

SECTION 23 PROPERTY OWNER'S ASSOCIATION, INC.
BOARD OF DIRECTORS MEETING
December 19, 2006

1. CALLING OF THE ROLL

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

Guests: Property Owners - Bob Bracken, George Wojtkiewicz and Corrine Gunter. Bob Melendez - Charlotte County Sheriff Department.

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 G. Perry to approve the minutes of the meeting of November 16, 2006 as written. Motion carried.

4. WOJTKIEWIC – 25164 LAHORE LANE – DEED RESTRICTIONS

Mr. Wojtkiewicz requests the Board consider sending two mailings a year to all property owners informing them of the 10 most violated restrictions, in order to educate the property owners and to ultimately decrease the number of violations and reduce the cost of enforcing the restrictions. Mr. Wojtkiewicz further offers to draft the letter and assist with the mailings. President Woods explains that the Association puts out deed restriction information in the annual package and currently looking into submitting an article in the Deep Creek Civic Assoc newsletter as well.

Mr. Wojtkiewicz has contacted the County in regards to litter removal from the roadsides. The County claims there is no budget for this cleanup. Mr. Wojtkiewicz asks the Board to contact the County to have the litter picked up from the main roads, i.e. Capricorn, Sandhill, Rampart & Rio de Janeiro.

Mr. Wojtkiewicz further reports that he plans to contact the County and State Depts to have the exit ramps from I-75 into Charlotte County beautified so that visitors entering Charlotte County will have a good first impression of the county.

5. COMMITTEE REPORTS

FINANCIAL REPORT

*Robinson – 2356 Malaya Ct (813-04) – Waive Deed Restriction Violation Charge

The Association charged the property owner for an attorney letter after the violation was abated. **A motion was made by H. Goldstein and seconded by A. Davis to reverse the \$50.00 charge to the Robinson account due to erroneous posting.** Motion carried.

Minutes of December 19, 2006 Section 23 POA

*6th Fairway Condo Assoc Annual Meeting

J. Carlson requests to hold the 6th Fairway Condo Assoc Annual Meeting in the Section 23 POA office in February 2007. **A motion was made by H. Goldstein and seconded by A. Davis to allow 6th Fairway Condo Assoc to hold their Annual Meeting in the office of Section 23 POA.** Motion carried.

*Audit

The full audit is complete. The balance sheet has the ending fund balance at \$458,657. The financial statement notes the long-term debt of the mortgage of the office building will be satisfied in 2010. **A motion was made by H. Goldstein and seconded by A. Davis to accept the audit as presented.** Motion carried.

*Mason – Observer Court (692-11) – Foreclosure

Attorney Oaks received notice that the Indymac Bank is foreclosing on the Mason property. He further requests direction on proceeding with filing the Association's foreclosure in order to beat the banks foreclosure. **A motion was made by H. Goldstein and seconded by A. Davis to advise Attorney Oaks to immediately file the Association's foreclosure to recoup the funds expended.** Motion carried.

COMMON AREA & LAKES

J. Harris reports the County has been busy repairing catch basins throughout Section 23.

ARCHITECTURAL REVIEW

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

CONSTRUCTION REVIEW & COUNTY LIAISON

R. Woods and H. Goldstein met with JJ Juliano who offered to assist the County Liaison Committee by attending county meetings & make contact with county officials in order to keep the Board up to date on issues that affect Deep Creek.

DEED RESTRICTIONS

-VACANT LOT MAINTENANCE – MOWING & CLEARING

This year the Board plans to focus on vacant lots that are in need of being cleaned up, either by routine mowing, removal of dead trees or clearing of brazilian pepper, stumps and any other vegetation that encroaches neighboring properties or greenbelt. A. Davis will chair the committee that will identify the lots that need maintenance. R. Woods recommend the Board consider increasing the number of mowing cycles per year from five (5) mowings to eight (8) mowings to coincide with the greenbelt mowing cycles. **A motion was made by A. Davis and seconded by H. Goldstein to increase the number of mowings from five (5) to eight (8) cycles per year.** Motion carried.

Minutes of December 19, 2006 Section 23 POA

-GAZEBO/PERGOLA/TRELLIS/ARBOR

*2040 Mazatlan Road

This issue was tabled from the November 16, 2006 Board meeting. Received a letter from the owner stating that the structure is an arbor not a gazebo, therefore not a violation. The Board viewed the structure and found it to be more than an arbor/trellis. **A motion was made by A. Davis and seconded by H. Goldstein that the structure is in violation of the restrictions and must be removed.** Motion carried.

