

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

1. CALLING OF THE ROLL

In attendance: Ronald Woods, Harvey Goldstein, Andrew Kontos, Guy Neroni, Jay Carlson and Teresa Boucher.

Absent: Cy Schrage and Joseph Harris

Guests: Property Owners: Stephen & Mary Ellen O'Meara, Adriana Viveiros, and Mike Patrick; DCCA Fred Neuman and Sylvia Kelsey; CCSO DFC Ken Hill and Lt. Gary Ellsworth

NOTE: Guests who did not submit requests to be on the agenda are in attendance to only observe.

2. CALL MEETING TO ORDER

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

3. APPROVAL OF MINUTES

A motion was made by H. Goldstein and seconded by G. Neroni to approve the minutes of the Regular Board Meeting of June 28, 2012 as written. Motion carried.

4. JEFF LOWEN, 1558 NAVIGATOR RD (742-08), FISHING

Mr. Lowen was not present.

5. ADRIANA VIVEIROS, 1506 WASSAIL LN (724-14), TREE

On several occasions the property owner has requested the oak tree in the greenbelt behind her home be removed. Previous Board's have denied the request based on the tree being healthy and not a danger to life, limb or property. Ms. Viveiros reports that the tree is growing close to the pool cage, leaves fill her gutters and the roots are growing into her yard. J. Carlson to look at the tree again to determine if the tree should be removed.

6. STEPHEN & MARY ELLEN O'MEARA, 1355 NAVIGATOR RD (740-01) - CONSTRUCTION

This issue was tabled from the June 2012 meeting wherein the property owners were to submit engineering specs and a copy of the County permit. The Board received the engineering information and the County permit has been applied for, but not received. This issue to be tabled to the September meeting - should the owners receive the County permit prior to the meeting they are to bring to Association office.

7. MIKE PATRICK, 1091 PARACLETE (666-04) - GREENBELT DRAINAGE & LOT MOWING

Mr. Patrick reports that his greenbelt does not drain because of a blockage between Fergus Ln and Paraclete Rd. J. Carlson to meet with Mr. Patrick and look at the area. Also, reports that the vacant lot next to him gets too high in between mowings and is concerned that the weeds from the lot will spread to his property.

Minutes of August 23, 2012 Section 23 POA

8. CHARLOTTE COUNTY SHERIFF'S OFFICE (CCSO)

Deputy Hill announces that he is the new Community Policing Officer for Deep Creek and will be attending the meetings.

9. DEEP CREEK CIVIC ASSOCIATION REPORT

President Fred Neuman reports that due to liability concerns associated with the Neighborhood Watch Program Section 20 POA has demanded that the patrolling in Section 20 cease immediately. Additionally, Section 20 has suspended any and all implications of affiliation with the DCCA.

Received a note from the Garden Club that the Rampart entrance sign/planter needs to be repaired. **A motion was made by H. Goldstein and seconded by G. Neroni to approve the repairs of the sign/planter, to include proper drainage in the planter, clean & paint the sign.** Motion carried.

10. COMMITTEE REPORTS

FINANCIAL REPORT - June 30, 2012 & July 31, 2012

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

The Cash Flow, Income Statement, Balance Sheet and Check Register for month ending July 31, 2012 were distributed. **A motion was made by H. Goldstein and seconded by A. Kontos to accept the July 31, 2012 financial report subject to audit.** Motion carried.

J. Carlson reports he met with representatives from Regions Bank to get information on Merchant Credit Card services. There is a one time setup charge of \$349 and \$10 a month for the service. Once setup the property owners will be able to use a credit card to pay their assessment by going to a link on Section 23's website which will transfer the payment directly to the Association's bank account. **A motion was made by H. Goldstein and seconded by G. Neroni to try this service for the 2012/2013 fiscal year - will review the use activity in a year to determine if the service is needed.** Motion carried.

*Ugarte, Vacant Lot (777-08) - Waive Lot Mowing Charge

Received a request from property owner that the \$40 lot mowing charge for May 2012 be removed from his account based on an invoice he submitted from his landscaper showing the lot was mowed three times that month. **A motion was made by H. Goldstein and seconded by A. Kontos to table this issue to the September meeting. J. Carlson to contact the mowing company.** Motion carried.

*Linares, 2104 Mazatlan Rd (784-10) - Collections

At the May 24, 2012 Board meeting the Board countered an offer from the property owner for a reduced payoff on their delinquent account. The Board offered to accept \$1500 as full payment to satisfy the judgment - the property owner rejected this offer. **A motion was made by H. Goldstein and seconded by G. Neroni to not accept any less than what is owed - the Board will let the judgment sit and accrue interest until paid.** Motion carried.

