

DEEP CREEK GAZETTE

SECTION 23 PROPERTY OWNER'S ASSOCIATION, INC.

PUNTA GORDA, FLORIDA

AUGUST 2008

SECTION 23 POA BOARD OF DIRECTORS

President	Ronald Woods
Vice President	Joseph Harris
Treasurer	Gladwin Unrau
Secretary	Harvey Goldstein
Director	Clyde Kang
Director	Leonard Alsene
Director	Vicky Craig

COMMITTEES

Architectural Review	Gladwin Unrau
Lakes & Greenbelts	Joseph Harris
County Liaison	Harvey Goldstein
Vacant Lots	Ronald Woods
Deed Restrictions	Clyde Kang
	Leonard Alsene
	Vicky Craig
	Joseph Harris
	Harvey Goldstein

ASSOCIATION OFFICE STAFF

Assoc. Manager	Jay Carlson
Office Manager	Teresa Boucher
Office Secretary	Dorothy Cabott

HOW TO REACH US

Section 23 Property Owner's Association
26217 Rampart Boulevard
Punta Gorda, Florida 33983

Phone: 941-764-6674
Fax: 941-764-7914
Email: sec23poa@sunline.net
Website: www.section23poa.com

ARCHITECTURAL REVIEW

*Permits issued
October 2007 thru July 2008:*

Single Family Homes	3
Pools	7
Fences	7
Additions	3
Multi Family Dwellings	0

Remember, when planning to construct a home, pool, fence, addition or multi family dwelling, the Architectural Review Committee must review construction plans, specifications, location of structure and landscaping plans prior to construction. Building permit applications are available on the Association website.

The property owner will be held responsible for any construction on their property without receiving the proper permits - not the contractor.

Gladwin Unrau

**EXERCISE YOUR RIGHT TO VOTE!
RETURN YOUR BALLOT TODAY!**

FINANCIAL STATEMENTS

Financial Statements for fiscal year 2007-2008 will be available at the Association office for your review by October 31, 2008.

PRESIDENTS REPORT

As the 2007-2008 fiscal year comes to a close, this report is not one of another "sunny day in paradise". We in Section 23 are facing a protracted struggle that although different is just as much challenging as Hurricane "Charley".

In the last year the housing crunch has greatly effected our community. New home construction has come to a complete halt and that has caused a surplus of houses. Speculator buyers and builders are attempting to recoup their investments by renting these properties. This has caused a high turn over rate of renters, who have little or no interest in properly maintaining the properties. They do not like the Deed Restrictions and only perform enough maintenance to get by our inspectors. The number of complaints from neighbors and the number of restriction violations have risen correspondently. Our only legal contact is with the owners. We cannot deal directly with the renters, therefore, the process for correcting the violations is longer.

Also we have a very serious problem with mortgage foreclosures and abandoned homes. Those that bought their homes when the market values were high and financed with high or adjustable mortgages, have chosen to bail out and just abandon their homes. They found themselves in a position that either their mortgage rate rose beyond their means or their property value dropped below the balance of their mortgage and they just walked away. These are the ones who bought in the last couple of years, so they had little or no equity in their property. Section 23 is now maintaining those properties.

I do not mean to spell all gloom and doom for our community, but these problems are growing and will continue until we get an up turn in the national and local economy. Hopefully, this will run it's

course and things will pick up in the next year. We, in this part of Florida, are primed for a turn around. This is where the Baby Boomer Retirees want to come. However, we must work hard to keep Deep Creek as a prime place to retire. It is costly for Section 23. The Board of Directors has struggled to keep up. We have devoted our next budget to the legal and maintenance cost of keeping the community as the place to be for the future.

We cannot let down and you can help. Follow our Deed Restrictions and report those that do not. Help your neighbor when they are away or in need of someone to help. We have contracted to have our major roads, (Rio, Rampart, Capricorn and Sandhill), cleared of litter once a month. We hope this will help. This was an idea of a persistent owner who took the time to work out the details to make this happen.

I thank this owner and all of the owners who go out of their way to do a little extra for the community. We will get through this, like we did with "Charley". We will come out of this a better community and we will be prepared for the future. I hope this serves to up date you on Section 23, Deep Creek.

Ron Woods

GARBAGE PICK-UP

Garbage containers, recycle bins, yard trash, etc. are permitted to be placed at roadside the day before pick up and are to be put away directly after pick up.

Beginning October 1, 2008 Charlotte County residents will have garbage pickup only once a week.

Waste Management will notify residents in late September with information regarding your pick up day.

For details you may contact Waste Management at 941-629-1106.

FINANCE COMMITTEE REPORT

The Board identified four new members to serve as the Finance Committee who have been given the task of overseeing the financial details of the Association. The members put on the committee are; President Ron Woods, Treasurer Gladwin Unrau, Secretary Harvey Goldstein and Director Clyde Kang. Since Clyde Kang was not serving in any other capacity and had an accounting background, he was asked to chair the committee.

