

SPRUCE CREEK PROPERTY OWNERS ASSOCIATION, INC.

212-1 Cessna Blvd., Port Orange, FL 32128

APPROVED

MINUTES

REGULAR BOARD OF DIRECTORS MEETING

November 5, 2009

1. **CALL TO ORDER:** President Russ Faller called the meeting to order at 7:05 p.m. Other Directors present: Jerry Probst, Joan DeVincenzo, Jack Hirn and Mike Hay. A quorum was declared.
2. **PROOF OF NOTICE:** Richard Kjellstrom, General Manager, affirmed that proper notice of the meeting had been posted.
3. **COMMUNICATIONS:** President Faller commented that we received letters from: Office of the State Attorney (apology letter from juvenile involved in the incident with exploding pop bottles); Mr. Dainas regarding height of hedges; Mr. and Mrs. Keith Phillips requesting a reduction of annual assessments from two to one; and Ms. Mary Morgan regarding landscaping and security staff procedures. All have been responded to in writing.

President Faller introduced Captain Gordon Meyer, Volusia County Sheriff's Office, Commander of District V. Since late September, the sheriff's department has been in Spruce Creek to provide education, warnings and a citation if warranted. As of November 5th, they had issued 5 citations out of over 100 traffic stops. Captain Meyer said they were concentrating on getting drivers to obey stop signs and reduce their speed in the community. He also discussed that if you see strangers in the community report them to the VCSO. since we have had numerous break-ins of unlocked cars. The suspects were caught and are being brought to trial on December 2nd. Captain Meyer said if anyone had a question or concern to please contact him directly. A question came for the floor about what a local citizen can do when they observe a traffic violation. The response was to report it to SCPOA security who will pass it on to the Sheriff's office for education of the reported driver.

President Faller thanked Captain Meyer for coming and speaking to us.

4. **MINUTES:**
The minutes of the 10/10/2009 Board Meeting were presented. Jerry Probst moved for approval, Mike Hay seconded and the minutes were approved unanimously.
5. **OPEN FORUM:** President Faller commented that each resident could speak for 3 minutes for a total of 30 minutes of open forum. We would try to respond; however, if we did not have the answer, Richard Kjellstrom would get back with you shortly.

The following owners rose to address the Board.

Art Patstone of Cross Country Drive commented that Spruce Creek Country Club grounds maintenance has done an outstanding job for the last couple of years, and hoped the new company would maintain the standard set by the Spruce Creek Country Club.

Mr. Patstone also presented a request for POA ballot question regarding returning the new 3&4 way stops to their original one way stops.

Bob Colgan of Springwater Lane: Mr. Colgan commented that the Country Club has an "Adopt a hole" program and they need a bobcat and recommended that the POA and CC purchase one jointly like the backhoe purchase.

Julie Stolzer, Springwater Lane, thanked the Children's Recreation Committee for a great Halloween party.

Dave Spitzer, Spruce Creek Boulevard, commented on how great the Children's Recreation Committee is and how it enriches the experience of living here.

Ken Gaines of Waterway, commented on the construction of an RV garage on Springwater Lane, and if the SCPOA ARC actually was following its procedures. President Faller commented that the BOD appreciates Mr. Gaines comments and would look into it.

6. REPORTS:

A. Mike Hay- No report

B. Jerry Probst, reporting on the AR, stated that the total was just over \$150,000 on October 30th with 36 homeowners having one year or more of assessments past due, and 11 homeowners that have less than one year past due. Half are in bank foreclosure, a few bankruptcies and liens on the rest. At the end of 2008, we had \$129,000 past due.

C. Jack Hirn-No report

D. Joan DeVincenzo- No report.

E. President Faller- recently there was another golf cart incident with an under aged driver that had 5 or 6 young girls on the cart resulting in injury, not serious, but enough to be transported to the hospital for

- F. General Manager, Richard Kjellstrom. We are updating the directory, request you review it and make any necessary changes NLT Nov 30..
- G. Committee Reports.
1. Airport Committee- No report.
 2. Architectural Review Committee- meets the 1st and 3rd Thursday of each month.
 3. Budget and Finance Committee- Ellie Murray thanked Richard in particular for his efforts. Thanks to the committee and board members. She was pleased we were able to maintain the same assessment as 2009 and fund the Reserve.
 4. Children's Recreation Committee- Sharon Goldish spoke about the Children's festival with record attendance. Sharon commented that as we approach the end of the 2009, she wants to thank the POA Board and the residents of Spruce Creek for their tremendous support. Mrs. Goldish presented a petition that supports the POA Board funding the Children's Recreation Committees activities. She commented on the fact that the community supports the children of the Creek and that they (children) feel part of the community. She thanked the volunteers who help plan and execute the different events.
- President Faller commented that it is amazing how far along the committee has come this year under the direction of Sharon Goldish. He thanked the committee and her for super efforts for the children of Spruce Creek.
- E. Legal and By-Laws Committee- no report.
- H. Public Works Committee-Art Horton, Superintendent of Public Works. This year's road restoration project and drainage projects are complete. We have many sink holes; please report them to the SCPOA office. A question from the floor is whether Spruce Creek Boulevard is due to be done in the roads program. The answer is that the boulevard will be the last to be done since the heavy equipment would damage the roads if it was not completed last.
- I. Safety and Security-Barbara Roush-Chairperson- Thanks to Security and Public Works for planting the bougainvillea by Roscoe Turner.

