



**MCA BOARD OF DIRECTORS MEETING  
THURSDAY, JANUARY 14, 2021  
(Meeting was held via Zoom. Association members  
were provided call-in information via posted meeting notice.)**

**MEMBERS  
PRESENT:**

Jan Lazar, President  
Malcolm Hay, Vice President  
Fernando Viteri, Treasurer  
Bob Clark, Secretary

Paul Easley, Director  
Susan Gaynor, Director  
Amy MacDougall, Director  
Mark Pienkos, Director  
Tom Pound, Director

Mike Mazur, Assembly Chair  
(Non-Voting)

**EXCUSED:** Jay Solomon, Aviva CEO

**STAFF PRESENT:** Frances Rippondi - MCA General Manager, Mike Mazur - MCA Director of Administration & Community Relations.

President Lazar called the meeting to order at 1:00 p.m. It was noted that a quorum of the Board of Directors was present.

**MOMENT OF SILENCE – IN MEMORY OF BRUCE FERRETTI**

President Lazar called for a moment of silence in honor of recently deceased Board member Bruce Ferretti.

**MINUTES OF PRIOR MEETINGS**

On a motion by Ms. MacDougall, seconded by Mr. Pienkos, the Minutes of the December 10 2020 meeting of the Board of Directors were unanimously approved.

**PRESIDENT’S COMMENTS**

President Lazar reviewed recent COVID-19 information and advised that the MCA administrative offices remain open on an appointment basis.

**OWNER COMMENTS ON AGENDA ITEMS**

None

## **ACTION ITEMS**

On a motion by Mr. Clark, seconded by Mr. Pound, Susan Gaynor was unanimously appointed to fill the balance of the term of Mr. Ferretti through the Annual Meeting on March 1, 2021.

### Items on Limitation of Liens

- On a motion by Mr. Clark, seconded by Mr. Easley, the Board of Directors unanimously adopted the Resolution - Limitation on Liens which is attached to these Minutes.
- On a motion by Mr. Hay, seconded by Ms. MacDougall, the Board of Directors unanimously adopted the Notice of Limitation of Liens Against Interest of Lessor which is attached to these Minutes.
- On a motion by Mr. Hay, seconded by Mr. Clark, the Board of Directors unanimously adopted the Amendment to Lease which is attached to these Minutes.

## **OLD BUSINESS**

An initial inquiry by Jay Brady representing Communications Consulting Group (“CCG”) of Palm Beach Gardens, FL was discussed. The Board requested that CCG be advised that their 25% perpetual commission is not competitive with other providers and the Board would like to know the plan that CCG has to manage and administer their proposed program.

## **MANAGER’S REPORT**

Ms. Rippondi reported that progress continues on The Meadows Wellness and Lifestyle Facility with county reviewing applications. In addition, the Center Court Lounge outdoor dining expansion is under county review. Dog park drawings have been submitted to FPL. The truck storage lot expansion will be completed in February. The MCA lake bank stabilization project will be completed by the end of February. Painting of directional signage as well as the North and South signs on Honore Avenue and the curbs at the 17<sup>th</sup> Street entrance are underway. Improvements in data backup and security have been implemented.

In the Communications area, Ms. Rippondi reported that the Lifestyle Coordinator position has been posted and applications have started to arrive. There are over 4,000 subscribers to the MCA announcements released by the third-party Constant Contact service. The February *Meadoword* is due for release by January 27.

## **COMMITTEE AND LIAISON REPORTS**

*Standards – Bob Clark, Chair* – Mr. Clark reported that there were 12 fewer architectural review applications during 2020 compared with 2019. He noted that there were 15 violations brought into compliance. He asked the Board to review the possible revisions to 5.1 and 5.3.3 of the Standards & Restrictions for possible future adoption.

*Best Kept – Lesley Totten, Chair* – The written report submitted and distributed to the Board of Directors was noted with appreciation.

*Finance – Fernando Viteri, Chair* – Mr. Viteri reviewed the collection report provided to the Board and advised that the 2021 Assessment invoices are in the mail.

*Community Activities/Involvement, Tom Pound, Liaison* – Mr. Pound noted that the committee is regularly meeting via Zoom and continues to develop safe activities.

*Maintenance – Mark Pienkos, Liaison* – Mr. Pienkos commended Sandy Truman for quick response to issues that have come up from the committee and from individual residents.

*Safety – Amy MacDougall, Liaison* – The committee held a productive meeting that included two of the victims of robberies on Marsh Field Road.

*Emergency Preparedness – Mike Mazur, Chair* – Mr. Mazur reported the committee is on hiatus.

*Assembly Report – Mike Mazur, Chair* – Mr. Mazur reported that the January Assembly program will be a webinar on Safety with representatives from the Sarasota County Sheriff's Office. Ballots for the Board election are in the mail.

