
VICTORIA PARK II PROPERTY OWNERS ASSOC., INC.

Meeting Date: May 20, 2009 **Time:** 6:30 P.M.

Location: Orange Blossom Government Center

Purpose: Board of Directors Meeting

Notice: Proper notice had been posted as required

Present: Bill Senkevich, Ed White, Michele Boughton, Ray Gonzalez, Lera Brial, and Susan DeShong

Also Present: Debi Taliaferro, Jen Caffrey and Krystal Smith of Detali & Assoc, several interested owners.

Certify Quorum: Six members were present thereby establishing a quorum.

Call to Order: The meeting was called to order at 6:40 PM by Bill Senkevich

Approval of Minutes from April 15, 2009 Board Meeting:

Motion made by Ed White to waive the reading of the April 15, 2009 meeting and approve as presented, seconded by Lera Brial, approved unanimously.

Financial Report:

Debi Taliaferro presented the financial report for period ending April 30, 2009.

The financial report for April 30, 2009:

Operating Funds totaled: \$58,128.96

Reserve Funds totaled: \$58,123.78

Reserve equity totaled \$56946.92 indicating that reserves are funded thru May 31, 2009

The association ended the period with \$6651.86 in accounts payable and \$36039.64 in receivables.

There is \$3667.50 net income for the end of the period. There is \$16783.18 in prior year surpluses, that amount changed from last month due to a prior year write off of attorney fees that were not posted correctly from previous management.

Current Accounts Receivables – Since April 30, the association has collected another \$8000 and has another \$2900 from the attorney trust account which will be mailed this month.

Michelle Boughton questioned the process for sales and how owners are notified if money is due on the property. Krystal explained that the title company generally sends an Estoppel to the management company and the money is collected at closing.

Ray Gonzalez questioned the status of the 30 units that still owe of \$500. Debi explained that there were 15 units that have not made any payments towards the 2009 fees. Those 15 units have been sent the final letter before sending to the attorney for collection. Of those letters, we have had response from 7 owners that have either paid or are going to send payment.

Michelle Boughton questioned which owners paid the mailbox special assessment on time and were charged late fees. The previous management company sent late notices to owners with interest and late fees prior to the special assessment due date. A discussion took place regarding how to handle the accounts that were affected by this.

Lera Brial made a motion any payment for the mailbox assessment dated previous to November 10 should not be assessed a late fee and any fees paid should be refunded. Susan DeShong seconded the motion and it passed unanimously.

Michelle Boughton reported that the association is spending approximately \$12,000 per month, if the association continues to run as it is currently running, the Association will need to collect all fees due to make it through the year. One of the suggestions the Board discussed was the possibility of closing the pool or the pool bathrooms. Debi informed the Board that they have a fiduciary duty to maintain the amenities of the association not close them down. The remainder of the discussion was postponed until later in the meeting.

Management Report

Debi introduced Jennifer Caffrey to the Board and explained that Jennifer is taking over a few of the Naples properties and has been working on several Victoria Park issues.

Jennifer Caffrey reported on several issues;

Lake Contract Suspension - The management office received a fax indicating that the lake contract had been suspended for the summer months. Lake Doctors then contacted management regarding the suspension. They advised that as the summer months and rainy are here, the lake will be more susceptible to alga and other weed blooms. If a bloom occurs, the cost for the clean up will most likely out way the current monthly cost. The Lake Doctors have issued a letter advising that it would not be a good idea to suspend service for the summer months.

In addition, management contacted Southwest Florida Management to confirm the information provided by Lake Doctors. The association will still be responsible for the maintenance of the lake. While the district does not monitor contracts, it monitors the project and the association. The association will be responsible for any non-compliance issues that may occur in the lake.

Swimming Pool Ordinances - The Health Department requires that based on the size of the pool. Separate sanitary facilities shall be provided and labeled for each sex and must be located within a 200 foot walking distance of the pools edge.

Inoperable Sprinklers Near the Lake - Jennifer contacted Lawn Works regarding the issue. The lines are so clogged that Lawn Works will need go into the lake to clear the lines. They will not be able to give us a proposal until they actually get into the lake and see how bad the problem is.

Board Report

Restrictions on Reserve Spending:

The Board asked Debi what restrictions there were in re-allocating reserves. Debi explained that in order to re-allocate reserves, the membership must vote to allow the Board the authority.

Emergency Expenditures:

Mailbox Damage by Hit and Run: Bill explained that the mailbox was replaced at a cost of \$410. The \$225 proposed cost was for a repair, not a complete replacement.

Repair of Light Switches in Restrooms: Bill explained that the light switches were damaged again by vandalism and repaired.

Bill also reported that management provided a proposal for \$54 to replace the swing.

Decisions Made Without Board Vote:

No decisions made since the last meeting.

Old Business:

Fencing around Pool Chemicals:

Ed White reported that a strong container can be purchased for between \$129.00 -250.00. There is a container on sale at Lowes for \$169.00.

Ray Gonzalez made a motion to purchase and install a container for approximately \$169.00; the motion was seconded by Susan DeShong and passed unanimously.

Committee Discussion:

Fining Committee: The fining committee will be postponed until needed. Susan DeShong commented that she has no problem with the previous Board members serving on the fining committee.