*25523 Terrain Lane

This issue was first discussed at the September 28, 2006 board meeting where the board found that the pergola was in violation of the restrictions and would have to be removed. Inspection revealed that only the roof of the structure was removed. **A motion was made A. Davis and seconded by J. Harris to continue with the enforcement procedure in order to get the entire structure removed.** Motion carried.

*25534 Palisade Road

Received a report that there appeared to be a broken gazebo along with other unsightly items in the rear yard of the subject property. **A motion was made by J. Harris and seconded by A. Davis to continue with the enforcement procedure in order to get the gazebo and unsightly items removed.** Motion carried.

*1469 Neapolitan Road

Received a report that the trellis was in violation of the restrictions. **A motion was made by J. Harris and seconded by H. Goldstein that the trellis is not in violation of the restrictions and does not have to be removed.** Vote – 6 for, 1 against. Motion carried.

*NORTH

*McCall – 1590 Navigator Road (742-04) - Hearing

A hearing to Show Cause is scheduled for January 3, 2007. R. Woods, G. Perry and J. Carlson to attend the hearing.

*Henningsen – 1436 Capricorn Blvd (697-03) – Mediation

The property owner has received notices from the Association and the Association Attorney in regards to a fence that exceeds the allowable height as stated in the restrictions. **A motion was made by H. Goldstein and seconded by G. Perry to proceed with mediation in order to seek compliance.** Motion carried.

*Rebeiz – 25350 Narwhal Lane (638-01) – Mediation

Mediation is scheduled for January 12, 2007. R. Woods, G. Perry and J. Carlson will attend the mediation.

Minutes of December 19, 2006 Section 23 POA

*James Loy – 1531 Rio de Janeiro Ave (Tract F) – Hearing

The hearing for Motion for Final Judgment Enforcing Settlement Agreement is scheduled for January 3, 2007. R. Woods and G. Perry to attend the hearing.

*Slipatchuck – 25157 Lahore Lane (677-10) - Mediation

Attorney Oaks received an answer and offer of settlement in regards to the violation of having a hot tub/spa that is not screened. **A motion was made by A. Davis and seconded by G. Perry to reject the settlement offer by Mr. Slipatchuck and to instruct Attorney Oaks to proceed with mediation.** Motion carried.

*SOUTH

*Fenisod – 2412 Rio de Janeiro Ave (810-01) – Mediation

The property owner has been notified by the Association and the Association Attorney that the screened cage is required to be replaced around the pool as a result of the 2004 hurricane season. **A motion was made by H. Goldstein and seconded by A. Davis to proceed with mediation.** Motion carried.

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

*Currie – 2344 Rio de Janeiro Ave (815-08) – Mediation

The mediation is scheduled for January 12, 2007. R. Woods, L. Alsene and J. Carlson to attend the mediation.

*MULTI FAMILY

R. Woods took A. Davis around the multi-family area to familiarize him with the area he is responsible for inspecting for deed restriction violations.

6. OTHER BUSINESS

There is a MSBU meeting today at 2:00 PM. Due to the Section 23 Board Meeting being held at the same time, property owner Al Johnson will attend the MSBU meeting and repost back to R. Woods.

The traffic light is scheduled to be installed after the first of the year (2007) to be completed within 120 days.

A Neighborhood Meeting with Section 23, Section 20 and Harbor Heights members is scheduled for January 9, 2007 to be held at the Harbor Heights Civic Center. The purpose of the meeting is for Benderson Development to bring the Associations up to date with proposed development of the Rio de Janeiro and Harborview Road area.

Minutes of December 19, 2006, Section 23 POA

The March 22, 2007 Board of Directors meeting will be held at 5:30 PM so that property owners who work are able to attend the meeting. Will post the change in the meeting time on the website, bulletin board and make an announcement in the DCCA newsletter.

J. Carlson received bids on resurfacing the parking area, landscaping and repairing the irrigation system at the Association office. **A motion was made by H. Goldstein and seconded by A. Davis to authorize the expenditure, up to \$20,000 to resurface the parking area, landscaping and repairing the irrigation system at the POA.** Motion carried.

*Charlotte County Sheriff's Dept – Bob Melendez

No report.

7. ADJOURNMENT

Meeting was adjourned at 3:25 p.m.

Respectfully submitted,

Eugene Perry, Secretary