

SPRUCE CREEK PROPERTY OWNERS ASSOCIATION, INC.

212-1 Cessna Blvd, Port Orange, FL 32128

REGULAR BOARD OF DIRECTORS MEETING

FEBRUARY 21, 2007

MINUTES

1. **CALL TO ORDER.** The meeting was called to order by President Dawn Sautter at 7:00 p.m. Other directors present were Vice President Alan Baltz, Secretary Jack Kihm, Treasurer Bert Love and Director Tim Plunkett. With all five members present a quorum was declared.
2. **PROOF OF NOTICE.** David Slayback affirmed that this meeting had been properly noticed.
3. **COMMUNICATIONS.** None
4. **MINUTES.** The minutes of the Organizational Board Meeting of 2/5/07, the Special Board Meeting of 2/5/07 and the Workshop Meeting of 2/15/07 were presented to the Board. On **motion** by Jack Kihm, second by Bert Love, the minutes were unanimously approved.

5. **REPORTS.**

1) Tim Plunkett reported that the GPS approach to the airport had been approved by the FAA. He also spoke on the problem of heavy pedestrian traffic on the taxiways, and in particular on Taxiway Lima where it extends eastward of Aces Alley. A pilot had to shut down his engine because there were so many people walking, riding in golf carts, roller blading, etc. Dawn Sautter also witnessed this incident and spoke with the pilot.

An idea evolved to reestablish a Long Range Planning Committee. An owner has written the board suggested that sidewalks/walking paths be established in the community. It may be that some type of safe (safer) walking area can be established near Taxiway Lima—the LRP would look into the idea of establishing safer pathways along Lima and other taxiways where similar problems occur.

Suggestions for immediate response to the problem on Lima included:

- Posting a warning notice on Channel 2 and in the Update,
- Having Security Patrols in the area in the late afternoon when the problem is worst, and
- Handing out Safety Reminders to people using the taxiways for walking.

Someone also reported that dogs are allowed to run “free” in the area of Windsock Park in the afternoons. It was suggested that the Security Patrol remind people to keep their dogs on a leash.

2) Alan Baltz-No Report

3) Bert Love reported that the POA is interviewing CPA firms, including the firm used in 2005, to prepare the POA annual audits and tax returns. A decision will be made soon and the 2006 audit prepared.

He also reported that he is reviewing the tax problems from prior years which have been discussed at prior meetings and will have a report for the Board when his review is completed.

Lastly, he is looking into having a professionally prepared Reserves Study made in 2007. The future repair or replacement costs of POA assets is quite unclear and the study is needed to aid in proper financial planning.

4) Jack Kihm-No Report

5) Dawn Sautter reported that the association has ended its relationship with Attorney Michael Kennedy and has interviewed Becker and Poliakoff to be the replacement law firm. Dawn, Alan Baltz and David Slayback met with John Christensen of the firm on Monday, 2/19/07 and agreed to engage the firm. A retainer of \$200.00 has been paid and this gives the POA a reduction of \$50.00 per hour of attorney charges, access to a private B&P website to review legal information, a monthly newsletter and access to a B&P lobbying website. B&P represents several hundred property owner associations in Florida.

Two issues were discussed with Mr. Christensen. (1) The proposed amendments to the By-Laws which deal with the use of Mail-In Ballots in our voting procedures were given to Mr. Christensen and he was asked to respond with his advices on their legality and propriety, and (2) the issue of the Varsames PUD was briefly discussed. Mr. Christensen spoke of very similar issues the firm has recently handled with other PUDS. Dawn Sautter requested Mr. Christensen not do any work on this question as the developer has asked the POA to hold off on any further action pending his meetings with appropriate people in the Volusia County Government.

COMMITTEES:

Airport Committee-Tony Crawford. No Report

ARC-Roland Marchetti. No Report

Public Works-Ray Gage. Ray reported that the first of the speed calming devices is about to be installed on Spruce Creek Boulevard in the area between Tail Spin Trail and Cross Country Drive. The device is a raised section of roadway, 14 feet in length and 3 inches high at its mid (7 foot) point. It is engineered so that traffic moving between 25 and 35 miles per hours will hardly notice the change in height of the road surface but cars traveling faster will feel the effects of traveling over a bump in the road. The device will be posted with signs and road striping warning drivers of its placement.

Safety & Security-Mike Hay reported that gate system is nearly installed and that the sale of RFIDs for the cars is progressing well. The community has been advised of the dates and times the RFIDs will be sold and installed.

