policy, flying hours, noise levels, etc. The 3-year Club contract now states club members cannot start flying earlier than 8:15 AM.
- The Commissioners planned to approve it at the BCC meeting in September; chaired by County Commissioner, D1 - Mr. Bergosh.

Discussion:

- Justin Farris and other NT neighbors requested HOA Board support to stand with them and support their goal to enforce the Model Club's noise levels, new contract changes and endorse overall safety for the neighborhood.
- Noise is one main concern coming from the planes. Justin provided reports of planes flying at 72.5 decibels, which is not within county limits.
- The nonexclusive license agreement/contract being proposed for approval is very specific. The club is not allowed to exceed the boundaries of their Club property and not exceed noise decibels.
- Russ McCormack recommended all complaints, as the new contract states, must be submitted to the Club's Management Company who then submits the complaint to county, the Northwest Flyers, and their insurance agents.
- John Kellas mentioned we have been through this before. We get to the county meeting and the Board is speaking, but no one complaining shows up. We will never be able to persuade all county commissioners, but possibly 3 commissioners.
- Bob Barron stated we have individuals in the neighborhood that are part of the model airplane club and because of this the Board is split.
- Russ McCormack stated he believes the most important thing would be to collect issues with pictures, video, and audio over next month and take with you to meeting. Also, acquire a decibel reading app and measure the decibels heard.
- **\*\*Action:** Bob Barron indicated he would be attending an upcoming meeting with neighbors, the Parks and Rec Office to have face-face discussion.
- Russ McCormack motion for HOA to spearhead the coordination with county on this issue so Nature Trail can speak as one voice. Peg David Seconded, unanimously Approved.

- **Advertising Signs in Yards**

- The NT Covenants do not allow residents to display advertising signs in front yards. The HOA started receiving complaints 6 months ago about signs in yards throughout neighborhood. At that time, we began to enforce this Covenant.
  - Richard Murray did some research on our covenants and believes signs could be allowed in the common area.
  - Bob Barron stated we have had 6 complaints regarding signs.
  - Braden Ball mentions that covenants are very difficult to change and, original intent was to not allow certain types of signs. The Board needs to have enforceable covenants.
  - Russ McCormack read section out of covenants regarding signs, which is very clear regarding what is allowed and what is not. Business advertising signs are not permitted.
- **ARC Design Guidelines Changes**
    - The Board received two ARC requested changes for the HOA Board to review.
    - Russ McCormack motion to approve the changes. John Kellas Seconded, Approved. Peg David abstained.
    - Resident asked what changes were made.
    - Answer: The ARC outlined time periods on when residents could put up and take down Halloween and Christmas lights. The ARC also modified the section on repetition of exterior house colors and how long an approved plan is valid regarding new construction.
    - **\*\*Action:** Residents requested the ARC Guideline Changes be posted.
- **Open Session**
    - Todd Kaufman, NT resident, expressed his extreme disappointment with the performance of the Board and the way they conduct business. He went on to state he drafted the Safety SOP document and believes the final version edits went far beyond what was discussed in the April Board meeting. One of his major concerns is regarding children operating motorized vehicles in the community on the roadways and on the sidewalks, with an emphasis on mini-bikes which in accordance with Florida law, require a licensed driver.
    - Russ McCormack stated the Board removed items from the Safety SOP that are covered by state law to keep the SOP streamlined and address NT specific rules/regulations.
    - Braden Ball stated the Association does not have the budget, or time, or money to be a police force. The County will not accept the roads (oversight) and they do not have jurisdiction over the neighborhood. Resources are limited to be able to enforce every traffic law.
    - Bob Barron clarified actions are taken such as turning off gate access clickers and sending letters of warning to residents when they violate a covenant or other guideline. The ultimate solution - the Fines Committee is being established to take action when HOA members are not responsive to warning letters.
    - There was additional frustration expressed by Residents who believe all Board members should read all emails the HOA receives via the [HOA@naturetrailpensacola.com](mailto:HOA@naturetrailpensacola.com) inbox. Board stated we will review the process to ensure all members have required situational awareness regarding relevant issues that require Board, and not just Property Management action.
    - Peg David relayed the Board voted in early 2017 (majority vote - not a consensus), when new members took office - to allow the Mgmt. Team to continue the process of reading and answering all resident emails addressed to [HOA@naturetrailpensacola.com](mailto:HOA@naturetrailpensacola.com). Therefore, emails the Management Team deems require Board Members' review - OR needs their situational awareness - OR - those where residents ask their emails be forwarded to all Board Members - are in fact seen by all Board members. The Management Team answers routine issues.
    - Todd Kaufman and several other Residents present expressed their belief the Board has a problem with communication.

