

CASA DEL LAGO
BOARD OF DIRECTORS MEETING
March 23, 2007

The Board of Directors meeting of Deer Lake Homeowners Association, Inc. (a.k.a. Casa Del Lago) was held on March 23, 2007 at the Casa Del Lago clubhouse.

Board Members Present: George Boyer
 Ed Zeglarski
 Bob Golden

Board Members Absent: Rob Cooper
 Jeff Holiman

In attendance by invitation of the Board: Bob Gelles, Schoo Management.

Call to Order: The meeting was called to order at 1:00 PM by George Boyer who presided.

Proof of Notice: A copy of the Proof of Notice of the meeting was posted in accordance with Florida Statutes.

Determination of Quorum: The Board acknowledged that a quorum was present to conduct business.

Minutes of Prior Meetings: A motion was made by Ed Zeglarski to waive the reading and approve the minutes of the Board of Directors Meeting of March 1, 2007. The motion was seconded by Bob Golden and passed unanimously. George Boyer stated that all approved Minutes are posted in the Clubhouse. George Boyer further stated that as soon as the Association has a website it will post the approved Minutes on the website. At this time the Association does not have a website. The Association is seeking a volunteer webmaster to assist in creating and maintaining a website. If anyone is interested, please contact George Boyer or Bob Golden.

Opening Remarks: George Boyer opened the meeting by introducing each member of the Board to the residents in attendance. George Boyer introduced Bob Gelles, Schoo Management, as the management company for the Association. George Boyer also introduced the members of the Hearing Committee - Susan Hosfeld, Rob Carr and Arlene Richards. As part of today's meeting, the Hearing Committee will be asked to impose monetary fines on 2 residents for violation of the governing documents of the Association.

HEARING COMMITTEE MEETING

A meeting of Hearing Committee of Deer Lake Homeowners Association, Inc. (a.k.a. Casa Del Lago) was held on March 23, 2007 at the Casa Del Lago clubhouse.

Hearing Committee Members Present: Susan Hosfeld
Rob Carr
Arlene Richards

In attendance by invitation of the Hearing Committee: George Boyer, Ed Zeglarski and Bob Golden, members of the Board of Directors, and Bob Gelles, Schoo Management, management company for the Association.

Call to Order: The meeting of the Hearing Committee was called to order at 1:05 PM.

Proof of Notice: A copy of the Proof of Notice of the Hearing Committee meeting was posted in accordance with Florida Statutes. George Boyer stated that each resident with business before the Hearing Committee was provided with at least 14 day prior written notice of this Hearing Committee meeting in accordance with the Association's governing documents.

Determination of Quorum: A quorum of the Hearing Committee was present to conduct business.

Business of the Hearing Committee:

1. Don and Barbara Courtois / 7567 Key Deer Court:

Board of Directors' Presentation:

On behalf of the Board of Directors, George Boyer stated to the Hearing Committee that the Board of Directors determined that a vehicle owned by Don and Barbara Courtois and currently parked in their driveway at 7567 Key Deer Court is in violation of Section 8.15 of the governing documents of the Association. Specifically, the vehicle in question is a "motor home" or "recreational vehicle" and the parking of such vehicles in the driveway of a residence in the community are prohibited by Section 8.15 of the governing documents of the Association. George Boyer then presented to both the Hearing Committee and Don and Barbara Courtois written materials from the manufacturer of the vehicle, Roadtrek, that supports the Board's position that the vehicle in question is a "motor home" or "recreational vehicle." George Boyer further stated that he traveled throughout the community on Thursday, March 21, 2007, to verify if there were prohibited vehicles parked in the driveway of any residence of the community. George Boyer indicated that he was only able to locate one violation, Don and Barbara Courtois at 7567 Key Deer Court. George Boyer then presented to each of the Hearing Committee and Don and Barbara Courtois copies of 2 letters previously sent to Don and Barbara Courtois informing them that parking the vehicle in question in the driveway is in violation of the governing documents of the Association and the vehicle must be parked in the garage or removed from the community. George Boyer also stated that the last violation letter, from Schoo Management, stated that a monetary fine would be imposed

on Don and Barbara Courtois if the violation was not corrected. George Boyer indicated that the notices of violation were ignored by Don and Barbara Courtois.

Ed Zeglarski, on behalf of the Board, then addressed the Hearing Committee. Ed Zeglarski stated that he previously worked for and owned a business that sold motor homes and recreational vehicles, including the Roadtrek models. Ed Zeglarski stated that in order to sell the Roadtrek models, he had to hold a license from the State to sell "motor homes" and "recreational vehicles." Ed Zeglarski further stated that from his professional experience in selling the Roadtrek models, the vehicle in question, a Roadtrek, is a "motor home" or "recreational vehicle."

