

SECTION 23 PROPERTY OWNER'S ASSOCIATION, INC.
BOARD OF DIRECTORS MEETING
June 27, 2013

1. CALLING OF THE ROLL

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

Absent: Joseph Harris

Guests: Property Owners: Jack Estep, Larry Allder, Richard Passalaqua, Marla Johanson, John & Barbara Pawels, George Wilson and Vicky Craig; Deep Creek Civic Association: Fred Neuman.

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 K. Perry to approve the minutes of the Regular Meeting of May 23, 2013 as written. Motion carried.

4. RICHARD PASSALAUQUA, 2442 COLOGNE LN (804-11) - LANDSCAPING EXTENSION

Mr. Passalaqua received a notice, in May, that his property was in violation of not having adequate landscaping. He requests a 6-12 month extension to bring the property into compliance since he just moved into this home in April and he has estimated that there are approx 75 plants needed and he wants to do a nice job, not just throw plants into the ground. The Board agreed to a 6 month extension - with 90 day inspections that there is progress being made.

5. MARLA JOHANSON, 1416 SAN CRISTOBAL, #A - PAPER BINS ON RAMPART

Ms. Johanson reports the paper boxes located near the Genesis Salon on Rampart are unsightly, usually empty and fallen over. She has called the Charlotte Sun, The Real Estate Review and Home Improvement Guide Distributors, their response is that they will look into it. H. Goldstein recommends she contact Charlotte County Commissioner Ken Doherty.

6. LARRY ALLDER, 26098 TEMPLAR LN (665-01) - CONCERNS ABOUT PROPERTIES

Mr. Allder reports the home at 26090 Templar Ln that is owned by the Association is need of maintenance. He further questions the Boards process in obtaining properties through foreclosure. And that the Deed Restrictions need to be changed, because these are tough times. R. Woods explains the process when a property owner fails to pay their assessment and the action the Association must take. R. Woods also asks Mr. Allder to submit the changes he thinks should be made to the Restrictions. H. Goldstein states that the Board is obligated to correct the violations at 26090 Templar and will do so.

7. CHARLOTTE COUNTY SHERIFF'S OFFICE (CCSO)

Deputy Ken Hill not present.

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8. DEEP CREEK CIVIC ASSOCIATION

Fred Neuman reports that the scholarship award was presented to the winner at their June meeting. There is no July meeting. At the August meeting they will present a check to Lt. Pribble (PG Police Dept) to be used for the Do The Right Thing Program. F. Neuman requests the board put the word out that the DCCA is in need of a Vice President.

9. COMMITTEE REPORTS

FINANCIAL REPORT – Jay Carlson

The Cash Flow, Income Statement, Balance Sheet and Check Register for month ending April 30, 2013 were distributed. G. Neroni questions the staff payroll entry and requests backup for April and May. **A motion was made by H. Goldstein and seconded by K. Perry to accept the April 30, 2013 financial report subject to audit.** A. Kontos and G. Neroni opposes, Motion carried.

The Cash Flow, Income Statement, Balance Sheet and Check Register for month ending May 31, 2013 were distributed. **A motion was made by H. Goldstein and seconded by K. Perry to accept the May 31, 2013 financial report subject to audit.** A. Kontos and G. Neroni opposes, Motion carried.

*Spinella, 1566 Ultramarine Ln (755-15), Waive Attorney Fee

Received a letter requesting the Board waive the Offer to Mediate-Attny Fee in the amount of \$132.31 based on the time consuming eviction process. A recent inspection revealed that there continue to be violations at the property. **A motion was made by C. Schrage and seconded by H. Goldstein to deny the request to waive the \$132.31 Attorney Fee.** Motion carried.

COMMON AREA & LAKES – Ron Woods

R. Woods reports that nothing unusual is going on at the lakes, Jack Estep confirms that things have been quiet on Lake Barnes.

COUNTY LIAISON – Harvey Goldstein

Nothing new to report.

ARCHITECTURAL REVIEW – Ron Woods

Permits issued: 1 enclosure; 3 houses; 1 addition; 3 fences; 2 pools

DEED RESTRICTIONS

*Attorney Status Report of June 21, 2013 was distributed and discussed:
Dvorak, (667-09), G. Neroni signed affidavit.
Robinson, (703-01), Went to trial, Mr. Robinson has appealed decision
Walker, (679-14), POA prevailed at 6/26 hearing

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*ZAPPA SOUTH – Karen Perry

K. Perry reports that Waste Management will soon be distributing larger recycle bins, which will be a problem for some owners to store them in their existing enclosure.

*ZAPPA NORTH – Guy Neroni

*Lubin, 1168 Paraclete Rd (669-10) - Offer to Mediate

The owner is still in violation of failing to maintain the landscape, failing to install adequate landscaping, parking in the grass and improperly storing garbage containers. **A motion was made by G. Neroni and seconded by H. Goldstein to proceed with the Offer to Mediate.** Motion carried.

*SOUTH EAST – Harvey Goldstein

*Noel, 2593 Mauritania Rd (802-02) - Lawsuit

The owner 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 the lawsuit.** Motion carried.

*SOUTH WEST – Cy Schrage

*Vanis, 2374 Malaya Ct (813-02) - Offer to Mediate

C. Schrage reports the owner is still in violation of failing to maintain the lawn and landscape by removing weeds from the flower beds and trimming the bushes, shrubs and trees. **A motion was made by C. Schrage and seconded by H. Goldstein to proceed with the Offer to Mediate.** Motion carried.

