

Camelot Woods Homeowner's Association

Board of Directors Meeting

09/16/2003

Meeting called to order at 8:00 p.m. and was hosted at 61 Camelot Ridge Dr. with all board members present except Rui Santos. Chris Rodems, board president, presided over this regularly scheduled meeting. All homeowners in attendance are listed on last page.

First order of business was to adopt the minutes of May 19, 2003. Notes were previously posted on community web site. We then adopted the Special Session notes from September 10, 2003 before moving on to old business.

All board members were in agreement with maintaining Wise Property Management on month to month bases for as long as we need them.

We reviewed a letter send from Biological Research Associates explaining why we should continue their services. We unanimously voted to terminate them due to reasons stated in previous meetings.

Per our request Wise solicited three bids for a replacement lawn care company for Cornerstone. None were that impressive and it was noted that the bidding companies were not local. Doreen and I were elected to solicit additional bids and develop a more structured concept for what we expect from a lawn care company. Note- Company must be insured.

In regard to the continued pursuit of Directors and Officers insurance coverage, Jim Simmons pulled three bids from reputable companies that appear to include coverage for board members as well as common area. This raised the idea of how beneficial a single inclusive policy would be. Chris motioned and all agreed that we should table the decision till the next meeting to allow members to study bids.

Chris motioned to table discussion on research for front entry maintenance till Rui could be present. Power meter was located and Chris inspected the back of the castle wall to discover light switches that may control the lights that have been off for so long. Mike Grace, a community member and an electrical contractor, volunteered to inspect the front and try to turn the lights back on.

The location of the water meter is still in question as well as what we have been watering.

All members agree that current state of the entrance is in poor shape and needs immediate intensive attention. We need the sign fixed, lights turned on and landscaping

repaired. Jim Simmons agreed to call TECO to have the trees blocking the street lights trimmed.

Jim Simmons mentioned trying to persuade Camelot one to pitch in for the entrance maintenance cost.

501c4 update: Doreen has worked on the paperwork, but has questions that need answering before she can complete. Plan is circulate through group for help.

Marshall Update: Marshall's are no longer in foreclosure and have paid current on dues. The only outstanding balance is the attorney's fees incurred with filing the lien. Chris will send a notice for the balance.

Newsletter is still in progress and has not been sent out. Chris has more information that he wishes to add to it. The web site is still up and running but not updated as much as Dan would like. Dan is planning to post as many community documents as possible by the end of November.

Adopt a pond update: Dan recanted the meeting with John from the program. Major benefit that our community will receive this year is that Adopt-a-pond will bring out a large backhoe type machine to clean out the unwanted vegetation and bury it into the bank. If we follow the program and complete our part of the maintenance they will supply desirable plants for vegetation replacement. Janet has written an article describing benefits that will be posted on the web as soon as possible.

Treasurer report: We should have about \$4000 in surplus at years end. We need to plan for following year's budget.

ARC report: Janet reviewed, for attending member, some of the aspects of proper lot maintenance and rules.

New business: We ratified Jim Cannon as replacement ARC member for Chilton by unanimous vote. Chris motioned to add two more to the cabinet in order to make it easier to reach a quorum. Felipe Andrade and Susan Deegan were unanimously welcomed to the ARC.

Jim Simmons recommended opening up the volunteer possibilities to the rest of the room, but Chris suggested we leave that resource untapped with the possibility of needing more folks to organize a fine committee.

Danielle fence is preparing a proposal for the area on the west side of the pond separating Camelot from the other neighborhood. We are also exploring the possibility of chain link fencing to reduce costs. We will table discussion till next meeting when we'll have more information.

Front entry issues including sign, lights, and irrigation. Lights are being looked at by Mike Grace. We're still not sure about the watering, where we are watering and where the equipment is to control it. The missing C on our sign can be replaced for about \$150 or it will cost between \$800 and \$1100 to replace all letters. Our motion is to replace the C for now and consider redoing the whole sign in the near future.

Marshall Lawsuit situation has been resolved except for the legal fees that our board incurred for filing the lien. We all agreed that the Marshalls are responsible and will be billed for the balance.

Delinquencies on HOA dues were tabled till next meeting.

Declaration Violations – Resolutions. Chris opened this portion of the discussion by recapping the process of how alleged violations are handled.

Chris motioned that the board interpret the Satellite dish violations to exclude those who have them posted in visible areas for purpose of reception. All agreed.

Bradley's water softener is not properly sheltered from view. Bradley's were present and agreed that it will be taken care of. The board tabled issue till next meeting.

There were many violations regarding improperly covered A.C. units. Chris will send letters to all indicating that the issue can be resolved if they contact Mercedes Homes.