A resident present at the meeting, Amir Harpaz, spoke regarding the vehicle in question. Amir Harpaz stated that he is in the business of owning and operating residential communities for owners of mobile homes and recreational vehicles and he is familiar with Roadtrek vehicles. Amir Harpaz stated that the vehicle in question, a Roadtrek, is a Class B motor home. He stated that he would provide a storage area for Don and Barbara Courtois' vehicle for \$45.00 per month.

Bob Golden, on behalf of the Board, offered additional written information from the manufacturer, Roadtrek, and photographs of the vehicle in question that supports the position that the vehicle in question is a "motor home" or a "recreational vehicle." Copies of the materials were provided to the Hearing Committee and Don and Barbara Courtois. Bob Golden stated that Don Courtois had removed the "Roadtrek" lettering and other descriptive lettering from the outside of the vehicle. Bob Golden stated that the vehicle in question still has one emblem on the outside with the letters "RVIA," which stands for "Recreational Vehicle Industry Association."

Don and Barbara Courtois Presentation:

Don Courtois stated that he did not receive the minimum 14 day prior written notice of this hearing. Bob Schoo, management for the Association, stated that the notice letter was mailed on March 5, 2007 via US Regular Mail and by Certified Mail. Don Courtois stated that he did not have time to prepare for this hearing as it relates to his vehicle violation. Don Courtois stated that he thought this hearing was about his storm shutters and/or gutters.

Bob Gelles, management for the Association, stated that based on his experience of 18 years the vehicle in question did not violate the governing documents of other communities he manages.

Don Courtois asked the Board if they had a copy of his response to Family Property Services. Bob Gelles, management for the Association, stated that he had a copy of the letter.

Don Courtois then referred to the hearing as a "kangaroo court" and refused to respond directly to a question by Bob Golden, a member of the Board. Don Courtois' demeanor

was unprofessional and rude to the members of the Board, Bob Schoo and the members of the Hearing Committee.

George Boyer asked Don Courtois if he needed another 2 weeks to prepare for the hearing. Don Courtois did not respond. Don Courtois stated that he did not understand why his vehicle is in violation of the governing documents. Don Courtois stated that Family Property Services told him that the vehicle was not in violation. George Boyer then stated that Family Property Services had send him a letter informing him of the vehicle violation and such letter was in contradiction of Don Courtois' statement that Family Property Services approved his vehicle. Don Courtois did not offer any written evidence that stated Family Property Services approved his vehicle despite being asked repeatedly by George Boyer. George Boyer also stated that members of the previous Board of Directors had numerous conversations with Don Courtois regarding removing his vehicle. Don Courtois responded by indicating that he did not remember any of those conversations.

Don Courtois stated that Ed Zeglarski was appointed by the Board of Directors to be the liaison between the Board and residents as it relates to violations of the governing documents. Don Courtois stated that he had received one phone call from Ed Zeglarski regarding this violation. George Boyer asked Don Courtois if he had called back Ed Zeglarski and Don Courtois stated no. Don Courtois stated that it was not his responsibility to call Ed Zeglarski.

Don Courtois asked George Boyer to read Don Courtois' response to Family Property Services' first violation letter regarding the vehicle. George Boyer read Don Courtois' letter to the Hearing Committee.

Questions from the Hearing Committee:

Arlene Richards asked Don Courtois if he had a written letter from Family Property Services approving his vehicle. Don Courtois stated that he did not.

Susan Hosfeld asked Don Courtois to state the date on which he received the March 5 letter from Schoo Management regarding this hearing. Don Courtois indicated that he received it 2 days before the hearing. Susan Holsfeld then stated that Don Courtois had received the March 5 letter before this hearing but Don Courtois still claimed that he did not know that the purpose of the meeting was to discuss his vehicle. Susan Hosfeld questioned the accuracy of Don Courtois' previous statement that he did not know the reason for this hearing. Don Courtois offered no further response.

Additional Questions from the Board of Directors:

George Boyer again asked Don Courtois if he needed additional time to prepare for the meeting in light of his allegation that the he did not receive timely notice of this meeting. Don Courtois did not respond. Don Courtois asked George Boyer to read the section from the Association's governing document that stated the time period for notice of a

hearing committee meeting. George Boyer read the appropriate section to the Hearing Committee.

Additional Questions from the Hearing Committee:

Arlene Richards asked Don Courtois if his vehicle has a bed and cooking facilities. Don Courtois stated that his vehicle was a 2 passenger van with equipment. However, Don Courtois would not specify what is included in phrase "equipment."

Additional Questions from the Board of Directors:

George Boyer stated that in light of Don Courtois' allegation that he did not receive the minimum 14 day prior written notice of the hearing, the Board should reschedule the hearing.

