

VILLAGE PLAZA CONDOMINIUM ASSOCIATION
SPECIAL BOARD OF DIRECTORS MEETING TO CONSIDER AN ASSESSMENT
FOR SECTION 1 - MINUTES

Meeting Date: Wednesday, April 23, 2025
Time: 1:00 PM
Place: Village Plaza Club House, 3555 Hispania Place. Sarasota, FL 34232

Greg Fitzgerlad, Vice President, in the absence of Armando Machado, President, called the meeting to Order at 1:02 p.m. Pat Whalen, Secretary, opened the Zoom meeting, but there was no one in attendance on Zoom.

Roll Call of Board Members, Present were: Greg Fitzgerald, Vice President; Sharon Whalen, Treasurer; Patricia Whalen, Secretary; and Pasquale (Pat) Bruno, Director at Large. Also in attendance was Mike Miller, Community Association Manager. Armando Machado, President; was not able to attend due to an emergency.

Determination of Quorum: Four of five Board members were in attendance. A quorum was achieved.

Proof of Notice of the Meeting: An original Agenda was mailed or emailed (to those who opted in for email) to all owners 14 days prior to the meeting. A revised agenda was posted at the Clubhouse on Monday, April 21, 2025, at 1 p.m., 48 hours in advance of the meeting. It was also posted on Monday to the website: www.villageplazacondo.com and emailed to owners.

Approval of any Minutes from previous meetings – No Minutes were submitted for approval.

New Business:

Special Assessment Discussion

1. **Greg Fitzgerld summarized the initial reason for the meeting and read three possible scenarios from President, Armando Machado, to be discussed and considered before a vote was taken.**
 - **Reason for the Special Meeting** of the Board of Directors is to consider a special assessment for approximately \$17,000 (approximately \$700 per each of the 24 owners in Condo Section 1) to pay for the tenting of two buildings located at 3670 and 3690 Pinecrest St., due to termite infestation in those two buildings. Our pest control company determined that, after multiple spot treatments, tenting the two buildings is the best course of action to protect the integrity of those buildings, adjacent buildings, and all Section 1 owners' property. To avoid further infestation, it was suggested by PestGuard that the tenting work should take place between May 15 and May 17, 2025,
 - **Explain the necessity for the tenting treatment:**

Sharon Whalen, Treasurer, explained that we have treated the attics in these buildings (and others) with Boracare and several individual units in these buildings multiple times over the past three years. We have had more than 26 visits from PestGuard for treatment in Section 1, and in their professional opinion we have reached the place where any further spot treatment would not be effective or get the problem under control. The recent infestation reported in one unit indicates that the termites are becoming more active and likely to cause more damage in other units in this section, so we must act quickly to resolve this issue. We are now at an emergency to get these under control before additional damage is done to the building

and other units.

Consideration of 3 options:

- **Three potential paths were submitted to the board by Armando Machado that he would support since he was unable to attend the meeting. These were discussed among board members and the owners present at the meeting. A summary of the three options and board and owner input are as follows:**
 - a) **Move forward with the May 15 to 17 dates** for tenting and assess each homeowner in Section 1 (24 owners) \$700.00 each to cover the cost of tenting. Allow for Installment payments over a designated period for homeowners who are unable to pay the full amount immediately.
 - **After discussing all three options, the majority of owners in attendance from Section 1 seemed to favor this option.** Many have already prepared their units, and they just want the work completed as soon as possible.
 - b) **Move forward with the tenting in mid-May, but instead of a special assessment, increase the quarterly fees for Section 1** by dividing the assessment amount into four for quarterly payments of approximately \$175.00, and add this amount to whatever the projected quarterly fee schedule for Section 1 that is presented and voted on in June 2025. This would eliminate the need for calling it a special assessment, but would still require the owners in Section 1 to pay for it.
 - Board members felt this option leaves too much uncertainty on what the quarterly fees would be since the budget is not due to be voted on until June, and we do not know if the cross-utilization vote would be achieved.
 - c) **Postpone the tenting a few months (to July or August) after the budget is passed and a possible new Reserve account established that would allow for use of existing reserve funds from Section 1 to pay for tenting.** For this to work, a vote for Cross-Utilization from Section 1 would also be required at the June Member Meeting.
 - **There was some support for this option by owners and board members, but Sharon Whalen, Treasurer, reported that the entire reserve amount in Section 1 was only about \$106,000 .** She pointed out that each owner in that section pays just \$212 per quarter (or \$848 per year) into reserves that will be needed to cover roofs, plumbing stacks, etc. That means we'd be using \$17,000 of the total \$20,352 Section 1 currently pays into reserves FOR THE ENTIRE YEAR, which seems like a very bad idea. Especially since we've been focused on building reserves to cover coming large expenses.
 - She also mentioned that further delay puts the other buildings at risk and PestGuard suggested that the only real advantage to delaying the work would be if we decided to tent all four buildings at once, which could double our costs and necessary assessment, but could save the cost of bringing the crane twice.
 - She also highlighted that all three condo sections have low balances in their Reserve accounts and only Section 7 (villas) has substantially higher reserve balances because there are 88 owners paying into their reserves with significantly higher quarterly fees. A homeowner then asked the Treasurer to