At the May meeting the Board received a letter from Mr. Fisher that the property at 2166 Pagoda needed to be trimmed and weeded and the Board's decision was that the property was not in bad enough condition yet. C. Schrage reports that with the amount of rain we have had, he suggests the Board have the property trimmed. **A motion was made by C. Schrage and seconded by A. Kontos to have Excavation Etc. remove weeds and trim trees, bushes and shrubs at a cost not to exceed \$350.00.** Motion carried.

Discussion about the unsightly lift stations throughout the area. C. Schrage to look into getting General Development to landscape around the lift stations.

*MULTI FAMILY – Andy Kontos

*Janet Jones Group Home, 1391 Capricorn Blvd (683-18) - Offer to Mediate

The owner is still in violation of parking on the grass. **A motion was made by A. Kontos and seconded by G. Neroni to proceed with the Offer to Mediate.** Motion carried.

A. Kontos reports Lake Side Gardens II received a violation letter, a year ago, for inadequate landscaping and was told at that time that the condo could not make improvements until the next budget year. There has been no change. A. Kontos and H. Goldstein will inspect together to determine what is needed.

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*VACANT LOTS – Joseph Harris

*McCullough, (671-07) - Lawsuit

Property owner is still in violation of failing to remove Brazilian pepper trees, stumps, weeds and vines from the vacant lot. **A motion was made by H. Goldstein and seconded by A. Kontos to proceed with the lawsuit.** Motion carried.

10. OTHER BUSINESS

*MSBU

R. Woods reports that the selected roads in Deep Creek are scheduled to be paved before October 2013. Sidewalks are scheduled for Rio de Janeiro (from Deep Creek Blvd to Rampart) between August 19, 2013 & January 20, 2014.

*Culdesac Project

A deposit was made to Palm, Plants & More for first four culdesacs located at Olla Ct, Kindel Ct, Razorbill Ln and Obelisk Ct. J. Carlson will check the finished project and then release four more culdesacs.

*Attorney David Oliver - Retainer Agreement

Discussion about fee structure and whether there is an attorney that will follow Attorney Oaks billing system - it was determined that most attorneys bill by the hour. **A motion was made by H. Goldstein and seconded by A. Kontos to retain Attorney David Oliver to handle the cases that are a conflict with Attorney Oaks.** Motion carried.

*26090 Templar Ln (665-02)

This property is owned by the Association as a result of foreclosure of the assessment lien. The Association has been cited by Charlotte County Code Compliance for a cluttered pool deck and missing pool screens. J. Carlson has obtained one bid of \$1,200.00 which includes checking the screws in the base and new hardware on the doors. **A motion was made by H. Goldstein and seconded by G. Neroni to authorize J. Carlson to obtain three bids and have him give the job to the lowest bidder that is licensed and insured.** Motion carried.

*1185 Rio de Janeiro Ave (664-07) - Abandoned Home, Trim Trees, Bushes and Shrubs

R. Woods reported the overgrown condition of this property and requested office staff get a price for cleaning up the landscape. The bid from Andrew J Murray came in at \$300.00. **A motion was made by H. Goldstein and seconded by G. Neroni to authorize J. Carlson to obtain three bids and have him give the job to the lowest bidder that is licensed and insured.** Motion carried.

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*May Meeting Follow-up

Variance Request for 2068 Nuremberg - No further response from property owners.

Vermouth Lift Station - J. Carlson spoke with County workers who were pumping out the sewers, which should help with the odor and they indicated that the blue barrel must stay.

Violations at 2122 Mauritania Rd - H. Goldstein reports the plants are in and issue closed.

Storage America Request to Purchase - J. Carlson reports his last conversation with owner was that they were to present an offer to the Board and will also contact the owner of Zephyr Ct lots to purchase also.

*Section 23 Sale

Section 23 sold vacant lot (739-12) on Navigator Rd, that was acquired by the foreclosure of assessment lien. The sale covered the assessments and taxes and left a surplus of \$32.07.

*Vacant Lot Mowing

J. Carlson to inspect vacant lots on July 1 to enforce violations for lack of mowing in June. Violation letters will be sent and owners will be given 10 days to have the lot mowed.

*Rampart Pipe Repair

J. Carlson is checking with banks for line of credit to fund this repair. He has obtained three contractor bids (2 written and 1 verbal). Because of the heavy rains, J. Carlson had a temporary repair done at a cost of \$1,750.00 - this repair will allow more time to choose a contractor and get funding. C. Schrage suggests J. Carlson obtain a bid from the contractor Benderson is using at the end of Rampart. **A motion was made by C. Schrage and seconded by A. Kontos to have J. Carlson obtain a bid from the contractor that Benderson is using at the end of Rampart.** Motion carried.

*2013/14 Annual Budget

The recommended budget by the Budget Committee who met June 24, 2013 was submitted. There were corrections made to the operating fund, adjusted drainage work and increased the culdesac beautification fund. **A motion was made by H. Goldstein and seconded by K. Perry to approve the budget as recommended by the budget committee.** Motion carried.

*FPL Ground Wire Repair

K. Perry was able to find a contact person at FPL to look into the repair of the ground wires that were cut November 2012. They claim to have lost all the paperwork on this issue. H. Goldstein is to meet with a local FPL representative to help identify which poles were affected.

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*Property Management RFP

The RFP is scheduled to go out in mid August.

*Attorney Truitt

The Board will meet with attorney's handling the Robinson's federal case on August 6, 2013 @ 10:00AM at the POA office.

*Annual Meeting Prep

All information to be mailed in the Annual Meeting package is due no later than August 20.
Newsletter articles: R. Woods - Presidents Report; A. Kontos - Deed Restriction Report; J. Carlson - Drainage Report; H. Goldstein - County Report.

*August Board Meeting

The next Board meeting will be changed to August 8.

10. ADJOURNMENT

Meeting was adjourned at 4:20PM.

Respectfully submitted,

Guy Neroni, Secretary