Additional Questions from the Hearing Committee:

Rob Carr asked Bob Schoo, management company for the Association, if he had any personal experience with litigation of a vehicle matter similar to the matter before the Hearing Committee. Bob Schoo stated that he did not have personal experience with matters regulating "motor homes" or "recreational vehicles," but did have personal experience with "commercial" vehicle violations. Rob Carr stated that everyone that lived in the community has agreed to accept restrictions on what they can do, including restrictions on paint colors, fences, etc., and that the restrictions were separate of any State laws or rights. Rob Carr further stated that he had reviewed the materials presented by the Board of Directors and he was able to conclude that Roadtrek vehicles such as Don Courtois' vehicle are designated as "recreational vehicles."

Additional Questions from the Board of Directors:

Ed Zeglarski stated that the Association's governing documents were not specific as to the type of equipment that must be present on a vehicle before it would be deemed an acceptable vehicle or a non-acceptable vehicle under the Association's governing documents.

Additional Questions from the Hearing Committee:

Susan Hosfeld stated that on each of the 5 pages of Roadtrek materials provided by the Board of Directors, a vehicle similar to Don and Barbara Courtois' vehicle was pictured and referred to as a "motor home." Susan Hosfeld stated that if the manufacturer calls or refers to the vehicle as a "motor home" then the vehicle is a "motor home." Since Don and Barbara Courtois' vehicle is a "motor home" per Roadtrek, then the vehicle is in violation of the Association's governing documents. Bob Schoo offered his personal experiences on enforcement of such governing documents violation.

Susan Hosfeld asked Don Courtois if he was willing to park his vehicle off-site for \$45.00 per month as previously offered by Amir Harpaz. Don Courtois refused to answer the question.

Question from Don Courtois:

Don Courtois asked George Boyer some questions regarding the procedural aspects of the Hearing Committee. George Boyer stated that first - the Board of Directors will make a determination of whether to impose a monetary fine and the amount of the monetary fine; second - the Hearing Committee will either accept the monetary fine, modify the monetary fine or reject the monetary fine. George Boyer stated that if the Hearing Committee modifies the monetary fine suggested by the Board of Directors, then the process would start again.

Motion by the Board of Directors:

George Boyer made a motion to reschedule the hearing on this matter on Wed., April 18, 2007 at 7PM so that Don and Barbara Courtois have the required 14 days to prepare for the hearing. The motion was seconded by Ed Zeglarski and it passed.

George Boyer asked Don Courtois whether the Association needed to send him another letter regarding the new hearing date. Don Courtois stated that he did not require written notice and he waives that requirement.

In response to a question from Don Courtois regarding the phone call between Ed Zegarlski and Don Courtois, Ed Zeglarski stated that the vehicle in question is a "motor home" in violation of the Association's documents. However, the Board is willing to hear Don Courtois' position before imposing a monetary fine.

2. Feliciano Ramsey / 7571 Key Deer Court:

Board of Directors' Presentation:

George Boyer asked if Feliciano Ramsey was present at the hearing. Feliciano Ramsey was not present at the hearing.

On behalf of the Board of Directors, George Boyer stated to the Hearing Committee that Feliciano Ramsey has failed to maintain his lawn and other landscaping features in accordance with the governing documents of the Association. George Boyer stated that Feliciano Ramsey removed the prior approved landscape from the property and replaced it with a non-approved mulch covering over the area which should be the turf grass.

George Boyer read the various letters of non-compliance sent to Feliciano Ramsey regarding this matter.

Ed Zeglarski stated that he is concerned that the current landscape condition may negatively affect the property values in the community or may cause a potential buyer for one of the 28 homes for sale in the community to get the wrong impression about the standards of the community.

Motion by the Board of Directors:

George Boyer made a motion to request that the Hearing Committee impose a fine of \$50.00 per day of each day of the continuing violation subject to the maximum amount permitted under Florida Statutes against Feliciano Ramsey for the non-approved mulch landscape beginning April 1, 2007, which amount of the fine will be due and payable within 30 days of notice thereof from the Association. The motion was seconded by Ed Zeglarski and it passed (in favor – George Boyer and Ed Zeglarski; opposed – Bob Golden).

Hearing Committee Approval of Fine:

After discussion among the members of the Hearing Committee, Susan Hosfeld agreed to impose a fine of \$50.00 per day of each day of the continuing violation subject to the maximum amount permitted under Florida Statutes against Feliciano Ramsey for the non-approved mulch landscape beginning April 1, 2007, which amount of the fine is due and payable within 30 days of notice thereof from the Association. The motion was seconded by Arlene Richard and passed unanimously.

