

SPRUCE CREEK PROPERTY OWNERS ASSOCIATION, INC.
212-1 Cessna Blvd, Port Orange, FL 32128

REGULAR BOARD OF DIRECTORS MEETING

April 10, 2007

MINUTES

1. **CALL TO ORDER.** The meeting was called to order by President Dawn Sautter at 7:06 p.m. Other directors present were Alan Baltz, Jack Kihm, Bert Love and Tim Plunkett. With all board members present a quorum was declared.
2. **PROOF OF NOTICE.** David Slayback affirmed that this meeting had been properly noticed.
3. **COMMUNICATION.** Letters were received from John Varsames of Spruce Creek Equities and from owner Bonnie Roberts, 1887 Spruce Creek Boulevard. Both letters will be discussed later in the meeting.
4. **MINUTES.** The last meeting of the Board was April 6, 2007 and the minutes have not yet been prepared.

5. **REPORTS.**
OFFICERS

1) Bert Love – Updated the Board on 4 matters:

- (1) The CPA firm of James Moore and Company has been hired to conduct the audit of the 2006 results. They will coordinate with the former auditor for the turnover of records from prior years.
- (2) The POA is creating a new set of books for 2007 which will run in tandem with the 2007 budget. The new books and 2007 financial reports are expected to be in place within the coming month.
- (3) A review of the 2007 results (expenditures to budget) will be scheduled for July.

2) Dawn Sautter –

- (1) Dawn reported that there is reason to believe that Mr. Wally Ritchie, former Secretary of the association may have in his possession records belonging to the POA. He has been asked verbally and in writing for their return but such return has not occurred. Dawn recommended that the POA formalize its demands for return of the records by having the association attorney communicate with Mr. Ritchie. Without dissent Dawn said she would proceed.

COMMITTEES

- 1) Airport Committee – Tony Crawford. said that the committee presently has 3 vacancies and he requested that Frank bottoms, Al Millard and Bruce Williams be appointed to the committee.

- 2) Community Relations – Jack Kihm reported that this committee hosted the annual Newcomer’s Welcoming Party at the home/hangar of Diane and Paul Soseby. The event was well attended and considered a huge success.
- 3) Safety & Security – Mike Hay reported
 - (1) that the Gate System is mostly installed, that a full inspection and actual testing of the system is scheduled for mid April. In the meantime information on the RFIDs, owners and cars etc is being entered into the computer data base.
 - (2) RFID Sales will continue as many owners have not yet purchased them for their vehicles. Sales dates will be posted on Channel 2, at front gate, etc.
 - (3) The speed hump has been installed on Spruce Creek Boulevard East and has elicited many positive and negative comments. He reminded the board that this installation is only a test to see if it is effective in slowing down the speed of cars.
- 4) Manager – David Slayback
 - (1) A bridge engineering firm has been hired and is currently performing the required bi-annual inspection of the north entrance bridge. His report is expected later in April. It is anticipated that the report will recommend a lowered maximum gross weight of vehicles allowed to cross the bridge. Such a reduction would increase the life expectancy of the bridge.
 - (2) Another engineer has been hired to prepare proposals for work on 3 priority projects: (i) water drainage from area of Country Club Drive (west end) across Spruce Creek Boulevard and to the retention ponds by Wedgewood and (ii) water drainage and roadway replacement where Seclusion Drive enters Cessna boulevard and (iii) water drainage along Slow Flight Drive and Roscoe Turner Boulevard.
 - (3) The many files in the POA are being organized and filed away in order to clean up the office and to be able to find the files of past work projects and reports when needed.

6. OLD BUSINESS

1. Sabal Creek-ICI clearance of conservation area. An owner at Sabal Creek cleared some land by his home along the creek which actually belongs to SCPOA. This land is designated a conservation area and is supposed to be a “natural” area. The owner is to be told that the land must be returned to a “natural” state.

2. Compliance Review Committee. SCPOA Manager David Slayback advised the Board that there have been a number of instances where SCPOA members have violated the C&Rs of Spruce Creek (failing to follow ARC approvals, keeping of trucks and boats/trailers in driveways, etc, and that there is insufficient language in the Documents to allow enforcement of the C&Rs. Director Tim Plunkett pointed out that the POA Manager has the duty to enforce compliance with the C&Rs of the SCPOA but that some owners refuse to comply. The Compliance Review Committee (CRC) was established by Board Resolution in 1997 and provides a process which allows the Manager to submit a problem to the CRC which can decide on a suitable solution to enforce compliance, including the ability to levy fines against owners who do not comply with the C&Rs.

Following discussion it was decided to utilize the Compliance Review Committee to enforce compliance with the SCPOA C&Rs. The 1997 Resolution of the SCPOA Board will be reviewed and implemented.