- The topic of Fining Committee was again reiterated with the Board President stating, this was one solution to Safety issues – in that fines would be enforceable, assessed and voted on by the new Fining Committee, and residents given an opportunity to address the Fining Committee.
- **Adjourn**
  - Russ McCormick motion for adjournment to Executive Session. Bob Barron seconded.





## Manager's Report

1. Pavement / Road Evaluation- Billy Lawrence did a preliminary assessment. He indicated it was too early to tell and the evaluation will be done in the fall.
2. Streetlights – One request at the end of Rush Lane. No new streetlights will be installed until we have exhausted our due diligence regarding lease vs. owned lighting. Rob has left a message for the lighting consultant.
3. Outstanding Maintenance Items:
  - a. Interior Painting of Lodge – Paint color was selected and approved by Board. Interior painting began on 8/3/18. Once interior painting is complete, exterior painting will commence.
4. Wish List
  - a. Shed Extension – Unbudgeted Item.
  - b. Split Rail Fence Salt Grass – Unbudgeted Item.
  - c. Park on Rush Lane – Unbudgeted Item.
  - d. Park in Silverbell Court – Unbudgeted Item
  - e. New Furniture for the Lodge – Unbudgeted Item.
  - f. Bald Cypress Tree in middle circle at Lodge removed and flag pole to be installed by anonymous residents.
5. Member requested additional DVD Player at Lodge – Need Board Approval
6. Safety/Welcome Center
  - a. Guest passes in hand. Need to install a mailbox at the exit gate for returning all passes upon exiting Nature Trail
  - b. CES Software – Still waiting on Bob David recommendation.
7. Ziegler & Lewis sidewalk too narrow and steep slope - Violation has been issued.
8. On July 31, 2018, the motion to not approve any of CHB's new home plans until sidewalks were installed was pulled. A new motion was presented by Bob Barron to instead form a fine committee, that's required per the Covenants, and begin fines against CHB for lots without sidewalks and an approved plan. We're allowing ARC to continue to do their business and approve the plans if they deem them approvable. Motion was Approved.

## Completed Items

1. The Lodge parking lot is resealed and restriped.
2. All pool issues resolved. The leak was found and repaired, the ladder replaced, and the pavers leveled. Also, all cracked pavers swapped out.
3. Wall mounted coat rack installed in the gym.
4. Replaced 3 gym mats and hung 3 gym signs made by Gator Grafix.
5. The Board voted to end BB&T by August 1<sup>st</sup>, 2018. All autodrafts with BB&T cancelled and account closed. AppFolio is now in full effect. Letter mailed out to all homeowners regarding activating AppFolio account in order to receive quarterly dues invoice. 59% have activated AppFolio accounts.
6. Installed two Cat 5 cables, as first step in extending Wi-Fi to pool and gym.
7. Front Gate - The FDOT has requested that the Design Build Team review and re-design the striping at Foxtail Loop. The existing condition has a single lane in and a single lane out with the



area between the lanes striped out. The Design-Build Team is re-designing the striping and median open to provide for a lane in and a right lane out and a left lane out. In other words Nature Trail Residents will be able to enter Nature Trail at Foxtail Loop from both eastbound and westbound 9-Mile Road. Additionally, residents exiting Nature Trail at Foxtail Loop will have two (2) lanes to choose from one (1) to exit left onto westbound 9-Mile Road and one (1) to exist right onto eastbound 9-Mile Road.

8. Back Gate - Salt Grass Drive is a signalized intersection. This intersection will provide for a combined straight/left out and a right out and a lane in. Residents will be able to access to and from 9-Mile Road in both directions.
9. Agenda – Post with the Notice on the Lodge door after approved. (Tuesday, August 7, 2018)
10. Automatic replies on HOA email account