

SECTION 23 PROPERTY OWNER'S ASSOCIATION, INC.  
BOARD OF DIRECTORS MEETING  
February 27, 2014

1. CALLING OF THE ROLL

In attendance: Harvey Goldstein, Ronald Woods, Karen Perry, Joseph Harris, Vicky Craig, Andy Kontos, Jay Carlson and Teresa Boucher

Guests: Property Owners: Jack Estep, Cy Schrage, Pete McGarry, Tom Bones, Lynette Henk, Wayne Henk, Kathleen Gill, Larry Allder; CCSO: Ken Hill; Plants, Palms & More: Dave Troyer

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 Harvey Goldstein at 1:00 p.m.

3. APPROVAL OF MINUTES - REGULAR MEETING - JANUARY 30, 2014

**A motion was made by V. Craig and seconded by J. Harris to approve the minutes of the Regular Monthly Board meeting of January 30, 2014 as written.** Motion carried.

4. APPOINT BOARD SECRETARY

**A motion was made by K. Perry and seconded by R. Woods to appoint Vicky Craig as Secretary for the Board.** Motion carried.

5. APPOINT BOARD MEMBER

**A motion was made by K. Perry and seconded by V. Craig to appoint Kathleen Gill to fill the board member vacancy.** Motion carried.

A motion was made by A. Kontos to appoint Mr. Bones to fill the board member vacancy. This motion failed due to lack of a second to the motion.

6. JOSEPHINE PLESCE, 1582 ULTRAMARINE LN (755-12) - GARBAGE CAN VIOLATION AT CORNER OF RIO/WATERFOWL

Not present.

7. PLANTS PALMS & MORE - DAVE TROYER - CULDESAC PROGRAM

Mr. Troyer provided an update to the Board to explain problems with some of the plants used in the culdesacs. He explained that it is critical for new plantings to get plenty of sun, water and nutrition for the first 30 days after planting in order to be established. Discussion on different types of plants that may do better in this type of setting.

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8. CHARLOTTE COUNTY SHERIFF'S OFFICE (CCSO)

Deputy Hill reports there are no crime trends in Deep Creek. There is an increase in burglaries and retail theft. Discussion on the various telephone scams. A property owner wanted to know what can be done about religious groups going door to door - Deputy Hill informs that these groups are protected by freedom of religion, however the property owner has every right to tell them to leave their property and if they don't then the Sheriff's office should be called.

9. DEEP CREEK CIVIC ASSOCIATION REPORT

Not present.

10. COMMITTEE REPORTS

FINANCIAL REPORT

\*January 31, 2014

The Cash Flow, Income Statement, Balance Sheet, and Check Register for month ending January 31, 2014 were distributed. Also the reports for October, November and December were provided. **A motion was made by R. Woods and seconded by V. Craig to accept the financial reports subject to audit.** Motion carried.

\*Audit - September 30, 2013

The fiscal year ending September 30, 2013 audit was given to the board members. **A motion was made by R. Woods and seconded by V. Craig to accept the audit for fiscal year ending September 30, 2013.** Motion carried. 1 vote against the acceptance of the 2013 audit.

\*Opinion Cost - Confirmation

President Goldstein did a telephone poll to the Board members in order to get approval to expend funds for obtaining an opinion from an outside attorney to examine the court's ruling on the Barnes case. **A motion was made by H. Goldstein and seconded by K. Perry to confirm the results of the telephone poll to approve the expense for an outside opinion of the Barnes case.** Motion carried.

COMMON AREA & LAKES

J. Harris reports the lake levels are low and not much activity on the lakes.

J. Carlson reports that Gulf Coast Aquatics is working on obtaining permits to get additional carp to stock lakes Zappa and Bengal.

COUNTY LIAISON

R. Woods will recommend to the MSBU committee to lower the speed limit on South Nuremberg in an effort to get better enforcement on the speed violators. Phase II of the Desoto Canal cleanup will begin once scrub jay mating season ends.

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ARCHITECTURAL REVIEW

Permits issued: 2 fences; 2 enclosures

DEED RESTRICTIONS

\*Attorney Status Report of February 21, 2014 was distributed and reviewed.

R. Woods and K. Perry will attend the LaPietra trial scheduled for March 18, 2014.

ZAPPA SOUTH

\*Lubin, 1428 Capricorn Blvd (697-04) - Lawsuit

The owner is still in violation of failing to install adequate landscaping, maintaining the lawn, properly store garbage/recycle containers and maintain the home. **A motion was made by R. Woods and seconded by V. Craig to proceed with the Lawsuit.** Motion carried.

ZAPPA NORTH

\*Barth, 1101 Fergus Ln (675-07) - Lawsuit

The owner is still in violation of failing to remove weeds from the property, store garbage and trash cans out of view and repairing the mailbox. **A motion was made by R. Woods and seconded by V. Craig to proceed with the Lawsuit.** Motion carried.

\*Mathison, 26022 Ocelot Ln (662-11) - Fees & Costs

The violations have been corrected however the fees and costs associated with seeking compliance have not been paid. **A motion was made by R. Woods and seconded by V. Craig to proceed with the collection of the fees and costs associated with the violations.** Motion carried.

SOUTH EAST

H. Goldstein has been following up on violations, many have been corrected.

SOUTH WEST

\*Ullah, 26039 Leyte Ct (824-02) - Waive Deed Restriction Costs

H. Goldstein has been working with this owner in order to bring the property into compliance. He reports that the property is now in compliance and recommends the cost for the Offer to Mediate should be removed from his account since he was working on remedying the violation. **A motion was made by H. Goldstein and seconded by V. Craig to waive the charge for the Offer to Mediate.** Discussion on the motion - the property owner needs to present a formal request for a waiver in writing to the Board. This issue to be table to the March meeting.

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MULTI FAMILY

There continues to be parking on the grass at the Janet Jones home on Capricorn.

VACANT LOTS

\*MacKinnon, block 665 lot 15, Waive Mowing Charge

The Association received a letter from the owner requesting the Board waive the \$45 mowing charge. **A motion was made by R. Woods and seconded by K. Perry to waive the \$45 mowing charge.** Motion carried. 2 votes against the waiver.

V. Craig reports that the 2014 mowing season is underway with the first mowing being done in February. The Association is using three contractors to mow the 443 lots that owners have paid Section 23 to maintain. Inspection will be done the first week of March.

11. OTHER BUSINESS

\*Association Management Contract

The Board reviewed Carlson & Soforth's management contract. **A motion was made by A. Kontos and seconded by J. Harris to approve the Proposal Agreement by Carlson & Soforth for Association Management.** Motion carried.

\*Information to Owners

The Board discussed responding to the flier of misinformation that was hand delivered to homes in Section 23 by unidentified person(s). The Board agreed to wait until the legal opinion is rendered and then will consider a rebuttal.

12. ADJOURNMENT

Meeting was adjourned at 3:15 PM.

Respectfully submitted,

Vicky Craig, Secretary