3. Owner Bonnie Roberts request for ARC reconsideration. Ms. Roberts had received approval from ARC to install a 5 foot high fence along one side of her property. She apparently installed a 6 foot high fence and Volusia county has refused to approve the work. She has asked the ARC to issue a new approval for a 6 foot fence and the ARC has refused this request. Ms. Roberts then requested the Board to overrule ARC and grant the approval for the 6 foot fence. Ms. Roberts was asked to appear before the Board at its March meeting to make her request in person. She was unable to appear herself but her partner did attend. The Board denied her request for approval for a 6 foot fence. She felt he was not given an opportunity to explain her case. She requested, and was granted, permission to appear at the April 10 meeting for a further hearing on the matter. Immediately prior to the start of the April meeting she submitted a letter to the board stating she was again unable to appear because of a prior commitment.

Dawn Sautter remarked that the agreement with Ms. Roberts was that she would notify the POA office of her intention to be at the April 10 meeting so that she would be given time to state her request. This was the second time Ms. Roberts had been put on the agenda. The matter is to be closed out now but she pointed out that there have been some 5 instances in the past where Ms. Roberts has not followed POA procedures and has made modifications to her property without ARC approval.

4. Speed Humps. It was noted that there have been a number of comments about the installation of the speed hump on Spruce Creek Boulevard; some favorable and some not. Dawn Sautter pointed out again that substantial time and planning went into the project and that it is intended as a “test” bed for a method to slow down speeders in Spruce Creek. The design for the speed hump came from Portland, OR via the internet. There is a rumor that Portland stopped using this style of speed hump because they did not work. A resident of Spruce Creek, who also has a home in Portland, corrected this by saying that Portland will install them but the residents of the area of the installation pay for it themselves. This process has substantially cut back the number of installations. Jack Kihm pointed out that it is well known that people drive too fast in Spruce Creek and the hump is a meaningful way to try to control the speeding problem. He also said that 1 speed hump may not be enough—let’s give the program a chance.

It was noted that there are not enough signs in the community to remind people of the speed limit: there are 5 signs on Spruce Creek Blvd. More signs will be added.

The board requests that any owner wishing to comment on the Speed Hump program is invited to do so by mail, e-mail (office@SCPOA.com) or fax: 761-7808.

7. NEW BUSINESS.

1) Jack and Patti Kihm had suggested that we ought to acknowledge volunteer work given to the SCPOA by residents of the community. At this meeting, Dawn Sautter announced that the Board has chosen to honor Laura Munro for her many hours (make that “years”) of work on the POA Directory and her six years working on the Newcomer’s Booklet.

A special Certificate of Recognition had been signed by all directors and was presented to Laura.

2) Committee Assignments.

(1) The Airport Committee needs 3 additional members. A **motion** was made by Tim Plunkett and seconded by Bert Love to appoint Frank Bottoms, Al Millard and Bruce Williams to 2 year terms on the Airport Committee. The motion was approved unanimously.

(2) The Budget and Finance Committee needs 3 members to serve with directors Bert Love (Treasurer) and Alan Baltz (immediate past Treasurer). A **motion** was made by Bert Love and seconded by Jack Kihm to appoint George Holmes, Linda Graffeo and Judy Leone to the committee. The motion was approved unanimously. George and Linda have prior experience on this committee and Judy Leone has accounting experience.

3) Reserve Study.

Bert Love pointed out the need for a comprehensive Reserve Study. Such a study would identify the capital assets of the association and project future costs to maintain or replace them. This information is crucial for budgetary planning. He has identified companies which specialize in this work and projects that a study will cost approximately \$7,500. An owner suggested that the Request For Proposal (RFP) must be detailed and well written; that the requirements need to be predetermined and the depth of the study to be purchased needs to be predetermined. A **motion** was made by Bert Love and seconded by Jack Kihm to prepare a well thought out RFP for a Reserves Study and to submit it to reputable companies in this line of work. The motion was approved unanimously.

4) Spruce Creek Equities Proposal. Dawn Sautter announced that another proposal was received in Mid-March from Spruce Creek Equities. The original proposal from last year has been withdrawn. Mr. Varsames (Spruce Creek Equities) has been working with Volusia County officials to make sure his proposals will meet with their requirements, he has walked the property with Alan Baltz, Bert Love and David Slayback to point out his plans and in late March he submitted his new proposal. The proposal is substantially different from the prior proposal. Dawn read the most relevant parts of the proposal at the meeting.

A variety of questions were raised by both board members and owners at the meeting; some of which could not be answered. Dawn reported that she had sent the proposal to the association lawyers for review and comment.

A suggestion was made by Tim Plunkett to assign this latest SCE proposal to Alan Baltz and Bert Love. Dawn Sautter noted that both had previously been appointed to work on any proposals from SCE. She asked them to review this latest proposal from SCE in its entirety, including receiving comments from the SCPOA attorney, and report back to the Board.

With no further business to come before the board the meeting was adjourned at 9:21 pm.

Jack Kihm, Secretary