share the actual total reserve dollars available to each section. She reported that as of of April 2, 2025, Reserve balances were: Section 1 -\$106,680; Section 2 – \$93,382; Section 3 -\$62,268; and Section 7 – \$698,961.

- She suggested that as was discussed at the April board meeting **we should add a new reserve category in each section’s budget for such emergencies** such as pest infestations and that we start to fund that account with the new budget. **Mike Miller pointed out that such additions may need to be voted on at the Member meeting.** She pointed out that this Reserve category would not necessarily eliminate the need for assessments for future similar emergencies, but, if cross-utilization is approved, it could allow for some funds from an existing reserve category to be shifted to ‘seed’ this new category – but that isn’t the same as adding new money, we’re just moving what we have around.
- There was also a question about the reserve fund for ‘railings’ in section 1 ... Sharon promised to look into it as it might be overstated given their construction differences from the other 2 condo sections.
- The owners present were then reminded that reserve funds can’t be used for projects that are not part of the established reserved categories.

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d) **OTHER OWNER INPUT** – A document was submitted by one owner who could not attend the meeting raising a number of objections to the tenting itself as well as paying for it via assessment to the owners of just Section 1. Many of these issues were raised and addressed at the April 16, 2025, Board Meeting or not consistent the current statutes. But a few issues were discussed at the meeting:

- The owner felt that the cost should be covered by the Association and assigned to the Commons budget, and all owners pay for this type of pest infestation regardless of section.
 - I. It was pointed out by Pat Whalen, Secretary, that we are a multi-condominium association, and we are made up of 4 separate associations – Sections 1, 2, 3, and 7 – that is why we have 4 separate Declarations, Bylaws, and Articles of Incorporation. The costs of this type of work for any of the common areas (attics, walls, etc.) IS borne by each of those Associations, and not just by the individual owners experiencing the termites. The problem is that Section 1 is already over budget for the year, so there is no way for that Association to pay for this work without an assessment.
 - II. The cost of routine pest control visits and minor treatments ARE considered a common expense for the entire community and are paid for in the common budget. (each section 1, 2, 3, 7 pay proportionately for this annual contract in their ‘common assessment.’) However, it is also clear on our website that major infestations (like termites, rodents) and necessary remediation are not part of this quarterly contract with PestGuard. They are treated as a separate expense and require a specific authorization to Pest Guard before they can proceed. They have routinely

been charged to the section that incurred the problem. After 1 year the impacted section is also charged for the cost of a 'warranty' on such work (termite tenting, rodent infestation) . We currently have two Section 7 units under 'warranty' for past termite tenting work.

- The owner also noted that no assessment had ever been made for tenting in the past.
 - III. While not able to speak to the past 50 years, it was noted that in the past 10 years, the only tenting done was for the Clubhouse – paid for through common operating funds. During the last 3-4 years Two villas, both 4-unit buildings (one on Miguel Lane and one on Pinecrest) in Section 7 were tented and treated for pest infestations. Later there was also a significant expense for rodent remediation in an attic on Miguel Lane. These were all paid with operating funds from section 7. (Section 7 shares expenses among 88 owners vs the much smaller number of owners in the condo sections 1-2-3. These owners pay \$300+ more per quarter than condo owners and with 88 who contribute it was not necessary to assess section 7 for these pest issues because they had the operating funds to pay for them.
 - IV. Pat Whalen, suggested that the three condo associations consider merging in the future (like the 4 villa associations merged into one association in the 1980s) so they would have costs shared among 62 owners. This would be something to consider in the future.
- The owner also questioned if proper notice was given for the meeting – the requirement is that the notice be MAILED or EMAILED (to those who opt in for email) 14 days in advance (not RECEIVED 14 days in advance). The notice was mailed 14 days in advance and was posted at the clubhouse and on the website 14 days in advance. It was also emailed to approximately 75 owners 14 days in advance if they waived the mailing requirement.

