

TOWN & RIVER CIVIC ASSOCIATION, Inc.
ANNUAL MEETING MINUTES
THURSDAY, JANUARY 25, 2018

CALL TO ORDER

President Tony Pocklington called the meeting to order at 7:00pm in the Fellowship Hall of Cypress Lake United Methodist Church, 8570 Cypress Lake Dr., Ft. Myers, FL.

OFFICERS & DIRECTORS PRESENT

Secretary/Treasurer Gary Hudson; Directors Kay Gloris, Martha Smith, Mark Generales, Rick Ginsburg & Brian Sumwalt were present. Also, in attendance were Richard DeBoest, Esq., Kevin Jursinski, Esq., Executive Secretary Sally Stigler & 60 Owners.

CERTIFICATION OF QUORUM

Fifty proxies received plus owners in attendance totaled more than the twenty-five (25) required to constitute a quorum; therefore, a quorum was attained

GUEST PRESENTATIONS

The Association's Attorney, Mr. Richard DeBoest, spoke regarding short-term rentals. At the board's request, to address the issue, Mr. DeBoest drafted an amendment to Town & River deeds of restriction. The proposed amendment, unanimously approved by the board, requires a minimum rental term of 30 days, with a maximum of 3 rentals per year. Mr. DeBoest said that this amendment is consistent with what other home owner associations in the area either already have or are considering. He advised that the amendment must be approved by the required percentages of voters for the three deeds of restriction in Town and River. He stressed that enforcement of the restrictions will be difficult; however, if fines are incorporated into the amendment, the Board would have the legal authority to levy a fine on violators. The fine could be \$100 a day up to a maximum of \$2,000 per Owner per violation. Presently, short-term rentals are governed only by a Lee County Ordinance which requires a 7-day minimum.

There were more than a dozen property owners who spoke both for & against the amendment. Attorney Mr. Kevin Jursinski, representing some unit owners in various Town and River areas, spoke against the amendment.

APPROVAL OF MINUTES

A motion was made, seconded & approved to waive the reading of the January 2017 Annual Meeting Minutes, & they were accepted & approved by motion.

TREASURER'S REPORT (Gary Hudson)

Gary presented all Owners in attendance with a printed copy of the Treasurer's Report (incorporated herein by reference). The Treasurer's Report was accepted & approved by motion. It passed by motion to keep the approved current annual dues rate of \$60 per year through the year 2019. An increase for 2020 is being considered by the board.

COMMITTEE REPORTS

ARB Committee (Tony Pocklington)

The Chair of the ARB committee, Tony Pocklington, submitted to the executive Secretary a list of approvals received after the December Monthly Board meeting. The following addresses were on the list:

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965 Wittman – Dock replacement
973 Wittman – Dock replacement
871 S. Town & River – Installation of a dock
9810 Cypress Lake Dr. – Installation of a pool
9731 Cypress Lake Dr. – Building addition

9991 Cypress Lake Dr. – Installation of a dock
995 S Town & River – Installation of a pool
9850 Cypress Lake Dr. – Installation of a dock
9791 Cypress Lake Dr. – Construction of a single-family residence
6642 Joanna Circle – Revised plans for a single-family residence

TRIU Committee (Tony Pocklington)

Tony reported the TRIU Budget Meeting will be held March 27, 2018

Lake Committee (Brian Sumwalt)

Brian noted the Lake Doctors current land access into & out of the lake for maintenance has been withdrawn by the property owner. A new access point must be found.

OLD BUSINESS – There was no unfinished old business.

NEW BUSINESS – Other than what had already been discussed, there was no new business.

ELECTION OF DIRECTORS

The following 5 Owners were unanimously elected to fill the 5 vacancies on the board:

- Marge Byrne
- Myriam Lentz (nomination from the floor)
- Renee Notes
- Mark Maddox
- Bruce Rockenstein

BY-LAWS AMENDMENT

Strikethrough will be deleted from the Bylaws.

ARTICLE V. BOARD OF DIRECTORS

The Board of directors of the Association shall consist of twelve (12) elected or appointed members, ~~one representative each of the twelve (12) areas of Town & River designated on the attached map who shall have the same rights and privileges as each other director.~~

Rationale for the proposed amendment:

Town & River has 12 “Areas” and board members presently are assigned areas to represent. The proposed amendment would eliminate “Areas”. Areas have no legal significance with respect to a property description. The present configuration of Areas is complicated and is not understood by either property owners or board members. There are 20 streets in T&R, eight of which are split between areas. Some of the Area designations specify “odd number address only” or “even only”. To improve understandability, board members will be assigned a street or streets. Property owners will be able to easily identify the board member assigned to their street, and the board member will straightforwardly know for what street or streets he or she represents and is responsible.

The amendment to the bylaws passed unanimously.

BOARD OF DIRECTORS MEETING

It was announced that a brief Board of Directors Meeting to elect officers will be held immediately following the Annual Meeting & all present are invited to attend.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned by motion at 8:20pm. The February Board of Directors meeting will be 6:30pm Thursday, February 8, 2018 at South Pointe South Community Clubhouse, 9734 Foxglove Circle, Ft. Myers, FL 33919. All are encouraged & invited to attend.

Respectfully submitted,
Sally Stigler, Executive Secretary