

SPRUCE CREEK PROPERTY OWNERS' ASSOCIATION, INC.

212-1 Cessna Blvd, Port Orange, FL 32128 386-760-5884

**Minutes
REGULAR BOARD MEETING
Tuesday, September 13th, 2011
7:00 PM
SCPOA Hangar**

1. Call to Order- President Russ Faller called to order at 7:00 pm at the POA hangar. Other directors present: Alan Baltz, Brent Canup, Joan DeVincenzo, Jack Hirn and Mike Hay. Judy Ford was absent.
2. Proof of Meeting Notice- Affirmed by Richard Kjellstrom, GM
3. Communications- Dick Bicknell of 1809 Summer Green Dr. presented a handout regarding "Flying Friendly." A letter from Barbara Clark was mentioned by Jack Hirn which was regarding her hanger property on Beech. She expressed concern about the possibility of drainage changes at her neighbor's hanger property negatively impacting her drainage when there is a heavy rain. Jack was informed that this issue was already being dealt with, with work stopped until MBV engineering would agree with or modify the project in consultation with Conrad Yelvington's engineer who had signed off on the project.
4. Approval of Prior Minutes- The minutes of the July 12th, 2011 Board Meeting were presented. Mike Hay moved for approval, Jack Hirn seconded, approved unanimously.
5. Open Forum: Eileen Gaines of 3139 Waterway said she is circulating a petition to remove the fence that prevents golf carts from driving around the back of lake 19 in the Reserve Islands. She also requested a copy of the minutes of the March 1st BOD meeting (Richard Kjellstrom gave her a copy). Nancy Blender of 3185 Royal Birkdale Way asked for the report on a cat that was killed (Security is supplying a copy). Jack Grainger of 1826 Spruce Creek Blvd. expressed concern about speeders. (President Faller added running stop signs as another concern, and the Sheriff is here to help deal with the problem). Alex Stevenson of 3185 Royal Birkdale Way, who lives next to the golf course, complained about noisy lawnmowers early in the morning; drainage issues in Wedgwood (Public Works will look into); and Security and Administration budgets. Mel Stanley of 2021 King Air Ct. complained about trash and junk cars. Michael McDermott of 2736 Autumn Leaves Drive mentioned some difficulty getting bulk yard waste picked up. He did favor not leaving yard waste out all week. Larry Ellison of 2598 Spruce Creek Blvd. was against putting out yard waste only the day before pickup.
6. Reports:

- a. President Russ Faller- Windsock Park is being rehabilitated. Sod is being placed in the damaged areas.
- b. Vice President Mike Hay- None
- c. Treasurer Alan Baltz- Doing well, 8% under budget. Accounts Receivable is \$135,000, with \$130,000 of the \$135,000 accounted for by 32 individuals either bankrupt, in foreclosure, or on a payment plan.
- d. Assistant Treasurer Judy Ford- None
- e. Secretary Jack Hirn- None
- f. Director Joan DeVincenzo- None
- g. Director Brent Canup- None

Committees:

- 1. Airport Authority- None
- 2. Airport Manager- Vern Hendershott- Going smoothly, replaced windsock, one light malfunctioning, AWOS phone connection needs to be fixed.
- 3. Architectural Review- None
- 4. Budget and Finance- Alan Baltz- The first draft of the 2012 budget is done. The annual assessment may stay the same for 2012.
- 5. Children's Recreation- Jennifer Kosmo- There will be a Children's Birthday Party this weekend. On October 29th there will be a Fall Carnival at Windsock Park.
- 6. Legal and By-Laws- None
- 7. Public Works- Ray Gage- The 2012 budget is almost done. Things are running smoothly.
- 8. Safety and Security- Gene Ledda- The front gate policy for commercial vehicles is being fine tuned. The Sheriff is needed more frequently to enforce speed limits and stop

signs.

9. Update- Barbara Roush- The layout is now being done by the printing company rather than in Spruce Creek.

10. Community Relations- None

h. General Manager-Richard Kjellstrom- Please be sure to at least sign the form in the Update and turn in to the POA office so that your listing can be continued in the 2012 Directory. This is required by a new law for privacy purposes.

7. Old Business-

a. At the July 12th BOD meeting, there was a long discussion regarding how soon prior to pickup, yard refuse could be placed at the collection point. The SCPOA Directory does not mention the time frame required by County Code. It is recommended that the Directory make clear the Volusia County Code Chapter 106 (attached) that is applicable to all Spruce Creek residents. The code specifies that yard waste "...shall not be placed at the collection point more than 12 hours prior to collection." If this ordinance is not complied with, then it would be the County that would issue a code violation. This does not require a vote to be added as a rule.

b. Violations of rules and covenants.

This proposed rule change has been noticed to the membership for 14 days prior to this next meeting.

In accordance with FL Statute 720.305 attached, when a resident does not follow the rules or covenants the resident may have the privileges of common area usage taken away and or be fined.

Fining is a process that does not always have success for many reasons. Turning off the RFID has proven to get residents' attention.

The Safety and Security Committee recommends that if a resident violates any association rule/covenant three times within 90 days, the RFIDs for the residence may be turned off.

When a second ticket is written or violation is documented, the SCPOA GM will send a letter stating the policy for suspending RFID gate access if there is a third violation to all who live at the residence.

The following procedures are required as stated in the statute.

Procedures:

Notify in writing to the resident at least 14 days in advance that there will be a hearing and the resident will be given an opportunity to discuss the violation with the Grievance Review Committee. The committee will be composed of members (owners) of the association who are not officers, directors, or employees of the association, or the spouse, parent, child, brother, or sister of an officer, director, or employee. Residents will be asked to be part of a pool of available committee members.

The committee will convene with a minimum of three in attendance. It will require a majority vote to impose the suspension.

If the suspension is approved, the association must provide written notice of such suspension by mail or hand delivery to the parcel owner and as applicable, to any tenant, licensee or invitee of the parcel owner.

If during the suspension, if the same rule/covenant that was the cause of the suspension is violated again, the following will take place:

First violation, the suspension will be extended for 30 days.

Second violation, the suspension will be extended 60 days.

Third violation, the suspension will be extended 90 days.

The suspensions will occur without further consideration of the committee.

Following discussion, Jack Hirn moved to approve, Mike Hay seconded with unanimous approval.

8. New Business-

- a. The Eagle Lake Fountain was recently hit by lightning and the pump and electronics were damaged beyond repair. Tuff Turf removed the pump and installed the new pump. Total cost was \$5,780.06, insurance reimbursement was \$5,454.70 Request BOD approval since the expense was over \$5,000.
Mike Hay moved to approve, Joni DeVincenzo seconded with unanimous approval.
- b. The irrigation pump at the south gate entrance failed. Two bids were

requested: Valley Crest was \$7,385.37 and Tuff Turf was \$5,200. Tuff Turf installed the new pump. The BOD was polled, but need formal approval for this expenditure from reserve funds of \$5,200. Jack Hirn moved to approve, Alan Baltz seconded with unanimous approval.

- c. Sinkhole, 2028 King Air Court, Lots 35 and 36. This was a reappearance of a sinkhole. Hardy provided a proposal of \$10,785. The roots of the trees have rooted into the joints of the concrete storm pipe joints. Board was polled; however this has not been formally approved. The project is complete except for regrading of the area. Brent Canup moved to approve, Alan Baltz seconded with unanimous approval.
- d. The meeting was temporarily recessed while the BOD retired for an executive session regarding personnel matters. The meeting was then reconvened.

9. Date of next Board of Directors meeting will be October 4th, 2011.

10. Adjourned at 8:30 pm

Jack Hirn, Secretary