Minutes of August 23, 2012 Section 23 POA

COMMON AREA & LAKES

Neighbors on Derringer Rd report a truck backed into vacant lot (699-08) to unload a boat and left the truck in the greenbelt while fishing. R. Woods contacted the owner of the lot and received permission to post a "no trespassing" sign and to act on their behalf.

COUNTY LIAISON

The sidewalk is underway on Capricorn Blvd. - next year work will begin on the Sandhill sidewalk. County also plans to widen Rampart Blvd. from the overpass to Kings highway.
H. Goldstein recommends the Board invite outgoing Commissioner Bob Starr to the Annual Meeting.

ARCHITECTURAL REVIEW

Permits issued: 2 fences; 2 enclosures

*Roland, 1369 Kindel Ct (696-04) - Rear Variance Request

Mr. Roland requests a 5' variance of the rear setback in order to accommodate a pool. Mr. Roland submitted a letter of request, a site plan showing the location of the pool, pool specs and letters from the neighbors indicating they have no objection to the variance, for Board review. **A motion was made by H. Goldstein and seconded by A. Kontos to deny the variance based on the property being standard sized, therefore being no hardship. Recommend the owner modify the pool to fit.** Motion carried.

DEED RESTRICTIONS

*Attorney Status Report

The Attorney Status report of August 17, 2012 was distributed.

NORTH - vacancy

*25443 Kowloon Ln (722-03/04) - Fence

Discussion on 6' high fence in the rear yard. County shows fence was installed in 1991, therefore the Board will not pursue this issue.

*Harris, 25240 Derringer Rd (699-05) - Lawsuit

The property is still in violation of failing to maintain the lawn/landscape and install adequate landscaping. **A motion was made by H. Goldstein and seconded by G. Neroni to proceed with filing a lawsuit.** Motion carried.

Minutes of August 23, 2012 Section 23 POA

*Mayo, 25356 Rampart Blvd (708-07) - Lawsuit

The property owner is still in violation, however due to bankruptcy status the mortgage holder is responsible. **A motion was made by H. Goldstein and seconded by A. Kontos to have attorney Bogle notify the mortgage holder to bring the property into compliance.** Motion carried.

NORTH - Guy Neroni

The property at 25236 Nocturne Ln (Walker) is still in violation, will check that process is continuing now that the time allotted for a reply has passed.

SOUTH - Harvey Goldstein

*Valentino, 2178 Calcutta Rd (766-09) - Lawsuit

The property is still in violation of failing to maintain the lawn/landscape and store garbage containers and other items out of view. **A motion was made by H. Goldstein and seconded by A. Kontos to proceed with filing a lawsuit.** Motion carried.

*SPB Global Ent., 2459 Odessa Ln (805-05) - Trial

A trial has been scheduled in order to collect fees and costs as a result of a deed restriction violation, October 10, 2012 @ 1:00pm. R. Woods and H. Goldstein to attend the trial.

*Asher, 26403 Rampart Blvd (767-16) - Lawsuit

The property is still in violation of failing to install adequate landscaping. **A motion was made by H. Goldstein and seconded by G. Neroni to proceed with filing a lawsuit.** Motion carried.

SOUTH - Cyril Schrage

*LaPietra, 26146 Madras Ct (730-08), Deed Restriction Litigation

J. Carlson to inspect the property for violations and will then contact Attorney Oaks with the information.

MULTI FAMILY - Andy Kontos

Following up on open issues - seeing many of the condominiums complying to the Minimum Landscape Requirements.

VACANT LOTS - Joseph Harris

No report.

Minutes of August 23, 2012 Section 23 POA

11. OTHER BUSINESS

*MSBU Report

Initial cleanup of the Desoto Canal was to remove the pepper trees to expose the canal to determine what needs to be done, which exposed erosion on the west side of canal. The committee is recommending to install a 10' anchor mat and sod starting at the north end near Navigator Rd and work toward the bridge at Harborview Rd with an estimated cost of \$1.8 million. Last year's budget for this project was \$1.5 million with \$1.2 million remaining after initial cleanup. In order to make up for the cost difference, to complete the project, the County will get additional estimates for the final phase. The County will also repair portions of the eroded greenbelt, and will be seeking easements from the School Board, Villa Manor Condo and Section 23 for access to damaged areas. The project will take about 4-6 months to complete with an estimated start date of January 13, 2013.

12. ADJOURNMENT

Meeting was adjourned at 3:45 pm.

Respectfully submitted,

Ronald Woods, President/Secretary