



East Bay Plantation

Homeowner's Association Meeting Minutes

Meeting Type: Call with HOA Lawyer
Date: Tuesday, September 6, 2022
Time: 5:30pm
Members: Jacqueline Leierer, President
Lynn Krause-Davis, Vice President
Dena Stone, Treasurer
Janice Scamehorn, Secretary

1. It is still unclear as to why our efforts of homeowner signatures were collected and notarized and supposedly attorney sent to the state. Where is the breakdown. I do remember the attorney that was dismissed due to lack of communication and then new firm was hired. Each one of these firms should have processed and confirmed our HOA covenants were recognized by the state. In meetings with the latest firm it was never mentioned there was any breakdown. I feel legally the law firms have both been remiss in their efforts and the fault should not fall to the HOA. I am comfortable with the covenants as they now stand and strongly enforced.
 - *The HOA did file the Articles of Incorporation, Bylaws, and Covenants. The HOA did not renew MRTA (Marketable Record Title Act) with the state and that is what we are trying to revitalize.*
2. I have copies of official records that confirm that BYLAWS AND ARTICLES OF INC. have been registered correctly 8/5/2018. This paperwork is from the Brevard County clerk of court. Book 8255 and 947 and book and page 8255 and 935. Clayton and McCulloh was the firm that registered our paperwork. Why are we in this predicament now?
 - *The HOA did file the Articles of Incorporation, Bylaws, and Covenants. The HOA did not renew MRTA (Marketable Record Title Act) with the state and that is what we are trying to revitalize.*
3. In Sep 5, 2018, we renewed registration of the Articles of Incorporation and the Bylaws with Brevard County Clerk of Court. We also amended the Declaration of Covenants, and recorded with the county on Feb 20, 2019. Why can't we use those recorded documents and send to the Department of Economic Opportunity for approval as required by Florida State Statute 720. We

have the information (somewhere) that the East Bay membership voted on all these documents that were registered.

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4. Am I entitled to a refund of all HOA dues that were paid during the time the HOA was not legally incorporated? I know for a fact that East Bay Plantation has not been current on their registration with the state of Florida for some time now. Please let me know. Thank you
- *Unfortunately, not. The HOA was never dissolved and the homeowners voted on the annual report and renewed it each year.*

These are not relating to the renewal of Covenants, Bylaws, Articles of Incorporation

1. Will all homeowners be provided with a copy of the “insurance” that the administration uses to hide behind when questions are asked. Boats in the lake were allowed for years then all of a sudden no more. We also don’t understand how a basketball hoop on the tennis courts is any different than tennis courts. Also, the archaic rule of no play structures or basketball hoops in driveways or outback needs to go away
 - Please contact Dena at ebphoa.treasurer@gmail.com for a copy of the insurance.
2. ARC QUESTION: We are intending to have our current asphalt shingle roof replaced with a Standing Seam Metal System and wish to know if this is an acceptable roofing system under the HOA covenants and bylaws?
 - *Your question was sent to the ARC Committee.*
3. Article VII
Section 3, p. 23 Parking Restrictions
Our HOA restrictions differ from the city restrictions as far as vehicles parked on the street between 1:00am and 6:00am. Since St. Armens Circle is a city street how can this section be updated to include only the restrictions that we are permitted?
 - Due to limited time, this question was not asked as it doesn’t relate to the renewal process but will be asked during the next call.