

Heron Cay Homeowners Association, Inc.
BOARD OF DIRECTORS – EMERGENCY OPEN MEETING

MINUTES

June 03, 2025 7:00 P.M.

1 – Call to Order: After the Pledge of Allegiance, President Bonnie McNair called the meeting to order at 7:03 P.M.

Roll Call: President Bonnie McNair, 1st Vice President Jack Manno, Treasurer Elsie Quintero, Secretary Donna Trent, Director Edward Collins, and Director Michael Tortora. 2nd Vice President William DiGirolamo was absent.

2 – President’s Information

President Bonnie McNair submitted and read the following statement to explained recent effects.

“Good evening, everyone. There have been lots of stories, rumors, innuendos, conjectures and accusations going around Heron Cay these past several days, and we, as a Board, decided that we needed to hold this emergency meeting to set the record straight.

Over the years, the HOA has changed the locks to the HOA office and the sound booth, because as old Directors left the HOA and new Directors started, keys were turned in and keys were handed out. From time to time, in an abundance of caution those locks were changed.

The HOA has a closet off the gym which contains the supplies and food for Bingo events, as well as a file cabinet containing old Fun ‘n’ Games paperwork. The HOA also has the electronic equipment in the sound booth.

About a month ago, we found that things were missing from the supply closet off the gym. I asked 2nd Vice President William (Billy) DiGirolamo to change the locks on both the sound booth and the gym closet doors. I want to clarify that I did not go to the Board to ask them to vote on changing the locks. What I failed to do was to give Maintenance Supervisor Keith a copy of the new keys that Mr. DiGirolamo had given me. I just did not think of it. Everything in the closet and sound booth belongs to the HOA.

***Last Wednesday, May 28th**, we had our regular monthly meeting with our new Property Manager Sumiko Chilcott, Assistant Property Manager Michele Mosena, and Janice Speer the Property Manager from Village Green. At the beginning of the meeting, we were asked who ordered the changing of the locks, and why. I told them that it was I who ordered the locks to be changed because things belonging to the HOA had gone missing. Management then asked who actually changed the locks out, and I had to tell them it was Mr. Girolamo. While we were in that meeting, Ms. Chilcott was having the locks on the sound booth and the supply closet removed and replaced with combination locks. We were told that the office was also going to be getting a combination lock. It was explained that the combination to the locks would be changed after each usage or event. If a Board member or a committee member needed to enter these areas, they will have to text Ms. Mosena to get a temporary lock code. The Board explained that we were in the office several times a week helping residents, including weekends.*

We knew what had happened at Countryside just a few weeks prior, when the HOA Board had voted to change the locks on the kitchen, supply closet and HOA office, as they had done many times in the past. ELS sent them a notice that they had one week to remove everything from the kitchen, the supply closet and the HOA office that was owned by the HOA or owned personally by any Board member. ELS then served the Countryside HOA President and one of the Countryside Board Directors with a Notice to Vacate – the president because he instructed the director to change the lock, and the director because he actually changed the lock. Management explained the reason for the Notice to Vacate was because the locks had been changed without Management’s permission. We realized that ELS was possibly about to do the same thing with the Heron Cay HOA.

***After the meeting, at 3:33 pm that day**, I sent the following email to the Board, to Fun n Games and to the Bingo Team and I copied management:*

‘Hi all,

The Board met with Management today and we were told that the locks on ALL doors in the clubhouse will be changed to combination locks. They have already changed the locks to the sound booth and the gym closet and will be changing the rest of them

in the near future. Once that has been done, if you are having an event, you will need to text Michele at the office to request the combination number that you can use for that event. The numbers will be changed after every event. If it is happening on the weekend, you will need to get the combination on Friday, and that will be good for the weekend.

In addition, the use of the U-Bolt on the auditorium doors is strictly FORBIDDEN.

If you use the U-Bolt, Management will cut it off. So, if you have entertainment coming in early to set up their equipment, you will need to have a volunteer there to watch over that equipment until the event starts.'