211 Excalibur still has Christmas Lights up. Considering how late in the year we currently are, we've decided to allow them to remain until after the holidays. We also unanimously agreed to mandate that lights must be removed by the second week in February.

After reviewing the LaFauci's situation and hearing from Renee who was present at the meeting as well as from the ARC, the board moved that they should keep the current equipment as it is. Wise approved the package as they have it and although Article 12 section 20 states that no solar equipment can be visible from the road – once approved we can't contradict.

Cartaya was present from 94 Camelot Ridge and argued that there is nowhere else to put the swing set in her yard. Chris motioned that the ARC evaluate the property and suggest a better location. The board also mandated that their lawn be in compliance by Jan 15th.

80 – No approval on pool. They must apply for retro-approval even though the ARC has said that it is within guidelines and will pass.

The meeting was adjourned at 11:25 p.m.

Attendance list

Mike & Jennine Grace	85
Jonathan & Mary Ann Smith	95
Janet Boehm	65
Bob & Jalena Bradley	43
Cole & Shannon Crawford	47
John & Cheryl Bowen	49
Susan Deegan	73
Rich & Jessica Eckaus	28
Skip Province	61
Saly Carlzer	94
Renee LaFauci	63

The following are the resolution letters that were sent out:

CAMELOT WOODS II

HOMEOWNERS' ASSOCIATION

Board of Directors

Respond to

DOREEN PROVINCE

**Ryan Christopher
Rodems**

**RYAN CHRISTOPHER
RODEMS**

President

DAN RODGERS

210 Excalibur Court

RUI SANTOS

Brandon, Florida 33511

JAMES O. SIMMONS

December 3, 2003

Mr. Norman Atkins

207 Excalibur Court

Brandon, Florida 33511

Re: Camelot Woods II HOA – Notice of Violation

Dear Mr. Atkins:

In follow-up to the Notice of Violation sent to you on June 6, 2003, the Board of Directors held a meeting on September 16, 2003. We are pleased to advise that the Architectural Review Committee recommended that the Notice of Violation should be dismissed, and the Board of Directors accepted the recommendation by a vote of 4-0.

We appreciate your patience, assistance and cooperation in this matter.

Sincerely,

Ryan Christopher Rodems

CAMELOT WOODS II
HOMEOWNERS' ASSOCIATION

Board of Directors

DOREEN PROVINCE

**RYAN CHRISTOPHER
RODEMS**

DAN RODGERS

RUI SANTOS

JAMES O. SIMMONS

Respond to

Ryan Christopher Rodems

President

210 Excalibur Court

Brandon, Florida 33511

December 3, 2003

Mr. Christian T. Fitzgerald, Jr.

64 Camelot Ridge Drive

Brandon, Florida 33511

Re: Camelot Woods II HOA – Notice of Violation

Dear Mr. Fitzgerald:

In follow-up to the Notice of Violation sent to you on June 9, 2003, the Board of Directors held a meeting on September 16, 2003. We are pleased to advise that the Architectural Review Committee recommended that the Notice of Violation should be dismissed, and the Board of Directors accepted the recommendation by a vote of 4-0.

We appreciate your patience, assistance and cooperation in this matter.

Sincerely,

Ryan Christopher Rodems

CAMELOT WOODS II

HOMEOWNERS' ASSOCIATION

Board of Directors

Respond to

DOREEN PROVINCE

Ryan Christopher Rodems

**RYAN CHRISTOPHER
RODEMS**

President

DAN RODGERS

210 Excalibur Court

RUI SANTOS

Brandon, Florida 33511

JAMES O. SIMMONS

December 3, 2003

Mr. Al Harrelson

209 Excalibur Court

Brandon, Florida 33511

Re: Camelot Woods II HOA – Notice of Violation

Dear Mr. Harrelson:

In follow-up to the Notice of Violation sent to you on June 6, 2003, the Board of Directors held a meeting on September 16, 2003. We are pleased to advise that the Architectural Review Committee recommended that the Notice of Violation should be dismissed, and the Board of Directors accepted the recommendation by a vote of 4-0.

We appreciate your patience, assistance and cooperation in this matter.

Sincerely,

Ryan Christopher Rodems

December 3, 2003

Mr. Raed Hawat

211 Excalibur Court

Brandon, Florida 33511

Re: Camelot Woods II HOA – Notice of Violation

Dear Mr. Hawat:

On June 6, 2003, the Board of Directors of the Camelot Woods II Homeowners' Association, Inc. wrote to you regarding the statement from the Architectural Review Committee (ARC) that you may be in violation of one or more of the HOA rules because you have Holiday lights installed on your roof line. The ARC has set a standard for the neighborhood that such temporary lights must be removed within a reasonable amount of time after the holidays, unless expressly approved by the ARC.