ADJOURNMENT OF HEARING COMMITTEE:

Susan Hosfeld made a motion to adjourn the meeting of the Hearing Committee. Rob Carr seconded the motion and it passed unanimously.

OTHER NEW BUSINESS OF THE BOARD OF DIRECTORS:

Architectural Review Board – Approval of Pool at 11461 Fallow Deer Court:

George Boyer stated that the Architectural Review Board (ARB) had reviewed and approved the installation of a swimming pool at 11461 Fallow Deer Court. George Boyer further stated that in accordance with the Association's ARB guidelines the ARB was seeking Board approval of the same because the swimming pool will be installed within 11 feet of the side lot line of the home because the rear of the lot faced the lake and, as such, the pool could not be installed directly behind the home.

George Boyer made a motion to approve the pool installation at 11461 Fallow Deer Court. The motion was seconded by Bob Golden and it passed unanimously.

Appointment of New Members of Architectural Review Board:

Based on a recommendation of the Chairperson of the Architectural Review Board, Elaine Toole, George Boyer made a motion to appoint Bill Catineau, Matthew Magnozzi and Carla Magnozzi as members at-large (non-voting members). The motion was seconded by Bob Golden and it passed unanimously.

Association Website:

George Boyer stated that the Association no longer has a website. George Boyer stated that Family Property Services, the Association's previous manager, claims ownership of the website, shut it down and refuses to turn it over to the Association. George Boyer stated that the Association was continuing its discussion with Family Property Services about the website. George Boyer stated that Rob Cooper had investigated the cost of a new website and found that the Association could secure a new website and the software to operate it for less than what the Association was paying Family Property Services to operate the old website.

George Boyer made a motion to spend up to \$250.00 for a website for the Association. The motion was seconded by Ed Zeglarski and passed unanimously.

Susan Hosfeld, a resident in attendance, suggested to the Board that a "website" committee be formed to assist with the operations of the Association's website. Bob Golden will attempt to locate volunteers for the website committee.

Engineering Firm (Forge Engineering) for the Association:

George Boyer stated that the Association's attorneys recommended as part of the turn-over process of the community's common areas from Engle Homes to the Association that the Association hire an engineering company. George Boyer stated that the engineer will inspect the common areas to determine if there are any defect for which Engle Homes would be responsible to repair. George Boyer made a motion to approve a contract with Forge Engineering in the amount of \$4,500.00 for turn-over engineering services for the Association's common area. The motion was seconded by Bob Golden and it passed unanimously.

Street Light In-Front of Clubhouse:

George Boyer stated that Bob Golden secured a contract for the installation of a street light in front of the clubhouse. George Boyer stated that P.I.E. was selected after several bids were received. George Boyer stated that the P.I.E. bid including everything except the cost of the building permit and the cost of trenching necessary for the underground wires.

George Boyer made a motion to spend up to \$3,000 for the installation of a new street light in front of the clubhouse, which funds shall be used to pay the P.I.E. contract, the

) building permit and the cost to trench the area for the underground wiring. The motion was seconded by Bob Golden and it passed unanimously.

A resident in attendance asked if the cost of the street light was being paid for by Engle Homes. The resident stated that Jay Coughlin told the Association that Engle would install a street light in front of the clubhouse at the Association's Annual Meeting in January 2006 and at several Security Committee meetings. George Boyer stated that he would look into the matter.

Letters to Residents Regarding Landscaping Around FPL Transformers:

George Boyer stated that Florida Power & Light (FPL) has notified the Board that a few transformers located within the community have landscape plantings in violation of the landscape set back regulations established by FPL.

George Boyer made a motion to send letters to homeowners that have FPL transformers located on their property notifying them of the restrictions on plantings too close to the transformers. The motion was seconded by Ed Zeglarski.

) There was discussion by Bob Golden regarding the legality of removing the plant material that is violating the FPL set back regulations and what party is responsible for the cost of removal. There was discussion among the residents in attendance regarding whether the homeowners affected should be responsible for modifying the landscape or whether the Association should be responsible for modifying the landscape.

The motion passed unanimously.

Removal of Engle Homes Signage From Main Entrance:

Bob Golden made a motion to remove the Engle signage from the main entrance at no cost to the Association. The motion was seconded by Ed Zeglarski and it passed unanimously.

OTHER ISSUES:

George Boyer reminded the residents that they have to pay the \$108.96 fee established by the Master Property Association, payable to Family Property Services, to maintain wetland areas, etc.

The Board responded to various questions by the residents of the Association about general maintenance of the Association.

) ADJOURNMENT: At 3:10PM George Boyer made a motion to adjourn the meeting. Ed Zeglarski seconded the motion and it passed unanimously.