ARC Committee: Two owners volunteered to serve on the ARC committee at the previous meeting. Rochelle discussed problems with the ARC committee in the past when she served and questioned what the Board was looking for with this committee. Ed White explained that the documents outline which changes require an ARC review. Bill would like the ARC to work with a Board member to develop guidelines for future projects.

Bill asked that management forward the names, addresses and phone numbers of the ARC volunteers as well as sample guidelines.

Mailboxes:

Forced Install: The final mailbox was installed at 9672 Litchfield Lane with the assistance of the Collier County Sheriff's Department.

Final Release to Lykins: Final check was released to Lykins.

Susan DeShong reported that there are two residents that still have two mailboxes and three residents that have two light posts on their property. Jen informed the Board that letters were prepared today regarding these properties.

Bill asked the Board if the Association should step in and remove the old fixtures or send violation letters to the owners.

Ed White made a motion to send a letter to the owners that have two mailboxes on their property and give them 14 days to comply or the association will remove the extra mailbox and charge will be forwarded to the owner. The motion was seconded by Lera Brial and passed unanimously.

Susan DeShong made a motion to send a letter to the owners that have two light posts within three feet of the mailbox light post on the common easement and give them 14 days to comply or the association will remove the additional light posts and charge will be forwarded to the owner. The motion was seconded by Lera Brial and passed with Ed White and Bill Senkevich opposed.

Timeline for Running Power to Mailboxes: Bill reported that the previous Board allowed owners one year to run electric to the light post on the mailbox. The Board discussed if the timeline should be amended.

Lera Brial made a motion to propose the modification of the covenants and make the electrical connection to the light posts optional. The motion was seconded by Ray Gonzalez and passed with Susan DeShong opposed.

Pool Security/Vandalism:

Jennifer Caffrey reported that the pool has been vandalized three times since the last Board Meeting. The light switches in the bathrooms were broken, the toilet paper and paper towels were all placed in the toilets, the pool furniture was removed and placed behind the pool building, the pole lights were re-positioned, and the pool lock was jammed in the open position.

We have requested proposals from three security companies. All proposals are included with our management report. We have reviewed the proposals and they range from \$1288 to \$5878. We have experience with Safety Signals and Affordable Alarm, the higher proposals. We do have any prior experience with Expert Security, however, they are the cheapest proposal. All proposals include 4 cameras with night vision, 250 GIB DVRS which will record for an average of two weeks, and flat panels 19" monitors for viewing. All include the software that would be installed at our office for remote viewing. The association would have to have internet installed at the pool. Comcast estimates are around \$50 per month.

Krystal also reviewed a key card system that was installed at a different property that may also help with the vandalism issue.

Security issues were tabled until the next meeting and more ideas will be reviewed.

Mailbox Late Fees:

This was discussed during the financial report.

Recall Petition:

Final order was received from the Attorney and the case was dismissed and all Attorney fees have been paid.

Electronic Notification:

Ray prepared a form to be sent with the newsletter requesting owner email addressed. This form will be posted on the website for owners to complete and return to management giving their consent to receive notifications via email. Lera will put information about the form in the newsletter. The Board discussed other ideas for newsletter topics.

Review of Budget:

This item was discussed during the financial report.

New Business

Fishing Pier/Dock Hours of Operation:

Susan DeShong suggested the hours of operation be amended to close at dusk. Hours of all common areas will be changed to 9:00am to dusk. Management will order new signs.

MRTA Vote to Preserve Covenants:

Debi Taliaferro reported that Ashley Lupo had responded that she should have a recommendation by the end of this week.

Extra Light Fixtures:

There are eight light fixtures remaining and are stored at Lykins.

Violation Procedures:

Krystal Smith reviewed the fining procedure as outlines by the Florida Statutes. The first step would be to appoint a fining committee. The committee must be volunteers that have no relation to any of the Board of Directors. The committee must be an odd number with an alternate appointee.

First notice of violation will be sent when a violation is either witnessed by or reported to the Management Company. If the violation is not corrected within 14 days the violation will be forwarded to the Board at a posted Board meeting where fines can be levied.

Fines should be levied by the Board at the next Board meeting.

Notice will then be mailed to the accused owner via certified and regular mail. Notice will include:

- 1) Nature of violation
- 2) Provisions of documents and/or rules that have been violated
- 3) Notice of time, date, and place of fining committee meeting
- 4) Basic statement of due process Notice will be followed by a meeting of the fining committee at least 14 days after mailing of notice. The 3 members of the fining committee must hear the case and vote to affirm the fine, reduce the fine, suspend the fine, or throw it away.

Fines may be up to \$100 per day up to \$1000 per fine.

Fining Committee will go through each fine individually. Owners may present their case and explain the circumstances surrounding the fine. The Fining Committee will then decide to post the fine, waive the fine, or amend the fine as they see fit.

Ed White commented that the Victoria Park Covenants only require a fining committee meeting when it is requested by the recipient of the fine.

Other Business

Ray reported on how the mailbox project came into play - 32% of the committee voted and passed by 2 votes. He distributed and five page report he put together on the history of this project.

Susan questioned the possibility of capital resale contribution. Debi agreed it may be a good idea and the Board can put in on the proxy for the next annual meeting.

Adjournment: The meeting was adjourned at 9:05 PM.

Minutes submitted by Krystal Smith, Detali & Associates, PA.