

SPRUCE CREEK PROPERTY OWNERS ASSOCIATION, INC.

212-1 Cessna Blvd, Port Orange, FL 32128

MINUTES SPECIAL BOARD OF DIRECTORS MEETING

July 26, 2007

1. **CALL TO ORDER.** President Dawn Sautter called the meeting to order at 7:05 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.** Dawn Sautter reported that a letter dated July 23, 2007 had been received from John McCollister suggesting that the bridge by the North Gate be named in honor of an individual. Dawn said that the matter would be taken up at the August 14 Board Meeting.
4. **MINUTES.** The minutes of the July 26, 2007 Board Meeting were presented. Without objection they were approved.
5. **REPORTS -OFFICERS**
 - 1) Officers - None
 - 2) Committees – None
 - 3) Manager - None
6. **OLD BUSINESS**
 - 1) Tim Plunkett asked Mike Hay, Chairperson of Safety and Security to comment on his email related to the problems of people walking, bicycle riding, skating and roller blading, driving golf carts, etc. on the taxiways is a continuing problem and represents a danger to the people using the taxiways as well as to the community. The C&Rs prohibit use of taxiways by other than airplanes but they are not being en-forced. Tim Plunkett reported that the problem was addressed several years ago when a young girl started riding her go-cart on a taxiway. The board discussed the problem at length in the late 1980s and a resolution was ultimately approved by a board to allow limited use of taxiways. Periodic efforts to control dangerous use of the taxiways has been unsuccessful. Jack Kihm stated that the Board should try again to develop a way to stop taxiway use by others than airplanes—to get back in conformity with the C&Rs. The POA Manager was asked to look for the previous resolution.

The Board asked Mike Hay to work on this problem with his committee and report back to the board.

7. NEW BUSINESS

1. **PROCUREMENT DIRECTIVE.** Bert Love presented the current version of a Procurement Directive. It details the process to be followed by the Board, POA Manager and Committee Chairpersons for procuring goods or services on behalf of the POA, for responsibility

for controlling expenditures from the annual budget and special procedures for procuring goods or services to respond to an emergency situation. A **motion** was made by Jack Kihm and seconded by Bert Love to approve the Procurement Directive dated July 26, 2007 with a change in the proposed wording of section 1: "PURCHASES LESS THAN \$100" to be changed to read: "Purchases less than \$100 are not addressed in this directive." The motion was approved unanimously. Mr. Love will correct the wording and the directors will sign the directive at the POA office.

Mr. Kihm spoke of his views regarding the roles of the Board, the Manager and the Committees in the process of running Spruce Creek. He identified 2 criteria he uses to judge expenditures: What's best for the community and he believes is fair.

2. BUDGET AND FINANCE COMMITTEE – 6 MONTHS REVIEW

The Budget and Finance Committee has concluded a mid-year review of the expenditures against budget for each of the committees. The results for the first 6 months were reviewed with each committee manager and projections for expected expenditures for the second half of the year were reviewed. The review shows that the committees anticipate spending \$4,508 more than their budgeted expenses which means some additional cost savings will have to be found or a committee overspending will have to justify the overage to the committee. Year-end auditing of the association's finances will impact on the final results so the \$4,508 is a reasonable number at this time. Mr. Love discussed some of the adjustments and his conclusion is that the association should finish the year under budget, barring an unexpected and unforeseen event.

3. DREUX ISAACS – RESERVE STUDY

Mr. Love presented the proposal from Dreux Isaacs and Associates, Inc. to perform an evaluation of future Reserve Account funding needs of the POA. The bid price is \$9,400. A **motion** was made by Alan Baltz and seconded by Bert Love to accept the bid of \$9,400 from Dreux Isaacs and Associates, Inc. for the Reserve Study. Mr. Plunkett asked what account the funds would come from. Mr. Love identified the Capital Expense budget. The motion was approved unanimously.

4. PUBLIC WORKS TRAILER. At the June 2007 Board meeting, the Public Works Committee had presented a request for a dump trailer for use in Spruce Creek. The request was referred to the Budget and Finance Committee. The request was briefly reviewed and a **motion** was made by Mr. Plunkett and seconded by Alan Baltz to authorize up to \$5,000 for the purchase of a dump trailer, with hydraulically operated dump mechanism for use by the POA. The motion was approved unanimously.

During discussion Mr. Kihm and Mr. Love expressed concern that adding a dump trailer to our inventory for use in Public Works seemed to be a step to creating a large Public Works Department which would require a substantial investment in equipment and personnel. They urged caution in proceeding to add to the tools and equipment inventory of Public Works. Mr. Love recommended that requests to purchase tools and equipment should include a detailed cost-benefit analysis to justify the purchase. Mr. Plunkett pointed out that the trailer was simply another tool needed by Public Works to do its work.

5. EMERGENCY GENERATORS – POA OFFICE AND SOUTH GATE HOUSE

The Public Works Committee had previously been tasked to investigate community emergency needs and had identified a lack of emergency electricity generation as a major problem. A proposal for purchase and installation of suitable generators for both locations had been submitted to the board at its July 10, 2007 meeting, and it was referred to the Budget and Finance Committee. The board tabled the proposal for additional study.

6. & 7. NO SWIMMING AND NO TRESPASSING SIGNS AT OVERLOOK PARK.

Ray Gage (Public Works) and Mike Hay (Safety and Security) reported that there have been several incidents of kids jumping over the walkway fencing to use the old, rotten, walkway to get to the dock to go swimming and/or to swing out over the creek from a rope tied to the limb of a tree. People also use the dock and area along the creek for fishing. We have several reports from boaters of kids swinging down from the ropes and coming very close to the tour boats and private canoes and kayaks, and we have reports of kids casting fish lines with hooks at people passing by on the tour boats and canoes and kayaks. The bottom line is that there is a serious liability hazard problem which needs to be addressed.

A motion was made by Tim Plunkett, seconded by Alan Baltz, to post 3 signs in the Overlook Park area, as follows: (1) a sign on the dock reading “No Trespassing” to warn people on the creek that the dock and property is private, (2) a sign on the “old” walkway reading “No Trespassing” to warn people from the community that they should not go on the old walkway and (3) a sign on the new walkway reading “Danger – No Swimming” to warn people that it is dangerous to swim in the creek. The motion was approved unanimously.

8. OPEN DISCUSSION – None

9. ADJOURNMENT – with no further business to come before the board the meeting was adjourned at 8:38 p.m.

Jack Kihm, Secretary