The committee addressed four things. The first was to determine the adequacy of the association's accounting software. With some small adjustments the committee found the software currently in use was more than adequate.

Next the committee reviewed the monthly financial statements (Balance Sheet and Income Statement) provided to board members. After its review, minor changes were implemented. The objective of the changes were to provide board member with easier to read and more meaningful reports. In July, the committee finalized the 2008-2009 proposed budget. During the budget's development, the committee established a model process the association can use during each years budget process.

Finally the committee suggested to the general board that the association would be wise to establish a line of credit. While not immediately needed, it would be good to have and would cost nothing if it is not needed. But a line of credit would be readily available in the event the association needed additional cash in the later part of a fiscal year. This is when funds could be temporarily short. The availability of such a line of credit is especially significant currently because the association is experiencing a growing level of uncollected fees in these rough economic times.

The finance committee will provide an on-going review and oversight of the POA's finances. In the coming years the committee will look to take on a proactive posture regarding the financial needs of the Property Owners Association.

Clyde Kang

GREENBELTS

The "common areas" for the most part are back to normal following "Charley". There are still property owners who are planting vegetation in the common areas. Please do not. The deed restrictions clearly state that no trees are to be cut down, nor is anyone permitted to plant foliage (of any kind) or erect any structures in the greenbelt area. As in the past, if you are uncertain as to where your property line ends and the greenbelt begins, please call us. To give you a rough idea as to your property line and the adjacent greenbelt just look for the green telephone boxes and try to picture an imaginary line running from one to the other. Please remember you agreed to the restrictions when you closed on the property.

There continues to be ATV riders, cars and utility trailers parked on the "greenbelts". Please do not treat the "greenbelts" as your private property, it is not and it belongs to all of us. Any ATV riding on our greenbelts will be reported to the law enforcement agencies.

Many property owners continue dumping grass clippings on the greenbelt. Please do not do this. Yard trash is scheduled for pick up on Tuesday. Place your grass and other clippings in yard trash containers or bio bags for pick up.

Joe Harris

LAKES

Section 23 has five (5) lakes and they are the private property of all of us. Very often property owners living along the lakes will encounter fishermen on the greenbelt. Many will be residents of Section 23 and as such have every right to fish there. If you feel the person(s) fishing is not a property owner you may either ask if they live in Section 23 or call the office (764-6674). There have been some isolated problems with fishing on some of the lakes. Residents of Section 20 in Deep Creek (across Sandhill) are not permitted to fish in our lakes. The Board has decided to place a dusk to dawn ban on fishing augmented with persons fishing trying to avoid the back of any homeowner's property; keep the noise level low; and pick up all trash. This is an effort to ensure privacy for the homeowners living on the lakes.

The lakes are stocked and the aquatic weed control is maintained with our fees. Only electric motors or oars are permissible for propulsion of any water craft. Do not swim or wade in the lakes, it is dangerous because of wildlife (i.e. gators). Do not feed the wildlife in or near the lakes; it is against the law and you can be fined along with jail time. The feeding to any form of wildlife can result in a "gator" losing their fear of humans; humans are then looked upon as a food source. There is no such thing as a friendly gator.

We are sometimes confronted with "water thieves" including Charlotte County water tankers. If you ever see a tanker taking water out of our lakes please call the office immediately.

Joe Harris

**SUPPORT YOUR ASSOCIATION
VOLUNTEER!!**

INCORPORATION?

Many residents have discussed the pros and cons of Deep Creek pursuing incorporation. The following are some of the issues we need to think about. The County Government appears unwilling to enforce code violations in Deep Creek. As an example; we have abandoned homes with unsecured pools that have black water, mosquitoes and other vermin. No County agency will assist in this obvious safety and health issue. We have had a number of home break-ins, but apparently no increased police presence. The County often skips mowing right of way areas and never mow the circles at the end of the cul de sacs even though the County is responsible.

In other areas of the Country, municipalities are fining banks who hold foreclosed property and fail to maintain such property. In some cases up to \$100 per day.

Public Works abuses our MSBU tax dollars, an example was the incredible insufficiency in putting pipes under Nuremberg Blvd. The County refuses to address the problem of the Desoto Canal and states that our storm water taxes must be spent in mid-County. It seems that the County Government is only interested in extracting more taxes from us, and not providing the services we pay taxes for!

Certainly there are negatives involved in incorporation, but we need to look at all factors so we can decide our own future as a community.

Many communities much smaller than Deep Creek have pursued incorporation - they were tired of being abused by County Governments. Dumping low income housing in and around Deep Creek is an obvious example here.

Please contact the POA office if you have any thoughts or ideas. It is your Deep Creek!

Harvey Goldstein

DEED RESTRICTION COMMITTEE REPORT

Among others we have had many complaints regarding landscaping, litter and dog owner responsibilities.

