

CELEBRATION CAPE HOMEOWNERS ASSOCIATION, INC.
BOARD OF DIRECTORS MEETING
A Corporation Not-for-Profit
Saturday, April 7, 2018 at 10:30 AM
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 10:31 AM.

2. CERTIFYING OF BOARD QUORUM:

A Board quorum was established with Jim Arnold, Susan Dyszel and Peg Holecek present. Kevin Sutton was absent. (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:

Minutes from the March 15, 2018 Annual Membership Meeting were reviewed, amended and approved. The minutes from the March 15, 2018 Board of Directors Organizational meeting were reviewed and approved. Copies of both minutes will be posted on CelebrationCape.org

5. NEW BUSINESS:

Committee Business

A. Architectural Review

(1) Appointment of Maureen Roberts to ARB

The Board approved the recommendation from Bob Holecek that Maureen Roberts be appointed to the Architectural Review Committee. Jim will send Maureen an email to confirm her appointment. The motion for appointment was made by Susan with a second by Peg. The vote carried unanimously.

Action item: Jim Arnold will send Maureen Roberts an email to confirm her appointment.

Status: Completed.

(2) Develop specific language for community letter on ARB requirement for contractor city registration - we will need the city code citation for inclusion.

The Board discussed the City of Cape Coral requirement that all contractors doing work in the city must be registered having shown proof of license and insurance. Chapter 6, section 6-4.1 and 6-7, of the City Code of Regulations was cited as well as our own CCRs (Article VIII, Section 8) require adherence to all state, county and city regulations. While the city enforces its regulation primarily during the permitting process, the requirement holds even if a permit is not required. The City does provide an easy to use website to help ascertain whether a contractor is registered with Cape Coral (<https://etrakit.capecoral.net/etrakit3/Search/aec.aspx>). The Board voted to create an information sheet for the community regarding this requirement and have it sent out by Tropical Isles. Peg made the motion, Jim seconded and it was approved. For further information see Cape

Coral Contractor Regulations at the following website:
https://library.municode.com/fl/cape_coral/codes/code_of_ordinances?nodeId=CH6COCOREBO

Action item: Susan will draft the mailing for Tropical Isle to send out.

(3) Motion to rescind the Celebration Cape Architectural Guidelines, dated June 20, 2014 which were never formally approved.

The motion to rescind the document entitled "Celebration Cape Architectural Guidelines, dated June 20, 2014" and the ARB Charter, and remove them from the Celebration Cape website was made by Peg, seconded by Jim and affirmatively voted. The guideline document had not been approved by any previous Board vote and had been found to be in conflict with our CCRs. The charter document also has language which conflicts with the CCRs. Based on the vote, these documents are no long in effect and questions related to their content will be referred to the CCRs. It was further decided that the informational package from Tropical Isles referenced in (2) above would be further expanded to cover an explanation the responsibilities of the homeowner.

Action item: additional material for the community message from Tropical Isles regarding the ARB homeowners will be drafted by Susan with assistance from Peg.

B. Grounds:

Dick Dyszel, Head of Grounds Committee provided a summary statement on irrigations repairs and improvements, gazebo floor cleaning and sealing and other items to keep the community running. He highlighted that the gate mechanism is grinding and may need serious maintenance. The question of when Mitchell and Starke will be out to clear the storm drains was discussed. The entire Grounds report is shown as Attachment A: Grounds Report

Action items:

Jim Arnold will contact Tropical Isles to ensure that Maingate comes to fix the gate.

Status: Completed 4/9/18

Jim Arnold will follow up with Mitchell and Starke to nail down a date for their service. Item delegated to Dick Dyszel to contact Mitchell & Starke.

(1) Pavilion – Turf

(a) Motion to reverse previous acceptance of PCL bid for grass in front of pavilion as it only covers the playground hole which would result in a "Floratom island" surrounded by zoysia. The motion to rescind the approval of the proposal by PCL (now Everyday) to replace 800 square feet of weeds and plant Floratom grass made In December 2017 was made by Peg and seconded by Susan. The Board recognized that it had based its decision on incomplete information about the amount of sod that would be needed. The vote to rescind the approval was unanimous.

(b) Reconsideration of what we should do with the pavilion area grass so that specifications for new bids can be written

There was considerable discussion on the topic of what to do with the grass area in front of the pavilion. A motion was made by Peg and seconded by Jim to seek new bids for the replacement of all the zoysia and weeds from the sidewalk bed to the front of the pavilion curbing with Floratom sod. The rationale for taking this action even though we may have to make changes to the grass area in the future is that we need to do something now to alleviate the unsightly area that remained from the removal of the playground and the community can

still move forward with creating a vision for how to make the pavilion area a more useable common amenity. It was further stated that we really need to get in the sod in place at the beginning of the rainy season. The motion was carried unanimously.

Action item: Dick Dyszel is tasked with getting new bids for the sod replacement based on the revised specification to be presented at the next Board meeting in May.

