

SECTION 23 PROPERTY OWNER'S ASSOCIATION, INC.  
BOARD OF DIRECTORS MEETING  
May 24, 2012

1. CALLING OF THE ROLL

In attendance: Ronald Woods, Harvey Goldstein, Andy Kontos, Guy Neroni, Cyril Schrage, Joseph Harris, Jay Carlson and Teresa Boucher.

Absent: Robert Trout

Guests: Property Owners Rick & Marsha Silvia; Deep Creek Civic Association, Fred Neuman and Sylvia Kelsey; CCSO Lt Gary Ellsworth and Sgt Greg Kaloss

NOTE: Guests who did not submit a request to address the Board are in attendance to observe only.

2. CALL MEETING TO ORDER

The meeting was called to order by President Woods at 1:00 PM.

3. APPROVAL OF MINUTES

**A motion was made by H. Goldstein and seconded by G. Neroni to approve the minutes of the Regular Meeting of April 26, 2012 as written.** Motion carried.

4. CATHERINE MCNIEL, 1150 NAVIGATOR RD (742-09), PLANTING NEEDS

Ms. McNiel called office - not able to attend meeting due to conflict with Dr appointment.

5. CHARLOTTE COUNTY SHERIFF'S OFFICE (CCSO)

The Association received email from Lt Ellsworth confirming Section 23 lake signs meet FL Statute requirements.

R. Woods received a call that a gas powered boat was being used in Lake Barnes. The men were asked to leave, upon their refusal to cooperate the Sheriff's Dept was called. Deputy Hill responded and spoke to the men and had them remove the boat and leave the area.

The Board recognizes Lt. Ellsworth & Sgt Kaloss. The tape recorder was turned off per the request of the Sheriff's Dept. Lt. Ellsworth explained that CCSO cannot enforce civil matters or deed restrictions - their job is to enforce criminal statutes. R. Woods states the Board is not looking to CCSO to enforce deed restrictions - they just want to be sure that when there is a confrontation the CCSO will respond.

6. DEEP CREEK CIVIC ASSOCIATION

\*Joint Association Meeting Report

The committee met on May 14, 2012.

Both Section 20 and Section 23 agree that their mission is to take care of the common areas and to enforce the deed restrictions, therefore they are not in favor of having and maintaining a community building.

Section 20 shared information on a collection agency that is useful in collecting delinquent assessments. H. Goldstein also discussed with Attorney Oaks the idea of taking banks to small claims court to collect damages. Oaks advised this procedure could put the Association in danger of being responsible for attorney fees. Section 23 will continue to collect with the procedure already in place.

Section 23 POA Minutes of May 24, 2012

Section 20 board member suggests it could be acceptable for residents to fish in all the lakes in Deep Creek with the establishment of a few rules - application for fishing license at which time an ID tag would be issued. Should a resident violate the restrictions three times the fishing license would be revoked. J. Harris comments that this procedure would be unmanageable. Section 23 Board is not in favor of this idea. **A motion was made by J. Harris and seconded by H. Goldstein that Section 23 Board is not interested in this proposal.** Motion carried.

Fred Neuman reports the DCCA Garden Club mulched the Rio entrance and removed the dead palm tree; replaced the flag at the Sandhill entrance; replaced some dead plants at the Rampart entrance.

The scholarship winners will receive their award at the June 5 DCCA meeting. The DCCA is giving two scholarships this year, \$1000 and \$500.

Due to lack of help in publishing the newsletter - there will be no newsletter in July and August. Starting in September the newsletter will be published every other month until they get more help.

7. COMMITTEE REPORTS

FINANCIAL REPORT – Jay Carlson

The Cash Flow, Income Statement, Balance Sheet and Check Register for month ending April 30, 2012 were distributed. **A motion was made by A. Kontos and seconded by H. Goldstein to accept the April 30, 2012 financial report subject to audit.** Motion carried.

J. Carlson reports the Association collected \$3100 for full payment on a mortgage foreclosure account.

Also reports holding off on drainage work except for minor work throughout the area.

\*Linares, 2104 Mazatlan Rd (784-10) - Collection

Attorney Oaks took the Depositions in Aid of Execution of this property owner - with the results being that they are not collectible at this time. Counsel for Linares did offer to pay 1/2 of the judgment, \$835.00, in exchange for a release. The Board rejected this offer. **A motion was made by H. Goldstein and seconded by C. Schrage to have Attorney Oaks go back to Linares' Attorney with a counter offer of \$1500.00 to satisfy the judgment.** J. Harris opposes motion. Motion carried.

\*Budget Committee Report

The committee will be presenting a budget with an increase to the assessment. The increase will be attributed to drainage maintenance which has been put off because of increased expenses and beautification of the cul de sacs in order to improve the community and make more attractive.

COMMON AREA & LAKES – Ron Woods

Attorney Oaks sent a letter to the Sheriff's Dept asking for uniformity in their enforcement.

COUNTY LIAISON – Harvey Goldstein

H. Goldstein and G. Neroni spoke with Commissioner Bob Star regarding the sidewalk construction on Capricorn Blvd to start on June 1 and that Charlotte County Department of Public Works needs to have a forensic audit done.

