

SECTION 23 PROPERTY OWNER'S ASSOCIATION, INC.
BOARD OF DIRECTORS MEETING
August 24, 2006

1. CALLING OF THE ROLL

In attendance: Robert Bracken, Gladwin Unrau, Joseph Harris, Ron Woods, Harvey Goldstein, Gene Perry and Jay Carlson

Guests: Property Owner, Janet Sollis and Pres Section 20, Kim Jakubaitis

2. CALL MEETING TO ORDER

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

3. APPROVAL OF MINUTES

A motion was made by H. Goldstein and seconded by R. Woods to approve the minutes of the meeting of July 27, 2006 as written. Motion carried.

4. SAM DUBBANEH – BANNER “SALON & SPA” – 1533 RIO DE JANEIRO AVE

Mr. Dubbaneh plans to open the salon & spa business September 15, 2006 and requests that the banner be allowed to remain on the building until that time. Board does not approve of separate signs; name of business on main marquee sign is allowable. **A motion was made by R. Woods and seconded by G. Perry to allow the banner to remain on the building until September 15, 2006.** Vote – 2 for, 4 against. Motion denied. R. Woods to notify Mr. Dubbaneh of the Board's decision.

5. JANET SOLLIS – 1401 KINDEL COURT (696-08) – VARIANCE REQUEST

Mr. and Mrs. Sollis request a 3'8" variance of the rear setback in order to accommodate a pool. The Sollis' did obtain written statements from the adjoining property owners indicating they have no objection to the variance. Board reviewed the site plan & drawings submitted. The Board questioned the incompleteness of the previously permitted addition to the home and the expiration of that permit. **A motion was made by H. Goldstein and seconded by R. Woods to table the request until the owners provide the Board with a renewed permit for the addition and the names of the contractors who will be digging the pool and installing the pool cage. The Board also requests the owner discuss with their contractor the possibility of reducing the size and/or repositioning the pool in order to minimize the variance.** Motion carried.

6. SECTION 20 POA – KIM JAKUBAITIS

Kim Jakubaitis, President of Section 20 POA, recommends that the Deep Creek POA's (20 & 23) join together to keep the community informed of County issues that affect the Deep Creek area. One important area of involvement would be the Charlotte County Public Works MSBU committee who makes decisions on road & drainage repair. Both Boards will send a representative to the MSBU meetings and form a committee, from the community, to determine which pipes & roads need to be repaired.

7. COMMITTEE REPORTS

FINANCIAL REPORT

The Financial Analysis reports were distributed ending July 31, 2006. The ending cash balance is \$227,317.99; operating acct \$101,244.12; money mkt performance acct \$88,493.12; money mkt reserve acct \$19,341.95; storm repair acct 18,238.80.

Discussion regarding mileage reimbursement for Board members. The Bylaws allow for Directors to receive reimbursement for mileage. The Board will pay the IRS rate.

*Hibbert – 2235 Kenya Lane (789-11) – Waive Deed Restriction Violation Charge

The Association sent three notices to the property owner that there was a violation of having a gazebo in the rear yard of the property. The gazebo was not removed, therefore the matter was turned over to Attorney Oaks which resulted in a charge to Mr. Hibbert for the cost of the attorney letter. **A motion was made by H. Goldstein and seconded by R. Bracken to deny the request to waive the \$50.00 charge from Mr. Hibbert's account.** Motion carried.

*Sayed – 1182 Capricorn Blvd (681-02) – Waive Deed Restriction Violation Charge

The Association sent three notices to the property owner that there was a violation of allowing the lawn & landscape to become overgrown. The violation was not remedied, therefore the matter was turned over to Attorney Oaks which resulted in a charge to Mr. Sayed's for the cost of the attorney letter. **A motion was made by H. Goldstein and seconded by R. Bracken to deny the request to waive the \$50.00 charge from Mr. Sayed's account.** Motion carried.

COMMON AREA & LAKES

Lake levels are high, not much activity with fishermen.