Then, at 5:51 pm that same day, the Board received the following email from Management:

"Dear HOA Board Members,

As a result of our Clubhouse locks being recently tampered with, and changed without management knowledge or approval, we have replaced all locks with keypad entry locks. We are issuing you the following temporary code, 1776, that will provide access to the HOA Office, Sound Room and Supply Closet. All items, both personal and HOA, need to be removed by 5:00 pm on Friday, June 6th. The temporary code will be deactivated after 5pm and future access to these rooms & the clubhouse may be requested through the office. We ask that you submit your event requests in advance to ensure there are no scheduling conflicts. You're welcome to submit these requests on a Weekly, Monthly or even Annual basis or whichever schedule is more convenient. The earlier the request is in, will ensure there are no conflicts. Additionally, no other locks such as the U-Lock you placed on the ballroom doors, should ever be placed on the ballroom (or any) doors at any time. If any of these locks are found on the doors, they will be immediately removed. Regards,"

And it was signed by Sumiko Chilcott

And, at 6:01 pm that same day, an email went out to all residents from management:

Dear Heron Cay Residents,

As a reminder, if anyone would like to utilize the Clubhouse or Ballroom for your future activities or events, please be sure to reserve with the Heron Cay Management Office so we can block out the calendar for your activity. The use of the Clubhouse & Ballroom is for all residents. We will be implementing a new reservation system whereby you will be given a one-time use only code for the duration of your event.

For more information in regard to our new system, please contact the Heron Cay Management Office at 772-567-0480 to discuss the details.

Thank you and I look forward to speaking with you regarding your future event requests.

And at 6:06 pm that same day, Sumiko sent the same email to the Board as she had sent at 5:51, telling us we need to be out by June 6th.

On Thursday Morning, May 29th, at 7:50 am, I texted Charlene the following:

"Good morning, Charlene. I understand that you want to talk with me and with Billy. Can you tell me when a good time for that would be?"

At 9:29 am that day, Sumiko called me and added Charlene onto that call. I asked Charlene to not punish the entire community by denying them access to the HOA office because of a mistake I had made. I once again took full and total responsibility for asking Billy (2nd Vice President W. DiGirolamo) to change the locks. I said that our HOA has been changing the locks over the years, and Charlene said they've been wrong all these years. I further offered to resign from the Board if that would be what it would take to keep the office in the clubhouse. She told me that she would take it into consideration, but in the meantime, we were to continue with the instructions in the email.

On Friday afternoon, May 31st, 2nd Vice President Mr. DiGirolamo found an unsigned and undated, "Notice to Vacate" taped to his front door, stating that ELS was terminating his lease and that he had eight (8) days to vacate his home.

Again, based on what had happened at Countryside, we all expected that I would receive a Notice to Vacate, as well. That did not happen on Friday. We don't know why I was not given a notice. At this time, I have still not received a Notice to Vacate.

The Bingo Committee has taken over the supply closet and its contents, as well as the sound booth. There will be Bingo on Sunday.

As to the HOA office, except for the chairs, all the furniture in the office belongs to ELS. The rest of our supplies will be going into a storage unit off site, and into various Board members' homes.

We, as a Board, are going to do our level best to continue to support our Heron Cay residents. Please bear with us as we try to figure out how best to serve you going forward. Please understand that without the HOA, ELS will have the opportunity to eliminate the CPI method of our rent.

3 – Committees Information

No Reports

4 – Other Information

CPI

- Treasurer Elsie Quintero led a discussion about CPI. CPI stands for Consumer Price Index. The CPI is calculated and published by the U.S. Bureau of Labor Statistics. Heron Cay's rent increases are calculated by ELS by using the CPI rate vs. the Market Rent Rate. Currently, that is an advantage for the Heron Cay residents. Many of the other ELS parks' percentage of rent increases are calculated on the Market Rent Rate and are negotiated once a year with ELS and an HOA negotiating committee. The percentage of increase agreed upon is then mandated for all of that particular park's residents.
- Some discussion took place-clarifying market rent rates.
- Ms. Quintero briefly summarized that **IF** ELS intends to eliminate the CPI for Heron Cay, they will have to file with the DBPR for approval and then have the prospectuses (there are four [4] different ones) for the Heron Cay community changed. This process takes time...possibly as long as a year or more.

