

SECTION 23 PROPERTY OWNER'S ASSOCIATION, INC.  
BOARD OF DIRECTORS MEETING  
February 22, 2007

1. CALLING OF THE ROLL

In attendance: Ronald Woods, Gladwin Unrau, Eugene Perry, Leonard Alsene, Harvey Goldstein, Andrew Davis and Jay Carlson.

Guests: Property Owners – Charles Hauser, Dan Gawenda and Don Petersen. NOTE: Guests that 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 Woods at 1:00 PM.

3. APPROVAL OF MINUTES

**A motion was made by H. Goldstein and seconded by A. Davis to approve the minutes of the meeting of January 25, 2007 as written.** Motion carried.

4. COMMITTEE REPORTS

FINANCIAL REPORT

The Financial Analysis reports were distributed ending January 31, 2007. The ending cash balance is \$397,344.38; operating acct \$270,541.60; money mkt performance acct \$89,263.94; money mkt reserve acct \$19,405.34; storm repair acct \$18,133.50. Two different comparative Income Statements were distributed.

The Association office parking lot is scheduled to be paved tomorrow with landscaping to follow.

**A motion was made by A. Davis and seconded by H. Goldstein to approve the financial report as presented.** Motion carried.

~Board Member, Joseph Harris in attendance at 1:30 pm.

\*Fornari – 1510 Navigator Road (742-14) – Foreclosure Fees

M/M Fornari sent a request to each member of the Board, Jay Carlson and Teresa Boucher requesting that the Board waive all fees charged to their account for attorney fees and costs for non-payment of the 2005/06 Annual Maintenance Assessment. The Fornari's claim they provided a change of address to the Association office in April 2005, however the Association has no record of the change. All Association mail has been sent to the 1510 Navigator Road address which has been returned to the Association office as undeliverable. It is the Association's policy to use the same property owner information that the County Appraiser uses. To date the County Appraiser still has the Fornari's address at 1510 Navigator Road which the Fornari's have stated that they have no intention of changing. The office staff has changed the address as the property owner requested in the abovementioned letter. **A motion was made by A. Davis and seconded by H. Goldstein to deny Mr. and Mrs. Fornari's request to waive the Attorney fees and costs from their account for non-payment of the 2005/06 Annual Maintenance Assessment.** Motion carried. R Woods to phone Mr. Fornari with the Board's decision and a letter will also be sent.

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\*Charlotte County Vacant Lot – Constantine Road (830-34) – Assessment

Attorney Oaks has been corresponding with County Attorneys as to the collectibility of assessments as to land owned by Charlotte County. To date the County still concedes that they are exempt from paying homeowners dues. R Woods and J. Harris will meet with Attorney Oaks to determine what action should be taken.

COMMON AREA & LAKES

Not much activity, some fisherman, nothing out of the ordinary.

ARCHITECTURAL REVIEW

Construction permits issued: 1 house, 1 fence

CONSTRUCTION REVIEW & COUNTY LIAISON

R. Woods and H. Goldstein met with Commissioners Cummings and Moore. Both Commissioners seemed to be knowledgeable and sympathetic to the issues facing Deep Creek.

The Commissioners appointed two members to the Deep Creek MSBU Committee, neither appointment were the residents Section 23 recommended (Copenhaver & Kang). R. Woods to make further inquiries about the appointments.

~Guest – Charles Hauser leaves the meeting.

DEED RESTRICTIONS

\*NORTH

G. Perry reports that Mr. Williams, 1454 St. George Ln (752-17) has removed most of the structure that he erected to keep animals away from his mango trees. G. Perry spoke to the property owner explaining that the remaining PVC had to be removed. Board members to inspect the placement of the mango trees for further discussion at the March board meeting.

G. Perry also reports that Mr. Allen owner of vacant lot on Neapolitan Rd (732-10) has made a commitment to have his vacant lot cleaned up.

\*SOUTH

L. Alsene reports that his inspections consist mostly of improper storage of garbage cans, parking of commercial and vehicle repair.

\*MULTI FAMILY

Manor Villa has repaired the cracked concrete in the parking area and A. Davis further reports improper storage of garbage cans and removal of dead trees on vacant lots.

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\*Clervil – 1501 Capricorn Blvd (683-07) – Hearing

Attorney Oaks has filed an Amended Motion to Enter Relief and Attorney's Fees. A hearing is scheduled for March 12, 2007 @ 1:30 pm. G. Perry, A. Davis and R. Woods will attend the hearing.

5. OTHER BUSINESS

\*Electric Boxes and Fire Hydrant Maintenance

Will invite the Fire Chief and a Rep from FPL to speak to the Board in regards to the fire hydrant maintenance and electric boxes.

\*Evening Meetings

The Board previously agreed to hold an evening meeting in March, however the meeting time change has not been posted, therefore the evening meetings will be in April and August. Will advertise the evening meetings in the local newspaper and post on the Associations website.

\*Newsletter

R. Woods would like to communicate on a regular basis with the property owners. Printing and mailing costs were discussed. The Board to consider how often they would like to have a newsletter mailed to the property owners.

\*Williams, 26039 Constantine Rd

The case is set for trial May 24, 2007.

\*26080 Tattersall Lane

The dumpster load of garbage has been cleaned up from the property.

\*County Code – Kitchens in Garages

It is against the County code to have a full working kitchen installed in the garage. Nothing in the restrictions to prohibit, County will have to enforce.

\*LaCroix, 1145 Ricardo Lane – Fence

M/M LaCroix ask the Board to consider allowing them to keep and repair the existing fence rather than removing the fence and installing a new one. The fence is believed to have been erected in 1990. The fence was damaged by the 2004 hurricanes. H. Goldstein and G. Perry examined the fence and believe that it is repairable. Based on the date of installation and the belief that the fence is repairable the Board agrees to allow the LaCroix's to keep the existing fence and further stipulated that the repairs are to be completed within 30 days. R. Woods will call the LaCroixs with the Board's decision and a letter will also be sent.

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\*DCCA

R. Woods attended the DCCA's January Board meeting to bring them up to date on MSBU issues.

\*Charlotte County Sheriff's Dept – Bob Melendez

Not Present

6. ADJOURNMENT

Meeting was adjourned at 3:00 p.m.

Respectfully submitted,

Eugene Perry, Secretary