

CELEBRATION CAPE HOMEOWNERS ASSOCIATION, INC.

BOARD OF DIRECTORS MEETING

A Corporation Not-for-Profit

Sunday, January 8, 2017 at 3:00 pm

Held at: Celebration Cape Pavilion (203 Destiny Circle, Cape Coral, FL 33990)

1. CERTIFY A QUORUM AND CALL TO ORDER:

Jim Arnold, Board President, called the meeting to order at 3:00 pm.

2. CERTIFYING OF BOARD QUORUM:

A Board quorum was established with Jim Arnold, Susan Dyszel and Linda Foreman present. (Tropical Isles Management did not have a representative present at this meeting.)

3. PROOF OF NOTICE OF MEETING:

Notice was posted at the Pavilion signboard and emailed to all Homeowners in accordance with Florida Statutes, Chapter 720 and the Association By-Laws.

4. PRIOR MINUTES:

All Board members had an opportunity to review and voted in favor of approving the minutes from the Board of Directors Meeting dated December 11, 2016 and the Special Board of Directors Meeting dated December 27, 2016.

5. NEW BUSINESS:

Committee Reports:

ARCHITECTURAL REVIEW COMMITTEE. From Les Bader, Committee Chair:

The Committee appreciates the cooperation of homeowners who properly submit Architectural Modification requests, and follow the stated guidelines. However, the Committee continues to be frustrated by Owners who do not comply with the provisions or who do not respond to requests for additional information or clarification of submitted plans.

For the record, Jim Arnold reminded all homeowners that as part of the agreement between them and the Association, it is incumbent upon them to comply with the stated architectural guidelines and requirements as set forth in our governing documents. He encouraged everyone to read, understand, and follow the relevant sections of the CC&Rs that cover architectural improvements.

Modification requests should be submitted to the Architectural Committee (with a copy going to Tropical Isles for their records). As a reminder, the Committee has 45 days to render a decision on a submitted request. **Until the request is approved, no work is to be performed on the lot.** It must also be noted that the Architectural Review Committee has broad powers to enforce these procedures, and may choose to do so.

GROUNDS COMMITTEE. Dick Dyszel, Committee Chair, presented the following report:

Mark, from Main Gate Enterprises, arrived around 9:40 Friday morning. I told him the entire story about Jim Arnold's recent gate experiences and both Bob Holecek and I demonstrated how flaky using the transponders were. I opened the gate with each remote...waited a minute or so and then tried again from the same spot...with no luck. Mark swapped out Bob's battery and it worked a bit better, but it was obvious that there were a number of dead spots in coverage.

He then went to work on the two exit gates and spent almost two hours replacing and adjusting the 2 exit control boards because the timing circuits weren't working. I was told that both were under manufacturers warrantee. He said that a timing problem was the cause of the exit gates sticking open. When he left both gates seemed to be more closely in sync.

He then replaced the antenna and connecting coax cable on the squawk box and reduced the receiver's range thinking that it was too broad and created dead spots.

We could not get the exit gate to open with the remote, but he said that's a programming function and would have the office check to make sure that the programming was correctly set.

On the subject of the EVAC control, he said that this is the bane of his job. He claims that the EMS people don't regularly change batteries. He took out his test unit and was able to open the gate repeatedly from 8th St.

We also checked to see if the exit loop circuits would detect a smaller motorcycle, similar to mine and it opened just fine. He left a bit before 12 noon.

We obviously have to monitor the gate. As of Saturday night, and Sunday morning, 1/8/17, portions of the exit gates were sticking open and/or opening and closing on a delayed basis. Maingate will have to be recalled to fix this problem.

As to the EMS problem, I would like to suggest a possible easy fix. The sign indicating that the gate has an EMS system is mounted on the squawk box, but the antenna and receiver are inside the gate on the motor control box. My guess is that the EMS people don't know this and try to activate the system sitting at the squawk box, which should work if they have a strong battery.

I would like to suggest getting a red sign similar to the current EMS label and mount it next to the current one. It should read something like "For EMS entry, move close to the gate." Mark agreed that at the gate, even a unit with a weak should activate the system.

The next meeting of the Grounds Committee will be on Tuesday, January 10 @ 7 PM, at #283. This meeting will feature a detailed presentation concerning the wall restoration project. All members of the Association are encouraged to attend.

BUDGET/FINANCE COMMITTEE. No Report.

6. OTHER BUSINESS:

Landscaping Services:

Jim Arnold announced that Pinnacle Landscapes has submitted a 60-day notice to the Association (per the provisions set forth in the March 14, 2014 contract). It is expected that their service to the community will cease on a TBD date in early March. Pinnacle has assumed responsibility for the repair of lamp post bases that were damaged by their crews. These repairs are to be completed before the end of the contract period. Owners who have been affected are asked to send a damage report to Tropical Isles (with copies to Jim Arnold and Dick Dyszel) for proper follow-up.

American Allegiance (A.A.) will be taking over the community landscape services sometime in early March. In addition to regular mowing, edging and trimming, they will also be responsible for weed control and regulation of our irrigation systems. A.A. will be invited to send a representative to speak at the Annual Members Meeting in March, providing them an opportunity to introduce themselves and present their service plan to the community.

Board Expansion:

The Board sought to clarify the language in our Bylaws that addresses Board composition and Directors' terms. After receiving a legal opinion from an attorney and concurring advice from our management company, it was determined that the Board of Directors can legally expand to five (5) Members. This is in accordance with our governing documents, specifically Bylaw § 6.10 – Terms.

At the Annual Meeting on March 31, 2016, Jim Arnold and Linda Foreman were elected to two-year terms. Susan Dyszel was elected to a one-year term. With the expansion of the Board to five positions, the three (3) new Directors would be elected to two-year terms, thus providing the continuity of service as well as staggered terms as provided for in our Bylaws.

Tropical Isles will soon send out the first Annual Meeting notice and informational packets to the community that provide directions for becoming a Board candidate.

A five-member Board will better serve the Association by delivering additional diversity, expertise and skills to our community. **All Members of the Association are encouraged to step up and serve the community in this role.**

Board Goals:

One of the major issues to be addressed in the near term by the Board is the matter of revisiting the language set forth in our CC&Rs and Bylaws. It should be noted that our current documents are based on condominium laws and guidelines, and do not properly address the governance of a Homeowners Association.

It is in the Association's best interest to review the provisions in our CC&Rs and Bylaws, and determine what changes need to be made to accurately reflect the status and specific requirements of Celebration Cape Community Association, while maintaining compliance with all applicable laws and ordinances.

In accordance with the CC&Rs and Bylaws, changes to these governing documents must be approved by the Membership. A committee will be appointed to ensure that this task is handled in an open and expeditious manner.

7. OWNER COMMENTS / OPEN FORUM:

A question was raised about the landscaping care as it pertains to the vacant lot at #224. It has been noted that numerous fire ant hills are present and affecting adjacent properties. The Board responded by stating that all lots are to be properly maintained by the contracted landscaper.

8. NEXT MEETING:

The next Board of Directors meeting is scheduled for Sunday, February 12, 2017 at 3:00 pm, at the Pavilion (203 Destiny Circle, Cape Coral, FL).

9. ADJOURNMENT:

There being no further business, the meeting was adjourned at 3:46 pm.

Respectfully submitted,

Linda Foreman
Secretary, Board of Directors
Celebration Cape Association

(The preceding minutes were approved by the Board of Directors on February 12, 2017.)

Approved