HOA Continuation

The HOA will continue. Since the HOA Board no longer has the use of office space in the clubhouse, the HOA Board will need to determine new ways to meet with residents. When more details are worked out, the HOA Board will notify residents. Please watch the mail kiosks, bulletin boards and the HOA Newsletter on the HOA website: <https://heroncayhoa.org>

The HOA Board meetings will continue on the 1st Tuesday of each month at 7:00 P.M. As of now, Bingo on the evenings of the 4th Wednesday of each month and on the afternoons of the 2nd Sunday of each month will continue. As of now, Musical Bingo, Trivia, and Family Feud will also continue (watch for announcements for these events in the HOA Newsletter, on the HOA website, in the mail kiosks, on the bulletin board in the auditorium and on the HOA Marquee in front of the clubhouse). The HOA website address is: <https://heroncayhoa.org>

5 – Open Discussion

1. 1st Vice President Jack Manno commented that ELS has a habit of **not** following through with items that have been promised to its residents in a timely fashion. In our community, examples of items would be the Heron Cay Entrance Sign, the fencing on 12th Street and 90th Avenue, the community lighting project, community paving, etc.
2. 1st Vice President Jack Manno stated that now is the time for the community to support HOA's 2nd Vice President William DiGirolamo. Some discussion took place regarding how residents can help. Mr. DiGirolamo is a senior and is a disabled military veteran who suffers from PTSD. Ms. Quintero is researching what government agencies could possibly assist him.
3. Mr. Manno also informed everyone that he is researching possible media involvement. A resident stated that such concerns or notices could be forwarded to the Florida Attorney General's Office and/or the Florida Office that deals with elder issues. Those offices address concerns for seniors on a regular basis.
4. A resident shared that someone she knows in Countryside received a similar Notice to Vacate. The Countryside resident's notice was due to a situation with a rottweiler dog. After receiving the notice, Countryside would not allow the resident to pay rent in person and the ELS portal would not accept the resident's rent payment. At this point, ELS has not followed through with their threats to vacate the Countryside resident.

5. A resident questioned if the HOA attorney would represent 2nd Vice President William DiGirolamo. The Board explained that the HOA attorney does not represent individuals, but rather HOA Boards. As a result, Mr. DiGirolamo will be retaining an attorney to represent him and his wife.
6. General comments:
 - a. Mr. Manno noted an incident regarding a towel that was left on a resident's railing were Management removed it.
 - b. Another resident from Heron Cay stated that his neighbor and friend has been told to remove items from their carport. The items are not noticeable from the street and do not block any emergency services that may have to enter the home.
 - c. Another resident commented that this appears to be a personality issue with the new Property Manager Sumiko Chilcott.
 - d. Another resident asked what the Heron Cay residents can do to support the HOA Board. Mr. Manno asked that the residents of Heron Cay support Mr. DiGirolamo and let Management know you disagree with the Notice to Vacate that was served on Mr. DiGirolamo.
 - i. Mr. Manno stated that his wife Vivian Manno composed a letter that the community may want to consider using as a guide if they decide to write a letter in support of Mr. DiGirolamo and his wife. Ms. Manno read the letter out loud.
 - ii. A Resident complimented Ms. Manno on the letter. Some residents thought the letter was too long and too personal...it should be more to the point.
 - e. Another resident thanked Ms. Manno for her letter. She stated that she felt it was compassionate but not appropriate. She was not comfortable with it because it was too personal. It needs to be more factual in nature with key phrases that will initiate legal action, like: Elder abuse, Disabled Veteran, etc.
 - f. A couple of residents suggested a petition in support of Mr. DiGirolamo.
 - g. Ms. McNair gave out the email addresses of Ms. Chilcott (Heron Cay Property Manager) and Ms. Charlene Silvestro (ELS Regional Director for our area) and encouraged residents to email these ladies in support of Mr. DiGirolamo.
 - h. Another resident inquired if Fun-N-Games is still part of the HOA and if they are, why do they not have to move their stuff. The Board responded yes, they are still part of and acting under the HOA. The Board does not know why Fun-N-Games does not have to move the stuff.
 - i. Some discussion took place if Fun-N-Games could still operate under the HOA umbrella. The conclusion was yes; they can as long as the HOA is still active & the HOA is agreeable for them to do so. If Fun-N-Games separates from the HOA, they would have to file for incorporation and obtain their own Federal Tax ID and Sales Tax Certificate. Currently, Fun-N-Games files taxes under the HOA income tax filing.
 - i. A Heritage Plantation resident explained his ongoing situation with ELS. The issue did not appear to relate to Heron Cay's situation, so Ms. McNair thanked him for his input.

6 – Adjournment

The meeting was adjourned by President Bonnie McNair at 8:20 P.M.

Respectfully Submitted,

Dennia Trent

Heron Cay HOA Board Secretary

Approved 7-1-25