J. Update Committee- Barbara Roush-Thanks to Richard, Budget & Finance Committee, for their efforts in reviewing the financial records and restating the financials that show the Update is almost breaking even and hopefully will break even in the future.

K. Community Relations-No report.

7. OLD BUSINESS:

15th Fairway Drainage Program tabled from the October Board Meeting. President Faller explained the need for the program since most of the water from Hawks Nest, Country Club Drive, and Seclusion flows down the 15th hole as a part of the natural flow. Jerry Probst brought it to the Board's attention that the 15th Fairway Drainage program is in the Reserve budget and will be voted on in December. Motion to table by Jerry Probst and seconded by Mike Hay; vote was unanimous.

8. NEW BUSINESS:

a. Consider and approve SCPOA Airport Security Camera Policy- President Faller described the operational camera system for the airport and the playground area. He read a portion of it, which is attached.

Jerry Probst mentioned that the November Update had an article about the Airport Camera system written by Sal DeVincenzo. Jerry made a motion to accept the Spruce Creek Airport Safety Committee - Security Camera Policy. Jack Hirn seconded the motion and the vote was unanimous.

b. Approval of addition to the Budget & Finance Committee (Bill Hermann). Mike Hay made a motion to have Bill Hermann become a member of the B&F Committee, Jerry Probst seconded, the vote was unanimous.

c. Consider and approve increase of Windsor Court assessment. Mike Hay discussed the Amendment to the supplementary declaration of covenants and restrictions for Windsor Court at Spruce Creek, dated 12/20/90. It states that the house owner is to pay:

1. \$72 per year 1991-1995
2. \$100 per year 1996-2000 (or lesser amount as determined by SCPOA)
3. \$140 per lot for 2010 and for each of the next four years

“Such funds shall be used exclusively to defray the costs of lighting and maintaining the Windsor Court’s sign and landscape planting existing at the perimeter wall area as show on the Plat of Windsor Court.”

Current expenses paid by SCPOA to be taken out of the current annual assessment of \$1,800 (\$72 X 25 lots= \$1,800). The current actual annual expense is \$3,512 or \$140.48 per lot.

President Faller discussed that each community within Spruce Creek has their own CC&R. Windsor Court has documents that provide for reimbursement. Mike Hay made a motion to increase the assessment to \$140.00 per lot for 2010 and each of the next five years. Jerry Probst seconded the motion and the vote was unanimous.

d. Consider and approve Mowing Contract for 2010-2012. President Faller discussed the contract which is for the POA common areas We had a three year contract with Spruce Creek Country Club grounds maintenance. We bid it out, had four bids submitted and the lowest bidder was Tuff Turf. We also use Tuff Turf for grounds maintenance and irrigation maintenance. It is a multi-year contract with no escalation. Mike Hay mentioned that we tried to work out the difference with the Country Club, however it did not work out. Richard stated we met with Tuff Turf to discuss their company policies regarding hiring, drug policies and compliance with the government rules on employment. Jerry Probst made a motion to accept the Tuff Turf mowing contract beginning May 1, 2010 and ending December 31, 2012. Mike Hay seconded the motion and it passed unanimously.

e. Consider and approve “Final Proposed 2010 SCPOA Budget” for distribution to the SCPOA membership. Richard Kjellstrom presented the budget in detail to the board. There was discussion about the budget. Jerry Probst made a motion that the Board accept the budget and provide it in detail to the residents for their review and comments. Final approval would then be voted on at the December Board meeting. Joan DeVincenzo seconded the motion and the vote was unanimous. A question came from the floor that based on the current bad debt, the assessment income would be approximately \$50,000 short. Jerry Probst pointed out that we have a bad debt expense budgeted of \$50,000, which will cover the shortfall.

The December meeting will be on the 8th at 7:00pm in the Palm Room at Spruce Creek Country Club.

ADJOURNMENT: With no further business, the meeting was adjourned at 8:08 p.m.

Jack Hirn, Secretary