ARCHITECTURAL REVIEW

Construction permits issued: 1 house; 3 pools; 1 fence; 1 addition

*Persinger – 1393 Kindel Court (696-07) – Exterior Paint Color

Mrs. Persinger submitted a color sample for the repainting of the home's exterior walls for the Board's review. **A motion was made by H. Goldstein and seconded by R. Woods that the color "Azurean" was unacceptable.** Motion carried.

CONSTRUCTION REVIEW & COUNTY LIASON

H. Goldstein reports that there are two new developments off Luther Road. Will get more information on the Benderson development at Rio & Harborview.

DEED RESTRICTIONS

*NORTH

*Wells – 1521 Raintree Lane (722-24) – Deed Restriction

The property owner has received several notices in regards to the violation of storing unsightly items in view. **A motion was made by R. Woods and seconded by H. Goldstein to proceed with filing the lawsuit in order to bring the property into compliance.** Motion carried.

*Rebeiz – 25350 Narwhal Lane (638-01) – Deed Restriction

The property owner has received several notices that the lawn and landscape are not being maintained and debris is being stored in view. **A motion was made by H. Goldstein and seconded by R. Woods to proceed with filing the lawsuit in order to bring the property into compliance.** Motion carried.

*Hall – 1222 Yachtsman Lane (685-09) – Hurricane Repairs

Received a letter from Ms. Hall citing the problems with contractors who were hired to make repairs to the home. She does not indicate a construction start date or completion date in the letter. **A motion was made by H. Goldstein and seconded by E. Perry to give Ms. Hall until December 31, 2006 to have all repairs to the home completed.** Motion carried.

*Loy – 1533 Rio de Janeiro Ave (Tract F) – Court Hearing

Received notice from Attorney Tiseo that a hearing for Final Judgment Enforcing Settlement Agreement is scheduled for September 20, 2006.

*SOUTH

*Messina – 2354 Rio de Janeiro Ave (815-09) – Deed Restriction

Attorney Oaks has requested a mediation date. Mr. Messina sent a letter stating he will remedy the fence violation when he returns to the area October 15. **A motion was made by R. Woods and seconded by H. Goldstein to give Mr. Messina an extension to October 15, 2006 to reduce the fence.** Motion carried.

The compliance date for M/M Schwann, 26365 Bridgewater Road, to maintain the lawn and landscape has passed. R. Woods reports that some work may have been done but would like other Board members to inspect for compliance.

R. Woods submits report of his inspections. The advisory count for the north & south as of July 31, 2006 are as follows:

North – 577 violations; 483 violations corrected; 94 violations still active
South – 617 violations; 543 violations corrected; 74 violations still active

Minutes of August 24, 2006 Section 23 POA

The Association has been pursuing Mr. Keyser on Mauritania Road to correct violations, i.e., lawn maintenance and pool cage replacement. Mr. and Mrs. Keyser have had a series of health issues which delayed their remedying the violations. R. Woods received a call last week from a neighbor of Mr. Keyser who stated that Mr. and Mrs. Keyser have passed away. R. Woods asked the neighbor to pass the Boards condolences to the Keyser family and requested that someone give the Association office a call. The Board will hold action on this issue to give the family time to get their affairs in order.

*MULTI FAMILY

G. Perry has been doing weekly inspections of the area.

Discussion on signs that have been attached to utility poles and placed in the right of way. The county has been called and they will remove these signs.

The office received a call from Mr. Johnson with Charlotte Harbor Homes, who is building a condo complex on Explorer Road, requesting procedure to erect a 4' high fence around the retention pond for safety issues. The multi family restrictions permit 4' high fences around pools, therefore, the fence around the retention pond is permitted. Will request that Mr. Johnson provide specific details regarding the installation of the fence in writing.

8. OTHER BUSINESS

No other business.

9. ADJOURNMENT

Meeting was adjourned at 3:30 p.m.

Respectfully submitted,

Ronald Woods, Secretary

Recorded by:

Teresa Boucher