

# Inverness Homeowners' Association

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## Board Meeting – July 25, 2023

The Inverness Board of Directors met at President Dave Hemphill's residence at 5:30. Members present were Kent Nesvik, Monica Moore, Rock Penfold, Mike Krieger, Dave Hemphill, and Dawn McLin. Dan Rowe and Tim Fox were unable to attend.

Items of discussion were:

### 1. Covenants Rewrite

As discussed in our previous meeting, June 22, the Board had concluded the covenants rewrite project's next steps included employment of legal counsel to assist in revisions/deletions related to outdated and unnecessary boilerplate and "legalese" provisions, as well as current and recommended content which may be contrary to Florida state and city regulations. Subsequently, Board representatives Dave Hemphill and Kent Nesvik met with attorney Suzanne Blankenship of the Emmanuel, Sheppard & Condon law firm to discuss process and cost. Ms. Blankenship advised that due to the age and status of the existing covenants, the rewrite would be more appropriately termed an extinguishment and revitalization under Chapter 720 Part II of the Florida Statutes. Billing would be on an hourly basis plus costs. Generally, these projects run between \$3000 to \$8000, but that is a rough range. Legally, this is straight forward, but owner cooperation and organizing committee revisions and consultations can also be contributing factors to cost. To proceed, she would need Board approval and the names, addresses and phone numbers of at least three people who wish to serve on the organizing committee as required by the statutes. Accordingly, Dawn McLin moved that the Board proceed with acquiring her services, seconded by Monica Moore. The Board unanimously approved the motion. Dave Hemphill, Dawn McLin, and Rock Penfold were selected as the organizing committee representatives. Following the meeting, this information was sent to Ms. Blankenship.

### 2. 2731 Semoran Drive

In their initial meeting with Ms. Blankenship, Dave Hemphill and Kent Nesvik also addressed this unfinished garage issue resulting from the Banks Construction bankruptcy/litigation. The question was what, if any, additional steps the HOA could take toward resolution. Given the current status of the HOA covenants, extensive previous communication by the HOA with the homeowner regarding the problem, HOA representation at City Code Enforcement hearings which resulted in significant fines being imposed, Ms. Blankenship advised this matter was beyond the scope of HOA authority. Therefore, the Board concluded it best to let this issue be resolved via other jurisdictions.

The meeting adjourned at approximately 6:30