(2) Pavilion – Utilities (Electricity and Plumbing)

(a) Proposal to bring reclaimed landscape water adjacent to the pavilion

Dick Dyszel proposed that a water line to bring reclaimed water from the existing box to the pavilion for use in power washing the pavilion floor be installed. The Proposal can be found as Attachment B: Reclaimed Landscape Water. Using volunteers from the community, it was estimated that the line could be installed in about a day, costing less than \$100 for parts. Peg thanked the volunteers who have stepped up in the past but raised the concern that using volunteers would unnecessarily expose those volunteers to potential harm leading to workman's compensation claims against our insurance. Jim further indicated that the association has the funds to hire someone to do the job. Jim further speculated whether it might be possible to bring electrical power into the pavilion by taking into the circuit for the yard light behind the pavilion. Since a neighboring homeowner has commented that the current yard light shines into their bedroom windows, it might be possible to alleviate their concern by placing an overhead light in the pavilion, allowing for night time security. Jim made the motion and Peg seconded it to authorize the Grounds Committee to get bids for the necessary trenching and installation of landscape water, potable water and electric from the street to the pavilion. The motion was passed unanimously.

Action item: Dick Dyszel is to try to get bids for the work to be presented at the next Board meeting in May.

(3) Develop a comprehensive vision plan for the Pavilion area

Another proposal from the Grounds Committee Chair laid out the need to develop a comprehensive plan for the pavilion area so that it can be more welcoming and return to the level of amenities that were here when the majority of homeowners purchased their home. Details of the proposal are found in Attachment C: Comprehensive vision plan for Pavilion Area. Over the past two years, a number of ideas of what the community would like to see at the pavilion were surfaced at open Grounds Committee meetings but none fleshed out or formally proposed to the Board. The proposal is to form a small, short-term working group that would create one or more visions for the pavilion area in total and obtain bids or relative costs to implement. This working committee would be expected to report back to the Board at the May Board meeting with their findings. Susan made the motion to establish the working group under the Grounds Committee with the expectation that it would report back to the Board at the May Meeting. The motion was seconded by Jim and carried unanimously.

Action Item: Dick Dyszel will solicit members for the working group

(4) Pavilion – Bushes and Mulch

At the December 2017 Board meeting, the Board accepted the bid for bush replacement and rock mulch for the sidewalk bordering the pavilion area. Execution of the work was held up pending the installation of the sod (see item Pavilion-Turf 1-a above). Subsequently

the bid has expired and the work will have to be rebid. The Board discussed the selection of bushes proposed and Peg voiced opposition to the selection and requested that new bids be obtained for the following three options: a) with replacement bushes that coordinate with the current hibiscus plants, b) with colorful bushes completely replacing the existing hibiscus plants, and c) leaving only the hibiscus plants at the corners of the intersection of the sidewalks (removing those at the lot lines). It is requested that these bids be presented to the Board at the May meeting. The motion was made by Peg, seconded by Susan and the vote was unanimous.

Action item: The Grounds Committee will solicit the new bids for the bushes and rock much and report at the next meeting.

2) OTHER BUSINESS

A request for "Don't Feed the Ducks" signs was made to help discourage people from leaving food for the ducks. The acquisition of the signs was duly authorized and Dick Dyszel will obtain them.

Action item: Dick Dyszel will obtain "Don't feed the ducks" signs for the pavilion area.

Peg asked about the status of the surface water management survey that was recently conducted. Jim indicated he had the report and, in short, it showed that there were areas along Storm water swale that had been changed by pool construction. The HOA has the responsibility to maintain proper drainage flow. Based on our attorney's opinion, the Board can determine whether it picks up the cost for remediation or sets up a cost sharing with the affected homeowners. Individual Board members will be briefed on the results of the survey in the next few days. In the meantime, Jim will contact Tropical Isles to look at the cost to fix holes and replace original swale grade to ensure proper flow.

Action items:

Jim Arnold will brief Board members on Storm Water survey.

Jim Arnold will direct Tropical Isles obtain bids for repairing the holes under the wall and remediation of the swale grading ensure proper water flow before the start of rainy season.

Jim spoke about the issue of the dead palm tree and the homeowner's request for the HOA to remove it. Board had obtained attorney's opinion on whether the HOA had the responsibility to remove the tree. Based on the attorney's reading of the CCRs, the tree removal is the homeowner's responsibility. Jim will direct Tropical Isles to send a letter informing the homeowners that the HOA will not cover the cost of removing the tree. Further comments were made that the rest of the community should be apprised of this decision and policy of palm trees. The information sheet that had been started under previous agenda items will be expanded to cover this issue as well.

Action items:

Jim Arnold will draft a letter to the homeowner's regarding their request for removal of the dead palm tree and instruct Tropical Isles to send it.

Susan Dyszel will draft a section about homeowner's responsibility for palm trees to community message.

3) OPEN FORUM / OWNER COMMENTS

There was a question from the floor on what progress had been made on resolving the issue of rental/lease within the community. Jim acknowledged that this was a crucial issue and that it was still on the table. Jim also mentioned that the process of a complete rewrite of the CCRs would be very expensive and that it might be a better course to do separate amendments instead. This topic will appear on a future Board agenda.

4) NEXT MEETING

The next meeting of the Board of Directors will be May 12, 2018 at 10:30 AM at the pavilion.

5) ADJOURNMENT

Motion to adjourn the meeting was made by Peg and seconded by Jim with all in agreement at 12:12 PM

Respectfully submitted,

Susan Dyszel
Secretary-Treasurer, Board of Directors
Celebration Cape Association

(The preceding minutes were approved by the Board of Directors on May 12, 2018)

Attachment A - Grounds Report
Attachment B - Reclaimed Landscape Water
Attachment C - Comprehensive vision plan for Pavilion Area