VOTE: After much discussion a vote was taken by the Board:

Greg Fitzgerald made a motion, seconded by Sharon Whalen, to approve an assessment of \$16,800 to be paid by the 24 owners of Section 1, bringing each owner an assessment of \$700.00, to be paid in full by December 31, 2025.

- All in favor – the motion carried. See the attached Resolution of the Board
- Mike Miller advised that the start date could not be less than 30 days after the vote for the assessment, **so June 1, 2025, was selected as the date that the assessment would be added to owners' accounts in SmartWebs.**
- **Owners may pay the entire amount or pay in installments of their choosing so long as the payment is made in full by December 31, 2025.**
- A **Notice of Assessment** will be emailed to all owners in Section 1 and posted and on the website by May 1, 2025.
- See attached Board Resolution on the vote.

Unfinished Business

Approval of GreenTech Contract renewal for Landscaping

VOTE: Sharon Whalen made a motion, seconded by Patricia Whalen, to approve the Greentech contract renewal for \$82,680.00 per year, or \$6,890,00 per month. All in favor, the motion carried. (A copy of the contract was attached to the revised agenda and posted at the clubhouse and on the website.)

Adjournment: Greg Fitzgerald called to adjourn the meeting at 2:01 p.m.

- **Next Board Meeting:**

Monthly Board Meeting: Wednesday, May 21 , 2025, at 6 p.m.

- **Weekly Working Sessions with President --** 1:00 to 2:00 PM every Wednesday at the Clubhouse except the third week of the month.

Attachment: Board Resolution

These Minutes were respectfully prepared and submitted by Patricia T. Whalen, Village Plaza Board Secretary on April 29, 2025. Approved by the Board on May 21, 2025.

A RESOLUTION OF THE BOARD OF DIRECTORS OF VILLAGE PLAZA CONDOMINIUM ASSOCIATION, INC. (“ASSOCIATION”) ADOPTING A SPECIAL ASSESSMENT FOR SECTION 1 TO COVER THE SHORTFALL IN THE FUNDING OF THE TENTING OF TWO BUILDINGS FOR TERMITES, ESTABLISHING A DUE DATE FOR PAYMENT, AND ESTABLISHING METHOD FOR PAYMENT

WHEREAS, at a duly called Meeting of the Village Plaza Condominium Board of Directors on April 23, 2025, the Board of Directors determined that after more than twenty service calls over the past few years by our pest control company to treat termite infestation in two buildings in Condo Section 1 – located at 3670 and 3690 Pinecrest St.-- tenting the two buildings is the best course of action to protect the integrity of those buildings, adjacent buildings, and all Section 1 owners’ property.

WHEREAS, the Board of Directors determined that the tenting work should take place between May 15 and May 17, 2025, by our pest control company of record, Pest Guard.

WHEREAS the Board of Directors must collect funds to cover the Association’s Section 1 operating expenses and have determined that a special assessment must be approved to pay for these expenses since the 2024/2025 budget and quarterly fees in Condo Section 1 do not provide the necessary funds to cover the projected operating expense \$16,800.

NOW, THEREFORE, BE IT HERELY RESOLVED, by the Village Plaza Condominium Board of Directors, has decided as follows:

- 1) THAT there is hereby levied a special assessment on the 24 owners of Condo Section 1 the total sum of \$16,800 for the purpose of funding the Association’s termite tenting expense.
- 2) THAT with a total of 24 units in Condo Section 1, the assessment shall be allocated among each of the condominium units, in the amount of \$700.
- 3) THAT the special assessment becomes effective on June 1, 2025, and is due as follows: to be paid in one (1) lump sum payment or over 7 months of installment payments, paid online at the Community Financials’ SmartWebs portal or via check or money order mailed to the address below, and due in full no later than December 31, 2025. If a check is mailed for the payments, it should have the owner’s name, address, and 7-digit account number on it and made out to Village Plaza Condo Association. It should be mailed to:

. Village Plaza Condominium Association
PO Box 26078
Miami, FL 33102-6078
- 4) THAT, any delinquent account due to non-payment after the December 31, 2025, due date may be billed with a late fee of \$25.00 and a penalty of interest at the rate of 18% per annum, until the special assessment is paid in full.

ADOPTED by the Board of Directors this 23rd day of April 2025.

Armando Machado, President

Patricia T. Whalen, Secretary