Section 23 POA Minutes of May 24, 2012

ARCHITECTURAL REVIEW – Ron Woods

Permits approved: April - 2 additions; 1 fence; 1 pool  
May - 1 addition

R. Woods reports the house at 26095 Salonika Ln has been repainted without approval. R. Woods asks the Board to look at the house and report if the color is acceptable.

DEED RESTRICTIONS

\*Attorney Status Report

The Attorney status report of May 17, 2012 was distributed.

\*NORTH – Bob Trout

Absent

\*NORTH – Guy Neroni

\*Harris, 25240 Derringer Rd (699-05) - Offer to Mediate

The owner is in violation of failing to maintain the lawn and inadequate landscaping. **A motion was made by H. Goldstein and seconded by G. Neroni to proceed with Offer to Mediate.** Motion carried.

\*Fast Action Inc, 25454 Palisade Rd (640-05) - Offer to Mediate

The property owner is in violation of failing to maintain the lawn, inadequate landscaping and garbage on the lanai. **A motion was made by H. Goldstein and seconded by G. Neroni to proceed with Offer to Mediate.** Motion carried.

G. Neroni reports the Gibbs property, 25381 Narwhal Ln, is in full compliance.

Association Attorney Bogle received a letter from Ms. Andreu, 1136 Yachtsman Ln, stating violations have been taken care of. G. Neroni inspected and found is still in violation, will proceed with process.

\*SOUTH – Harvey Goldstein

\*Lampo, 2178 Calcutta Rd (766-09), Offer to Mediate

The property owner is still in violation of failing to maintain the lawn and landscape, storing unsightly items in view and improperly storing garbage containers. **A motion was made by H. Goldstein and seconded by G. Neroni to proceed with Offer to Mediate.** Motion carried.

\*SOUTH – Cy Schrage

No problems to report. Doing normal inspections.

Section 23 POA Minutes of May 24, 2012

\*MULTI FAMILY – Andy Kontos

Received a letter from owner of 26139/26141 Northern Cross that they do not want to install plants because of allergies and will attract animals. The Board agreed that they required to bring the property into compliance and meet the minimum landscape requirements.

\*VACANT LOTS – Joseph Harris

H. Goldstein reports many vacant lots are overgrown, concerned that these lots will not get the 8 mowings that the property owner has paid for.

8. OTHER BUSINESS

\*Real Estate Meeting Report

The committee met May 17 to discuss additional properties acquired by Section 23 as a result of foreclosure on assessment lien.

**A motion was made by A. Kontos and seconded by G. Neroni to approve the committees recommendation to sell vacant lot 1079 Rio de Janeiro Ave (642-12), contingent on the final title search of the property finding no mortgage.** Motion carried.

**A motion was made by H. Goldstein and seconded by G. Neroni to approve the committees recommendation to sell vacant lot 26547 Sandhill (651-12), contingent on the final title search of the property finding no mortgage.** Motion carried.

**A motion was made by H. Goldstein and seconded by G. Neroni to approve the committees recommendation to sell vacant lot 1117 Melville Rd (659-04), contingent on the final title search of the property finding no mortgage.** Motion carried.

**A motion was made by H. Goldstein and seconded by G. Neroni to approve the committees recommendation to sell vacant lot 26405 Bridgewater Rd (769-02), contingent on the final title search of the property finding no mortgage.** Motion carried.

**A motion was made by H. Goldstein and seconded by G. Neroni to approve the committees recommendation to sell vacant lot 25404 Kowloon (722-17), contingent on the final title search of the property finding no mortgage.** Motion carried.

**A motion was made by H. Goldstein and seconded by A. Kontos to approve the committees recommendation to sell vacant lot 1232 Neapolitan Rd (733-26).** Motion carried.

**A motion was made by H. Goldstein and seconded by G. Neroni to approve the committees recommendation to sell vacant lot 1226 Saxony Cir (738-21), contingent on the final title search of the property finding no mortgage.** Motion carried.

**A motion was made by H. Goldstein and seconded by A. Kontos to approve the committees recommendation to sell vacant lot 1311 Navigator Rd (739-12), contingent on the final title search of the property finding no mortgage.** Motion carried.

Received an estimate to repair the home at 26090 Templar Ln (665-02) - these repairs would get the house ready to either sell or rent. The estimate of \$10,000+ includes repairing pool cage screens, paint inside & out, purchase appliances, replace missing pool pump, etc. The committee recommends not putting any money into this home at this time.

\*For Sale Signs

B. Trout previously mentioned contacting real estate brokers to put the words "deed restricted" on their for sale signs in order to let the potential buyer know Section 23 is a deed restricted community. Questions were raised. **A motion was made by A. Kontos and seconded H. Goldstein to table this issue for the June meeting at which time B. Trout is present and can explain.** Motion carried.

\*Annual Meeting Preparation

The Annual Meeting will be held at the Lutheran Church of the Cross on Wednesday October 17, 2012 @ 7:00PM. The cost of the rental for the meeting is \$175.00.

\*MSBU Meeting

Many residents from Mauritania Rd have issued complaints in regards to the cleanup of the Desoto Canal. The County removed evasive plant species which is now causing erosion. The MSBU committee recommended that Public Works inspect the canal to be sure the work that was contracted was completed.

## 9. ADJOURNMENT

Meeting was adjourned at 3:30pm.

Respectfully submitted,

Robert Trout, Secretary