LANDSCAPING → Because of the down turn of the real estate market many homes have either been abandoned or are in foreclosure. The POA is having a very difficult time financially having to bring these properties back into compliance with our restrictions. Some of the monies spent on mowing these lawns and weeding the planting beds may not be recovered but our deed restrictions state that we must keep these lawns mowed, weeded and dead plants/shrubs/trees removed. So we are asking residents to please be mindful of keeping *their* properties maintained.

LITTER → The POA has a trial contract to have litter picked up once a month along the main roads in Section 23. These include Sandhill, Rampart and Capricorn among others. Our community already looks so much nicer without litter on the main roadways in Deep Creek. Of course to have the litter picked up would be a burden we could not afford unless we had an increase in our fees just for that budget item. Everyone wants the community to look nice and to keep our property values as high as possible, especially in the current market. If everyone picked up the litter from their property (which most people do) and picked up the litter on the empty lot(s) next to them, especially along the County right of ways, it would mean a great deal to the appearance and curb appeal of ALL our properties. It only takes a minute or two once a week and it makes such a big difference to the community as a whole. When the County mows the right of ways, the bottles are smashed and the cans are shredded into lethal weapons, so if those are picked up we can

probably avoid some injuries from occurring. And if an older person(s) is not able to do this, be a good neighbor and help them. It costs nothing to be kind and caring except maybe a few minutes of your time which everyone has if they so choose.

PETS → All dogs need to be on a leash or under the owner's control on their property. This Florida Law and the fines for not following it can get pretty hefty. Dogs being walked on a leash may not be friendly to a roaming dog because they need to protect themselves and their owner. A dog fight can ensue and the dog and/or owner could be injured. Under Florida law you would be held financially responsible. If you have a large dog who can jump your fence or dig under it, then that is not working as a viable means of controlling your pet. We have also had many complaints about dog owners not picking up their pet's waste matter. Dog owners are responsible for picking up all waste whether it is on an empty lot or someone's lawn, driveway or roadway. Please be mindful of your responsibilities as a pet owner, follow the law and deed restrictions and be a good neighbor.

Vicky Craig

DEED RESTRICTION VIOLATIONS

As of July 31, 2008

Reported Violations - 693

Completed Violations - 531

Active Violations - 162

COMMUNITY AWARENESS

There is no denying the trying economic situation we all see, hear, and read about daily as we try to lead a normal existence with our family and friends. Unfortunately, the presence of crime is also affected by economic recession. Awareness is a duty all citizens of Charlotte County should embrace. The long term benefits will affect everyone, individuals and neighborhoods as a whole. Awareness begins with educating the public through resources available such as the media, newspapers and television. During these hard economic times many consider themselves capable of balancing a budget, dealing with family issues and jobs, etc., however many are not. These are the unfortunate individuals who are falling prey to on-going scams and fraud including, but not limited to, foreign lotto's, long distance access calls, bank fraud, and my personal favorite - the internet.

As a deputy with the Charlotte County Sheriff's Office I routinely get asked about correspondence received by many stating that they are finalists or have been chosen to win MILLIONS of dollars from a lottery in some foreign country. My first question is; are you playing a lottery in this foreign country? The answer is always the same - **NO**. Well, if you are **NOT** playing, you **CANNOT WIN!!!** The best use for those letters is in the bottom of bird cages.

You need to **BE PREPARED** and knowledge is the key. These criminal minds spend hours and days developing methods and techniques of separating you from your hard earned money. **REMEMBER** that no matter how polite, professional, sincere, and persistent they may be, **NEVER** give anyone your personal information. Thank them, hang up and call your bank or credit card company, etc. directly.

Awareness and vigilance can infect a community in many positive ways. Can you imagine a neighborhood of concerned residents providing a safe and nurturing environment for all without a vaccine?

Deputy First Class Robert Melendez
Community Policing Unit

WATER RESTRICTIONS

The Southwest Florida Water Management District's (SWFWMD) watering schedule still limits lawn and landscape irrigation to once per week for Charlotte County residents.

Water restrictions apply to all water sources, including public and private utilities, private wells and *all* surface water sources (ponds, canals, **Section 23 lakes**).

Watering is allowed only before 8 a.m. or after 6 p.m. on your designated day.

Charlotte County Utilities staff enforces the water restrictions for CCU customers. Customers watering on the wrong day or time will first receive a written warning and may be subject to unauthorized water usage charges, up to \$500, after the second documented occurrence. These charges will appear on the monthly CCU bill. The Sheriff's Office will continue to enforce watering restrictions for all Charlotte County residents.

Please review the following schedule and make note of your watering day.

If your address (house number) ends in:

- 0 or 1 Water only on Monday
- 2 or 3 Water only on Tuesday
- 4 or 5 Water only on Wednesday
- 6 or 7 Water only on Thursday
- 8 or 9 Water only on Friday