The Board held a meeting on September 16, 2003. By a 4-0 vote, the Board decided to dismiss the notice of violation because of the temporal proximity of the end of the year; however, the Board also decided that all members must remove Holiday lights by February 15 of each year.

Sincerely,

Ryan Christopher Rodems

cc: Architectural Review Committee

December 3, 2003

Mr. John C. Holland

39 Camelot Ridge Drive

Brandon, Florida 33511

Re: Camelot Woods II HOA – Notice of Violation

Dear Mr. Holland:

In follow-up to the Notice of Violation sent to you on June 6, 2003, the Board of Directors held a meeting on September 16, 2003. We are pleased to advise that the Architectural Review Committee recommended that the Notice of Violation should be dismissed, and the Board of Directors accepted the recommendation by a vote of 4-0.

We appreciate your patience, assistance and cooperation in this matter.

Sincerely,

Ryan Christopher Rodems

December 3, 2003

Mr. George A. La Fauci

63 Camelot Ridge Drive

Brandon, Florida 33511

Re: Camelot Woods II HOA – Notice of Violation

Dear Mr. La Fauci:

In follow-up to the Notice of Violation sent to you on June 9, 2003, we received your response. The Board of Directors held a meeting on September 16, 2003. Ms. La Fauci attended and provided information to the Board of Directors. The Architectural Review Committee recommended that the following alleged violations be dismissed as cured or unfounded, and the Board of Directors approved this recommendation by a vote of 4-0:

- 1. It has been alleged that your gas meters, air conditioning units or pool equipment are visible from the street or the neighbor's property. Article XII, entitled "Use of Property," section 3 states that "[a]ll garbage receptacles, fuel tanks, gas meters, air conditioning and heating and pool equipment . . . which are placed or stored outside must be placed or stored in such a way to conceal them from view from roads and adjacent properties."**

- 2. Additionally, it has been alleged that you have a large pile of debris, including pavers, on your property and that these debris may be in the wetlands mitigation area. Article XII, entitled "Use of Property," section 27 states that "[t]he portions of the Residential Unit visible from other Residential Units, the roads or from any recreational areas**

and facilities, must be kept in an orderly condition so as to not detract from the neat appearance of the Properties.”

3. **There appears to have been some alteration or encroachment on the wetlands abutting your property or on your property. Any alterations or interference with the wetlands may violate Article XIV, entitled “Southwest Florida Water Management District,” specifically, section 1, which provides: “No Owner may . . . undertake or perform any activity in the wetlands . . . unless prior approval is received from SWFWMD.”**

The Board then heard the remaining alleged violation:

The ARC has no record of approval of the construction of the pool, screened enclosure and solar equipment. Article VIII, entitled “Architectural Control,” provides that “[n]o construction, modification, alteration or other improvement of any nature whatsoever . . . shall be undertaken on any Residential Unit unless and until the plans of such construction or alteration have been approved in writing by the ARC.” Solar equipment is not permitted to be visible from “any road within the Properties.” Art. XII, section 20.

At the meeting, the Board found that you had sought and received ARC approval for the pool, screened enclosure and solar equipment. Ms. La Fauci advised that the application included specifications and detailed the location of the solar equipment. The ARC approval, which was issued prior to March 17, 2003, when the HOA was turned over to the members, did not limit the location of the solar equipment in any manner. Thus, the Board found that the ARC that approved your pool, screened enclosure and solar equipment was aware of where the solar equipment was to be located and apparently found it to be acceptable, even though it is visible from the road.

The Board decided that it would be improper to disturb the ARC’s approval of the solar equipment. Based on the information presented, by a vote of 4-0, the Board dismissed this alleged violation. However, you remain responsible for proper

screening. Please see Article XII, section 3 of the Covenants, Conditions and Restrictions.

The Board's decision should not be viewed by other members as precedent because your situation is unique in that you received approval prior to the HOA being turned over to the members.

We appreciate your patience, assistance and cooperation in this matter.

Sincerely,

Ryan Christopher Rodems

December 3, 2003

Mr. Billy J. and Mrs. Robin S. Marshall

97 Camelot Ridge Drive

Brandon, Florida 33511

Re: Camelot Woods II HOA – Notice of Violation

Dear Mr. and Mrs. Marshall:

In follow-up to the Notice of Violation sent to you on June 6, 2003, the Board of Directors held a meeting on September 16, 2003. We are pleased to advise that the Architectural Review Committee recommended that the Notice of Violation should be dismissed, and the Board of Directors accepted the recommendation by a vote of 4-0.

We appreciate your patience, assistance and cooperation in this matter.