*Long-Range Planning – Malcolm Hay, Chair* – Mr. Hay reported the survey is on hold.

*Water and Wildlife – Malcom Hay, Liaison* – Nothing to report.

*Liaisons -*

- *TMCC – Marilyn Maleckas* – Ms. Maleckas referred to her report provided to the Board of Directors.
- *Aviva and Tarpon Point – Jan Lazar* – Ms. Lazar reported that AVIVA has been providing vaccine inoculations to residents and staff. No report on Tarpon Point.
- *Meadows Shopping Village* – Nothing to report.

### **EXECUTIVE SESSION**

On a motion by Mr. Clark, seconded by Ms. MacDougall, the Board unanimously approved entering Executive Session.

On a motion by Mr. Viteri, seconded by Ms. MacDougall, the Board unanimously approved rising from Executive Session.

### **HAMMOCK PLACE PROPERTY**

On a motion by Ms. MacDougall, seconded by Ms. Gaynor, a majority of the Board of Directors voted to no longer pursue sale of the Hammock Place property due to Meadows Unit 1 restrictions.

### **ADJOURNMENT**

President Lazar asked if there were any further questions or new business. Hearing none, she noted that the next meeting was set for 1 p.m. on Thursday, February 11, 2021 and this meeting was adjourned on a motion by Ms. MacDougall, seconded by Mr. Easley at 2:15 p.m.

Minutes recorded by Mike Mazur, MCA Staff

Minutes submitted by Bob Clark, MCA Secretary

**BOARD RESOLUTION  
OF THE MEADOWS COMMUNITY ASSOCIATION, INC.**

**PERTAINING TO THE MEADOWS COUNTRY CLUB**

**Whereas**, The Meadows Country Club, Inc. (TMCC) and Meadows Community Association, Inc. (MCA) have previously entered that certain Lease Agreement, dated June 30, 2018, as amended by an Amendment to Lease, dated effective as of April 1, 2020 (the “Lease”), relative to a sports and leisure complex including three golf courses, 17 tennis courts, a wellness center a pool and a clubhouse located at 3101 Longmeadow, Sarasota, FL 34235 (the “Meadows Country Club” or the “Premises”).

**Whereas**, in order to ensure the continued operations of the Country Club while protecting the property values and quality of life in the Meadows community, MCA and TMCC have agreed that it is in the best interest of both parties to restrict the right of third parties to lien the Premises.

**Now therefore**, upon due consideration of the foregoing, the Board of Directors adopted the following Resolution at a duly noticed meeting held on \_\_\_\_\_, January \_\_, 2021.

1. The officers of MCA are authorized to enter into a lease amendment to the Lease that contains the following provision:

Prohibition of Liens. Section 11 of the Lease is hereby amended to include the following provision:

As provided in Section 713.10, Florida Statutes, the interest of MCA in the Premises shall not be subject to liens for improvements made by the Club , and the Club shall notify any contractor making such improvements of this provision. An appropriate notice of this provision may be recorded by MCA in the Public Records of Sarasota County, Florida, in accordance with said statute, without the Club’s joinder or consent.

2. The officers of MCA are further authorized to enter into an appropriate notice of the foregoing provision to be recorded by MCA in the Public Records of Sarasota County, Florida, in accordance with Section 713.10, Florida Statutes.

Dated: \_\_\_\_\_, 2021.

\_\_\_\_\_  
\_\_\_\_\_, MCA Secretary

This instrument prepared by:  
(and after recording return to)  
Jan W. Pitchford, Esq.  
Shumaker, Loop & Kendrick, LLP  
240 S. Pineapple Ave.,  
Sarasota, Florida 34236

**NOTICE OF LIMITATION OF LIENS AGAINST INTEREST OF LESSOR  
(SECTION 713.10, FLORIDA STATUTES)**

Before me, the undersigned authority, this day personally appeared Jan Lazar, as President of The Meadows Community Association, Incorporated, a Florida not for profit corporation (the "Lessor"), being duly sworn before me under oath, hereby gives the following notice pursuant to Section 713.10, Florida Statutes, to limit the liability of the Lessor's interest for any liens for improvements made by any lessee of the real property described below:

1. **Name of Lessor:**

The Meadows Community Association, Incorporated  
2004 Longmeadow,  
Sarasota, Florida 34235

2. **Legal Description of Real Property to Which This Notice Applies  
(the "Property"):**

See Attached Exhibit "A"

3. **Specific Language Contained in Leases Prohibiting Liability:**

The following language appears in the Lease Agreement between Lessor and **The Meadows Country Club, Inc.**, a Florida not for profit corporation, as Lessee, and shall appear in any and all other leases of any portion of the property :

"As provided in Section 713.10, Florida Statutes, the interest of Lessor/MCA shall not be subject to liens for improvements made by Lessee/Club, and Lessee/Club shall notify any contractor making such improvements of this provision. An appropriate notice of this provision may be recorded by Landlord in the Public Records of Sarasota County, Florida, in accordance with said statute, without Lessee's joinder or consent."

