

DEEP CREEK GAZETTE

SECTION 23 PROPERTY OWNER'S ASSOCIATION, INC.

PUNTA GORDA, FLORIDA

August 2015

PRESIDENTS MESSAGE

I want to take this opportunity to thank the Section 23 POA board and the property owners for having faith in me to be president for this term that is coming to an end. It has been a difficult time for all of us as we have tried to resolve many issues, as well as improve our community. There are a very small few that have tried very hard to lower our standards and not follow the established rules. The Board, to this day, is still fighting to vacate these non compliance persons.

Shortly following our last annual homeowners meeting the Board established a committee with the charter study, revise, and implement changes to the current bylaws. The study and revision phase has been attained and soon you will be asked to vote on the proposed changes. Please be sure to vote on this important matter.

As President, this year I tried to make the monthly POA meetings as open as possible by giving any home owner the chance to ask questions or comment on any of the agenda items. The feedback indicates that it worked well. I believe the Board elected this past term was a good one dedicated to overall improvement. I hope we continue to elect good knowledgeable people.

Our management team is excellent and has the expertise we need to keep Section 23 a great place to live. We should never be penny wise and pound foolish.

Although my term is ending, I will be available to answer any questions or provide my expertise if needed.

Joseph Harris, President

ANNUAL MEETING PACKAGE

This package contains VERY important information, some items must be returned promptly. For your review are:

- Bylaw Amendments (**blue paper**)
- Deed Restriction Amendment (**pink paper**)
- 2015/2016 Budget
- An Official Ballot to elect Directors to the Board, adopt amendments to the Bylaws, adopt amendments to Article XII of the Deed Restrictions and adopt the 2015-2016 Operating Budget
- Annual Maintenance Assessment Statement (**yellow paper**)

HOW TO REACH US

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AMENDMENTS TO BYLAWS

Last year, before and after the Annual Property Owners Association (POA) meeting, hundreds of property owners expressed discontent with the Board of Directors (BOD), and the method of voting for new members of the POA BOD. In response to the outcry, our President, Joseph Harris, established a committee to study and propose changes to the Bylaws.

The committee had many meetings and developed proposed changes to the Bylaws. Copies of those proposed changes were sent to voting members of all 3,340 properties with the request that the voting members review, analyze, and suggest improvements to the changes proposed by the committee. We did get responses. Some of the suggestions in those responses were incorporated into the Amendments to the Bylaws that you are being asked to vote upon. The three main proposed changes to the Bylaws are as follows:

- Place a limit of seven (7) years on the length of time anyone can serve on the Board.
- Modify the function of the nominating committee so that the voting members of the POA can choose the new Board members, instead of the nominating committee dictating who the new Board members will be. The present interpretation of the statement "The committee shall nominate the number of candidates needed to fill the vacancies that may exist at the time of the annual meeting" is "only the number of candidates" instead of "at least the number of candidates" should be put on the ballot. The addendum would assure that the qualified individual who submits a resume can be put on the ballot, no matter how many positions are open or how many resumes are submitted.
- Reduce the number of affirmative votes required to amend the Bylaws.

The Amendments to the Bylaws were originally planned to be on the Annual Statement, but, due to the difficulty of amending the Statement to accomplish that

task, the Amendments to the Bylaws are on the **blue paper** in your package.

The present Bylaws require an affirmative vote of at least 60% of the voting members of the 3,340 properties (2,004) please talk to your neighbors, friends, and families to encourage an affirmative vote for each of these Amendments.

Nicholas J. Theiss, Chairman
Bylaw Review Committee

AMENDMENTS TO SINGLE FAMILY

DEED RESTRICTIONS

As the member of the Board of Directors who is responsible for the Architectural Review, it has come to my attention that most commercially available fences are four feet high. Therefore, the maximum height of a fence is proposed to be changed from three feet to four feet. Also, since the maximum area of an enclosure is not presently specified, it is proposed that the maximum area of an enclosure be set at sixty-four square feet. For an example, that would be an area that is eight feet by eight feet, or four feet by sixteen feet.

The Amendment to the Single Family Deed Restrictions in "Article XII, Walls, Hedges, Fences and Enclosures" is on the **pink paper** in your package.

As a side note, I would like to mention that there has been a substantial increase in the number of homes being built in Section 23 within this past year.

*Permits issued
October 2014 thru July 2015:*

Single Family Homes -----	11
Multi Family Dwellings-----	0
Pools -----	5
Fences/Enclosures -----	29
Additions-----	2

Nicholas J. Theiss,
Architectural Reviewer

MEMBERSHIP IN THE POA...

Membership in the POA begins when you purchase land or a home in Section 23. The POA Board of Directors is made up of volunteer, full time residents who are elected by the membership of Section 23. A management company is retained to handle the daily business of the Association.

The Articles of Incorporation state that the purpose of the POA is to promote the general welfare, health, and safety of the property owners. The Board tries very hard to fulfill that purpose by assuring that the common areas (greenbelts and lakes) are maintained; by reviewing plans and specifications for new construction, pools, enclosures/fences and additions; and by compelling observance of the deed restrictions.

The Board holds monthly meetings to raise issues for discussion, pitch ideas for future projects and discuss plans already in the works. Reports of deed restriction violations and remedies are discussed at the meetings. The Architectural Review Committee reports on plans received and permits granted during the month. Delinquent accounts are reported on and a monthly Financial report is reviewed. Section 23 property owners are welcome to observe board meetings. To discuss an issue or concern at a meeting, a property owner, is required to complete and submit a request to be on the agenda one week prior to the meeting they wish to speak.

In short, the POA is here to assist property owners with a wide variety of matters. Communication is the key! A problem or concern can not be addressed unless the POA is aware of it.

FINANCIAL STATEMENTS

The Financial Statements for fiscal year 2014-2015 will be available at the Association office for your review by December 30, 2015.

ASSESSMENT REFUND

Included in this year's assessment statement is a refund of the unused portion of the 2013/2014 special assessment. The special assessment project approved by the members to replace major storm water drainage pipes connecting Lake Zappa with Lake Henry was completed on time and under budget. We appreciate your support and compliments on this and other projects the association has undertaken. Our management team is well qualified to oversee every phase of construction projects like this one. From the bidding process to project completion, management oversees the entire scope at no additional cost, saving the association thousands of dollars each year.

BOARD OF DIRECTORS

President	Joseph Harris
Vice President	Karen Perry
Treasurer	Kathleen Gill
Secretary	Victoria Craig
Director	Harvey Goldstein
Director	Andrew Kontos
Director	Nicholas Theiss

COMMITTEES

Architectural Review	Nicholas Theiss
Lakes & Greenbelts	Joseph Harris
County Liaison	Nicholas Theiss
Deed Restrictions	Victoria Craig
	Kathleen Gill
	Harvey Goldstein
	Joseph Harris
	Andrew Kontos
	Karen Perry

ASSOCIATION OFFICE STAFF

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