

Southport on the Bay

Bonita Springs, Florida

Minutes of a Board Meeting of the Board of Directors

Southport on the Bay

Held on March 16, 2009

A Board meeting of the Board of Directors of Southport on the Bay was held on, March 16, 2009 at Barefoot Beach Gate House.

DIRECTORS PRESENT: Dr. Jim Fountain President
Kevin Yankow Vice-President
Lorraine Andrews Treasurer
Bill Whitingham Secretary
Christopher Hawley Director

DIRECTORS ABSENT: Bill Zwicker Non-voting Director

ALSO PRESENT: Mireya Agnoli, R & P Property Management
George Joeckel - Resident

CALL TO ORDER

Noting that a quorum was established, the meeting was called to order at 4:30 p.m. by Dr. Fountain.

PROOF OF NOTICE

Notice of the meeting was posted in accordance with Florida State Statutes.

REVIEW OF MINUTES

The approval of minutes of the Board of Directors Meeting of February 9, 2009 was motioned by Lorraine Andrews and seconded by Christopher Hawley, the motion passed unanimously.

TREASURER'S REPORT

- The expenditures are tracking according to budget.
- Ms. Andrews further reported \$120,000 was moved from Orion to Wachovia (money market funds).
- Will continue to monitor funds and in the future make a decision to move additional funds from Orion to other banks as Orion's credit rating is dropping.
- As of March 16, 2008 the Association has \$15,136.41 in delinquent funds.

- Ms. Andrews reported on her meeting with the owner of R & P and provided the following time-line for collections; January 31 owners are considered delinquent, February 10 a late notice goes out; and owners are provided 10 days to pay; (February 25) placed on a tickler file; March 1 demand letter is sent certified mail; there is a charge of 200.00, plus \$75.00 for certification. The charge goes to the owner. HOA becomes responsible for this charge if the owner fails to pay. Owners provided with 45 days in accordance with Florida Statutes, bring the date due to April 1, the file goes to the attorney to file a lien.

COMMITTEE REPORT

Kevin Yankow – Master’s Representative

Kevin reported on the status of the permit for the entry-gate. Collier County originally issued the permit allowing for a bathroom to be located on the second floor; the permit has been issued, however the County is denying the right to build a bathroom on the second floor; it is foreseen the Master’s Association will fight the County on this matter.

The Master’s is thinking of replacing all the lights on the boulevard. There is concern on the impact on the budget for this capital expenditure. In addition, the Board suggested concern that the lights do not look too industrial, and they should have a “down-light” affect in order to avoid light pollution.

George Joeckel stated currently the main road is owned by the POA. The POA will be transferring the main road to the Master’s Association; the finger roads will be retained by the POA.

The gatehouse has been deeded to the Master’s Association; along with the west entrance to the property.

The POA is re-drafting their covenants and it is the intent of the Board to obtain a copy of the proposed covenants (for review) to confirm the language (although nebulous), which allows access to the beach for residents at Southport. It is important the language remains in the documents.

The Board decided that currently neither the Master nor the POA are denying access to the beaches to Southport residents, and until they do so the Board does not intend to pursue this matter.

Bill Whitingham – Landscaping

Mr. Whitingham reported he contacted Bonita Botanical and requested a proposal to install the palm tree at the entrance gate. He foresees hearing from them soon; and is targeting installation of the palm tree in April, 2009 – also the hedge along Lake #4 will be re-established.

The commemorative bench for Mr. Lynch has been installed in the preserve area, and it I looks very nice.

In addition, Mr. Whitingham reported he will be working with the landscaper to come-up with a trimming schedule for the palms.

Kevin Yankow – Physical Plant

The gate seems to be opening slow (the incoming section). Dr. Fountain stated this is probably a lubrication issue; which can be addressed by Gate Works. Dr. Fountain suggested Kevin “listen” to the gate and if it starts to make a noise, Gate Works should be contacted for them to lubricate.

All fountains are up and running; Lake #2, both the fountain and the lights are running.

There was some discussion as to how to secure the control boxes for the aerators. The board agreed that it is best to place combination locks on all the boxes; in this manner a child cannot access the wiring, thus reducing the Association’s liability. Kevin Yankow will be taking care of this.

OLD BUSINESS

Mireya Agnoli – Generator/Air-Conditioner/Buffering Correspondence

Mireya Agnoli reported the second notice mandating buffering of outside equipments had not yet been sent. Dr. Fountain reported a site inspection was conducted, and Ms. Agnoli was provided with a list of potential violations. Ms. Agnoli stated correspondence would be sent on Wednesday, March 18, 2009.

Mireya Agnoli – Golf Cart Information

Ms. Agnoli reported all the residents contacted regarding the Golf Cart insurance/registration information had provided the required back-up information; except for two owners. Follow-up correspondence will be drafted.

Mireya Agnoli – Lien/Collection Status

As of March 16, 2009 the Association was due \$15,136.41 – following is a list of the status of the collections efforts;

41 Southport Cove – \$1,015.00 - Owner has been contacted, stated the funds would be paid no later than March 16, 2009 – however collection department reiterated if funds were not received it would proceed to the next step in the collection process.

61 Southport Cove – \$3,022.51- Association has a lien in place – the Board requested R & P check with the Lien Department to confirm the Association has a lien in place for the entire amount.

82 Southport Cove – \$537.90 – Association is requesting confirming a lien in place.

171 Topanga Drive – \$2,743.00 – Final Notice sent – next step will be collection letter.

181 Topanga Drive - \$2,734.00 – Final Notice sent – next step will be collection letter.

193 Topanga Drive - \$2,743.00 – Is being foreclosed by the bank.

198 Topanga Drive - \$2,200.00 – Is being foreclosed by the bank.

Pamela Liebert – Action Damage –

Mireya Agnoli with R & P Property Management presented the Board with a check for \$1,169.69 reimbursement for the gate damage. Ms. Andrews stated she would like the check deposited in the operating account.

NEW BUSINESS

Mailbox Refurbishing – Kevin Yankow

Mr. Yankow reported he has contacted several vendors in order to obtain bids to refurbishing the mailboxes. However, the majority of them are requiring the removal of the mailboxes and it would take two to three days for them to return the mailboxes and reinstall. Some of the prices have varied from \$36 to \$44 per single mailbox, and \$50 per double.

Most vendors are willing to pickup the mailboxes, but not remove them.

Dr. Fountain suggested Mr. Yankow contact “Mail-Box World” in Fort Lauderdale – or other local vendors in the area and get a price for in site sandblasting and electrolytic painting.

Missing Real Estate Signage

Mr. Whittingham stated Doug Grant contacted him regarding missing real estate signage; there was some discussion on this item by the Board, as other signs are disappearing; however, the Board agreed this is a difficult situation to monitor.

NEXT MEETING DATE

Next meeting of the Board of Directors is on Monday, April 6, 2009 at 4:30 p.m. at the Gate House on Barefoot Beach.

ADJOURNMENT

With no further business to conduct, a motion was made by Kevin Yankow to adjourn the meeting at 6:00 p.m. second by Bill Whittingham.

Respectfully submitted,

Mireya Agnoli, Manager

Secretary