4. **All leases entered into for any portion of the Property shall contain the language set forth in in Paragraph 3 above.**

IN WITNESS WHEREOF, the undersigned has executed this Notice effective as of \_\_\_\_\_, 2021.

The Meadows Community Association,  
Incorporated

By: \_\_\_\_\_  
Print Name: Jan Lazar  
As Its: President

STATE OF FLORIDA  
COUNTY OF SARASOTA

Sworn to before me and subscribed by [ ] physical presence or [ ] online notarization this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by Jan Lazar, as President of The Meadows Community Association, Incorporated, on behalf of the corporation, who is personally known to me or has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
NOTARY PUBLIC  
Print Name: \_\_\_\_\_  
My Commission Expires:

## AMENDMENT TO LEASE

This Amendment to Lease (the "Amendment") is dated effective as of \_\_\_\_\_, 2021 ("Effective Date") by and between The Meadows Community Association, Incorporated, a Florida not for profit corporation, hereinafter referred to as the "MCA," and The Meadows Country Club, Inc., a Florida not for profit corporation, hereinafter referred to as the "Club".

### RECITALS

A. WHEREAS, MCA and Club entered into a certain Lease dated effective as of June 30, 2018, as amended by an Amendment to Lease dated effective April 1, 2020 (the "Lease"), relative to a sports and leisure complex including three golf courses, 17 tennis courts, a wellness center a pool and a clubhouse located at 3101 Longmeadow, Sarasota, FL 34235 (the "Meadows Country Club" or the "Premises").

B. MCA and Club desire to amend certain terms and conditions of the Lease as set forth herein.

### AGREEMENT

NOW THEREFORE, in consideration of the mutual covenants herein, the Lease, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, MCA and Club intending to be legally bound, agree as follows:

1. Recitals; Capitalized Terms. The foregoing recitals, together with any exhibits, are true and correct and are incorporated herein by this reference. Capitalized terms used in this Amendment which are not defined herein shall have the meanings ascribed to them in the Lease. As used herein, the term "Lease" shall mean the Lease as affected by this Amendment.

2. Prohibition of Liens. Section 11 of the Lease is hereby amended to include the following provision:

As provided in Section 713.10, Florida Statutes, the interest of MCA in the Premises shall not be subject to liens for improvements made by Club, and the Club shall notify any contractor making such improvements of this provision. An appropriate notice of this provision may be recorded by MCA in the Public Records of Sarasota County, Florida, without the Club's joinder or consent, in accordance with said statute, without Lessee's joinder or consent.

3. Other Lease Provisions. Except as amended by this Amendment, the Lease and all of its terms and provisions are hereby affirmed and shall remain in full force and effect. In the event of any conflict between the provisions of this Amendment and any other provision of the Lease, the provisions of this Amendment shall control.

4. Counterparts. It is understood and agreed that this Amendment may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall

constitute one and the same Amendment, and a signature via facsimile or electronic transmission hereon shall be deemed an original.

5. No Default. As of the Effective Date of this Amendment, the parties hereby represent that there exists no defense or offset to enforcement of the Lease by either party.

6. Binding Effect. This Amendment will be binding upon and inure to the benefit of the successors and permitted assigns of MCA and Club.

7. Further Modification. The Lease may be further modified only by writing signed by MCA and the Club.

8. Florida Law. This Amendment and the Lease shall be construed and interpreted under the laws of the State of Florida.

**IN WITNESS WHEREOF**, MCA and Club have executed this Amendment to Lease as of the date first set forth below.

**MCA:**

WITNESSES:

THE MEADOWS COMMUNITY  
ASSOCIATION, INCORPORATED, a Florida  
not for profit corporation

\_\_\_\_\_  
Print Name: \_\_\_\_\_

By: \_\_\_\_\_  
Jan Lazar  
As Its: President

\_\_\_\_\_  
Print Name: \_\_\_\_\_

Dated: \_\_\_\_\_, 2021

**CLUB:**

THE MEADOWS COUNTRY CLUB, INC.,  
a Florida not for profit corporation

WITNESSES:

\_\_\_\_\_  
Print Name:\_\_\_\_\_

\_\_\_\_\_  
Print Name:\_\_\_\_\_

Dated:\_\_\_\_\_, 2021

By:\_\_\_\_\_  
Print Name:\_\_\_\_\_

As Its: President