Manager-David Slayback stated that his comments have already been brought forward by the other speakers.

6. OLD BUSINESS.

1) Varsames Development Proposal. At the request of Mr. Varsames the BOD is doing nothing at this point while he makes his contacts with the Volusia County Government..

Bert Love raised the idea of whether the Board should look into the question of a purchase, or other arrangement with the Spruce Creek Country Club. He said that he had spoken with club officials and they have expressed an interest in looking into the possibility of some form of arrangement.

Jack Kihm recommended 2 POA board members and 2 SCCC board members and some owners from the general community ought to explore ways for the POA and SCCC to discuss mutual concerns. A **motion** was made by Jack Kihm, seconded by Bert Love, to establish such an exploration group. The motion was approved unanimously. Jack Kihm and Tim Plunkett will represent the POA board.

7. NEW BUSINESS.

1. Committee Review. Dawn Sautter announced that she is seeking volunteers to serve on committees, She requests that anyone interested in some community volunteer work ought to contact a committee on which they are interested in serving, or the POA office to get the names of Committee Chairpersons whom they can contact.

Dawn presented a list of committees and people who have confirmed they will serve on them this year. A **motion** was made by Tim Plunkett, seconded by Jack Kihm to approve the members of the Airport, Public Works, Safety and Security, ARC, Update, Children's Recreation and Update Committees. The motion was approved unanimously.

The Board then decided to continue its practice of assigning one member to serve as a liaison with each of the committees.

Audit	Bert Love
Finance	Bert Love and Alan Baltz
Public Works	Dawn Sautter
Safety & Security	Jack Kihm
ARC	Alan Baltz
Update	Dawn Sautter
By-Laws	Dawn Sautter
Children's Rec	Jack Kihm
Community Relations	Jack Kihm

2. Review of proposal to amend By-Laws to allow Mail-In Ballots for voting by members.

Jack Kihm reported that following the Annual Meeting a work group got together to consider ways to make changes to the By-Laws. Subsequently a committee of Bert Love, Jack Kihm, Carol Foley, George Holmes, Gordon Millar and David Slayback met and worked up a proposal to be submitted to the Board. Bert Love did the actual preparation of the written presentation of the proposal and he presented a report from the committee to the Board.

The amendment to the By-Laws will involve making all voting procedures of the POA conform to the proposed changes. The change will add "Mail-In Ballots" as an additional form of voting at a meeting. In person voting and proxy voting will still be permitted. Mail-In ballots will be sent to the members along with the notice of a meeting at which voting will take

place. Mail-In Ballots, if used, must be filed with the POA Secretary prior to or at the appointed time of the meeting. In the case of an election of directors where Florida Statute allows nominations from the floor at the actual election meeting, a member may vote by use of the Mail-In Ballot, in person by attending the meeting or by use of a general proxy form which will not be automatically furnished but which will be available from the POA office.

Dawn Sautter noted that the proposed amendment had been provided to the new law firm, Becker and Poliakoff, for review and any recommended changes by the attorney would be incorporated into the final proposal which will be sent to all members before the vote on accepting the amendment is taken.

A **motion** was made by Jack Kihm, seconded by Bert Love, to schedule a vote of the members on the proposed amendment to the By-Laws as soon as possible, in compliance with the notice requirements. Approved unanimously.

A target date is early April

8. OPEN FORUM

The part of the meeting elicited a number of comments from the attendees.

1. There ought to be a way to formally recognize people who contribute their time and energy to the POA, "above and beyond the call". Jack Kihm responded that this idea is already being worked on and, in fact, a person, who could not attend this meeting, is to be so recognized.
2. A suggestion was made that the Security trucks should carry reflective traffic cones to be placed near cars which are parked in dark area where they could be hit by another car.
3. A suggestion was made that walkers, joggers, bikers and others using the streets at night should wear something with "reflective" tape on it and/or carry a flashlight which will help drivers notice and avoid them.
4. The POA needs to do something about the number of children, appearing to be under age 12, driving golf carts in a dangerous manner: weaving back and forth on the roads and taxiways, driving off the roads and taxiways, driving carelessly and recklessly, etc.
5. A suggestion that the board should take a position on the Varsames proposal. The Board responded that a statement is planned to be responsive to statements and allegations which are being repeated around the community. Since Mr. Varsames has asked the board to stop its activities regarding the project until he has spoken with Volusia County officials, the planned board response has been put on hold pending further communication from Mr. Varsames.

With no further business to come before the board the meeting was adjourned at 8:38 pm.

Jack Kihm, Secretary