

# **Southport on the Bay**

## **Bonita Springs, Florida**

### **Minutes of a Board Meeting of the Board of Directors** **Southport on the Bay** **Held on June 15, 2009**

A regular meeting of the Board of Directors of Southport on the Bay was held on 15 June 2009 at Barefoot Beach Gate House.

<b>DIRECTORS PRESENT:</b>	Dr. Jim Fountain	President
	Kevin Yankow	Vice-President
	Bill Whittingham	Secretary
	Lorraine Andrews	Treasurer
	Christopher Hawley	Director
	Bill Zwicker	Past President

**ALSO PRESENT:** Glenn Carroll, R & P Property Management  
Gloria Norman, R & P Property Management  
Gus Flier, Resident and Representative ARB

#### **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**

A motion was made by Dr. Fountain to approve the minutes of the Board of Directors Meeting of April 20, 2009 the motion was seconded by Christopher Hawley and it passed unanimously.

#### **GLENN CARROLL- R & P PROPERTY MANGEMENT**

##### **a. Southport Manager Change**

Glenn introduced the new Property Manager, Gloria Norman who has been with R & P for 3 years and in his opinion can give the best service for your community.

**b. Fee Discount**

Glenn discussed with Lorraine Andrews that the fee discount was in fact in place, and Lorraine acknowledged that it was reflected in the financial report.

**c. Legal Fee Abatement**

Glenn discussed the legal fees and how they are implemented and tracked. He made some suggestions as to when to lien and how the fees are extracted for the properties by the estoppels. Glenn is conferring with DeBoest on this issue.

**d. Status of Collection Efforts**

Floreani- Owner called and said check would be mailed 5/08/09. As of today, check has not been received but will be tracking this. They are prepared to send a collection letter

Jacobson/Lau/Burig- Account paid in full. Sent 2 checks several weeks apart and will be posting to the account when they clear

Karambellas- File is with attorney and notes indicate lien was placed on property. Payment of \$4619.02 was received and posted to account Current balance is \$712.90. Some discussion was made regarding this file as to whether or not to keep the lien in place. The decision was made to keep in place by a vote of the Board, 4 yes and 1 no.

Licul- File with the attorney with instructions to place lien. No contact from owners

Muzzunigro- Bank Foreclosure dated February 21, 2009. Glenn to follow up on what is occurring with this property.

Rinz- Bank foreclosed on property December 2008

**e. Other Business**

**Assessment and Maintenance fees mailing**

Dr. Fountain wanted to make sure that this year, the Assessment/Maintenance statements were mailed by December 1<sup>st</sup>, not December 31<sup>st</sup> which happened last year. The Budget will be addressed in October and the paperwork will be in the hands of the bookkeepers by November to assure the mailing is done at the proper time.

**TREASURER'S REPORT**

**a. Bank Transfer**

Lorraine states that the transfer of funds from Orion Bank to Wachovia has gone smoothly and is in place, partially with the help of her personal banker overseeing the transaction.

Noting that there is \$270,000 which is over the insured amount, Lorraine states that the \$68,000 due to the Master will be coming out of that account on or before August 1<sup>st</sup>. Kevin Yankow suggested that the payment to the master be made early so that the account stays within the insured amount. A motion was made to pay off the master early by Bill Whittingham, seconded by Kevin and passed unanimously.

**b. Expenses vs. Budget**

**c. Overall Financial Status**

Lorraine stated that overall the finances are in line with the expenses and are currently in very good shape. There was some discussion as to whether more interest could be achieved with different Banks. While some may offer a minimum amount of extra income, the consensus was to stay with the safe institutions that are in place.

**MASTER ASSOCIATION REPORT- KEVIN**

**a. Gatehouse rebuild**

Kevin reports that the work is progressing and that the slab is done with the second level to be in place by Sept. to October. There will be an area to park the carts and the bathroom will be put in place.

**b. Sign Status and appearance**

The signs are being addressed and are in process. New speed signs will reflect the 20 miles an hour limit.

The speed bumps are now uniform, last 3 lowered to compliment the other 2.

**c. New Business**

Sea grapes have been placed in public parking area to impede the parking close to the gate. Also more No Parking signs will be in place. Also, signage regarding the Reserve and its location were discussed. An opinion was expressed that further signage pointing out the County Park was not necessary.

**LANDSCAPE REPORT**

**a. Replacement of dead or aging plants**

**1. Coco plum hedge at entrance curve.**

Bill Whittingham reports that the coco plum screening the lake traffic barrier at the entrance curve will be replaced. It is in poor condition due to its age and freeze damage from cold snaps and inadequate irrigation. Carlos from Lusterlawn states that the total cost for replacement of plants, fixing irrigation and mulch will be \$1606.00. Since this item was already discussed at a previous Board meeting, Dr. Fountain said to proceed.

**2. Replace plants with sea grape where needed along rail at lake #4.**

The hedge behind lake #4 had both green and variegated Arbicola. The Variegated did not survive, but the green is doing well. The consensus is to take out the bad areas and replace with sea grape. Cost is \$392.00. This item

was approved.

**b. Planting of Hibiscus trees on North and South Preserve**

Discussion was made regarding the “donut” areas now without any florals since the other trees there with yellow blooms came down. It was determined that the replacement may be weeping Hibiscus tree that according to Carlos would be easy to maintain. The cost per tree would be \$125.00 with a total of 5 needed. Another option might be a double palm. Dr. Fountain stated the Preserve was not be landscaped and there shouldn't be any additional planting done without further discussion. The trees will be tabled for now.

**c. Recent coconut palm tree trimming by Greenway Tree Service**

The recent trimming of the Coconut palms was done by Greenway at the decision of Bill Whittingham after obtaining bids from one other company Mr.