Sincerely,

Ryan Christopher Rodems

December 3, 2003

Ms. Carmen B. Montes

83 Camelot Ridge Drive

Brandon, Florida 33511

Re: Camelot Woods II HOA – Notice of Violation

Dear Ms. Montes:

As you know the Board of Directors of the Camelot Woods II Homeowners' Association, Inc. has a duty to enforce the governing documents, including the "Camelot Woods II Covenants, Conditions and Restrictions," "Articles of Incorporation" and "By-Laws." These documents are maintained by the Board and available for your review.

On June 9, 2003, the board advised that it had received a statement from the Architectural Review Committee (ARC) that you may be in violation of one or more of the rules.

- 1. There appears to have been some alteration or encroachment on the wetlands abutting your property or on your property. Any alterations or interference with the wetlands may violate Article XIV, entitled "Southwest Florida Water Management District," specifically, section 1, which provides: "No Owner may . . . undertake or perform any activity in the wetlands . . . unless prior approval is received from SWFWMD."**

2. **It has been alleged that your garbage or trash receptacles are visible from the street. Article XII, entitled “Use of Property,” section 3 states that “[a]ll garbage receptacles, fuel tanks, gas meters, air conditioning and heating and pool equipment . . . which are placed or stored outside must be placed or stored in such a way to conceal them from view from roads and adjacent properties.”**

The Board held a meeting on September 16, 2003; prior to it, the ARC advised that any alterations you made to the wetlands were in compliance with Article XIV, and by a 4-0 vote, the Board dismissed that alleged violation.

As for your garbage or trash receptacles, the Board, by a 4-0 vote, interpreted Article XII, section 3, to require trash receptacles to be stored in the garage or behind a fence. Placing the trash receptacles behind plants or shrubs violates Article XII, section 3. The Board determined that the appropriate course would be to defer ruling on the alleged violation, advise you of the rule interpretation and request compliance with the rule. We will review this matter at the next Board meeting.

Sincerely,

Ryan Christopher Rodems

cc: Architectural Review Committee

December 3, 2003

Mr. Albert A. Paone

37 Camelot Ridge Drive

Brandon, Florida 33511

Re: Camelot Woods II HOA – Notice of Violation

Dear Mr. Paone:

On June 6, 2003, the Board of Directors of the Camelot Woods II Homeowners' Association, Inc. wrote to you regarding the statement from the Architectural Review Committee (ARC) that your gas meters, air conditioning units or pool equipment are visible from the street or the neighbor's property, in violation of Article XII, entitled "Use of Property," section 3, which states that "[a]ll garbage receptacles, fuel tanks, gas meters, air conditioning and heating and pool equipment . . . which are placed or stored outside must be placed or stored in such a way to conceal them from view from roads and adjacent properties."

As of this date, the violation has not been cured. Many other members received a similar notice and, in response, contacted Mercedes Homes, Inc. to demand that the matter be resolved at its expense. In several instances, Mercedes has planted the necessary shrubbery or landscaping to screen the equipment. We would suggest you consider contacting Mercedes.

By a 4-0 vote, the Board decided to review this violation at the next meeting, which will be held in late October or thereafter. We request that this matter be cured before the next Board meeting.

Sincerely,

Ryan Christopher Rodems

cc: Architectural Review Committee

December 3, 2003

Mr. Daniel E. Rodgers

69 Camelot Ridge Drive

Brandon, Florida 33511

Re: Camelot Woods II HOA – Approval of Structure

Dear Mr. Rodgers:

By a vote of 3-0, with one abstention, the Board approved the structure that you have installed in your rear yard. Although such structures may not be permitted under the governing documents, the Board found, after considering all of the evidence and giving due consideration to the totality of the circumstances, that approval of the structure in this case was just, appropriate and required by due process of the law.

Our findings and decision were based on the following: You and Mrs. Rodgers were one of the first homeowners in Camelot Woods II. At the time that you closed on your house, Mercedes Homes provided you with deed restrictions applicable to another Mercedes homes community where structures such as the one at issue here were permitted. Before installation, you reviewed the deed restrictions and determined that the structure you ultimately installed was permissible. Thereafter, you sought and received express approval from Mercedes Homes to install the structure. At the time you sought and received approval, no Architectural Review Committee or Homeowners' Association had been formally established, and Mercedes Homes acted in the capacity of the ARC and Homeowners' Association.

Based on the Board's interpretation of the governing documents, your structure does not constitute a violation of the governing documents. Further, based on a legal opinion that the manner in which you sought and received approval established a vested property right, the Board's opinion is that any other outcome would be inequitable and could subject the Homeowners' Association to legal

action.

The Board wishes to make clear that this decision was based on unique circumstances that are unlikely to reoccur; this decision should not be construed by any member as precedent for installation of similar structures by others.

A copy of this decision shall be made a permanent record, maintained by the Camelot Woods II Homeowners' Association, Inc.

Sincerely,

Ryan Christopher Rodems

cc: Architectural Review Committee