Whittingham stated that Greenway came in with the best price.

It was noted that

in the future the palms would be cut back 2 times a year with a bid put out prior to the scheduling and take the lowest bid from the best company.

**d. Ficus tree on Topanga Management- removal vs. trimming**

The discussion regarding the ficus on the preserve on Topanga was in the determination to either trim it back, or remove it from the area. After sides were heard, the vote is to have the ficus trimmed at the cost of \$200 for the first time and ever 1-2 year thereafter, trim for preventative maintenance at a price of \$100. Motion to trim was made by Lorraine and seconded by Chris and was unanimous.

**e. Circle Bed management-irrigation, drought resistant plants**

The cul de sac at the end of Topanga had many dead plants due to lack of irrigation. Discussion was made as to what could be placed in them, but if more were planted, it would require irrigation be placed in them. The Sabal Palms are to be left and nothing more to be placed in them until irrigation can be addressed. Lorraine made the motion for taking out all dead plants and leaving just the Sabal Palms, seconded by Kevin and the vote was unanimous. Dr. Fountain noted to Kevin that the concrete collar in that area is severely cracked and needs to be addressed when the roadway is next updated.

**f. Vacant lot maintenance**

**1. Richard Schmidt 173 Topanga complaint**

**Mr. Schmidt has complained of trash remaining on the empty lot next to his house.**

Pictures were submitted concerning the lot in question and it was determined that there were several exotics that were on the property that needed to be removed. Trash is not seem from the roadway and

does not seem to represent a major eyesore. All empty lots are to be kept mowed by the Board with owners reimbursing the Association for this service.

### **2, 3. Trash removal exotic removal and mowing**

There are several undeveloped lot owners that need to be addressing the trash removal and exotics that exist on their properties. A letter will be sent out to the lot owners stating that if the owners do not clear the lots of exotics by August 1. the work will be contracted by the Board and the homeowners will be billed for expense. Bill Whittingham will compile a list of empty lots with exotics and communicate this to the Manager so that this letter can be sent.

## **PHYSICAL AND MECHANICAL- KEVIN**

### **a. Mail Box renovation report**

Kevin received quotes for the mailboxes with several ways to perform the task. To sandblast, Powder coat or electrostatic paint would be \$180.00 for doubles and \$159.00 for singles. There are 27 singles and 38 doubles. The price includes sandblasting. Discussion as to whether to do them all at once or only the ones that need work immediately. A local firm says they can do them without the electrostatic and will supply a sample. Lorraine stated that there is money in the contingency fund for this project. Dr. Fountain said that new mailbox replacement flags are in the shed Kevin will collate the bids and present to Board for a decision as soon as possible.

### **b. Fountains (5) status**

Kevin reported he has installed locks on the electrical boxes for fountains. Dr. Fountain noted that #3 east fountain is not working . Kevin will check on this.

### **c. Lake**

Kevin was given service reports from Lake Doctors for algae and weed control. They have addressed the issues and continue to come monthly. The lakes are in good shape.

### **d. Street lights, entrance lights**

Street lights are on order by the Contractor.

The entrance lights are being replaced with fluorescents; since they are more cost effective. While there are some that favor the amber color, the Fluorescents save considerable cost and are more energy efficient. Lorraine suggests they be given a try out front and all were in favor.

### **e. Gate Operation**

Kevin stated that the gate is in operational order.

**f. Generator and A/C Compliance**

Dr. Fountain has stated that there are some Generators that are not in compliance. More discussion in New Business.

**ARCHITECTURE REVIEW BOARD- BILL WHITTINGHAM**

**a. Member complaint from last meeting**

**1. Faded roofs**

**2. Lawn Art**

The Board discussed these issues and determined that these were a non issue and no action will be taken. The motion to take no action was made by Kevin and second by Chris with a unanimous vote.

**b. Mangrove trimming--member complaint- action**

Bill Whittingham had a certified mangrove trimmer from Greenway inspect the areas on two residences in Southport in question and it was determined that the trimming may be legal. Dr. Fountain asked for a written report to substantiate this for the Board. It was suggested that information on mangrove trimming rules be included in the next newsletter. These rules are already on the website. If any resident of Southport feels that illegal or improper trimming of mangroves has occurred, they are free to report this observation to County or State officials as a private citizen.

**c. Meckstroth addition-Blueprint approved by ARB not executed—ARB Complaint**

Bill Whittingham provided pictures of the areas in question and it was determined that there were changes made to the remodel that were not the same as the plans submitted to the ARB. As per the Declaration of Covenants, Conditions and Restrictions, a violation letter will be sent to the Meckstroth's by the ARB giving them 21 days to re submit plans or otherwise correct he situation. Meckstroth is liable for fines and loss of construction deposit if the situation is not resolved to the satisfaction of the Board and the ARB.

**FORMAL GENERATOR AMENDMENT  
ADDITION TO THE RULES AND REGULATIONS**

Dr. Fountain presented the Generator restrictions form with the changes that are to be made, stating that any box larger than 24' in any dimension hung on the outside of the residence requires screening from view. This rule supplements the existing regulation; on air-conditions in the CCand Rs. After discussion, it was unanimously voted to add this rule to the current Rules and Regulations. R& P will write the document and revise the Rules and Regulations to include this restriction

**NEXT MEETING DATE**

The next meeting date is Monday, October 26th at 4:30 PM at the Barefoot Beach Gatehouse.

**ADJOURNMENT**

With no further business to conduct, a motion was made Dr. Fountain to adjourn the meeting at 6:37 p.m. second by Bill Whittingham.

Respectfully submitted,

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Gloria Norman, Manager

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Secretary