

TOWN & RIVER CIVIC ASSOCIATION, Inc.
BOARD OF DIRECTORS MEETING MINUTES [Unapproved]
Thursday, October 8, 2020

CALL TO ORDER – Treasurer Gary Hudson called the meeting to order at 6:30pm,

OFFICERS, DIRECTORS, & RESIDENTS PRESENT

A quorum was established. Present: Directors Marge Byrne, Rick Chubb, Kay Gloris, Myriam Lentz, Martha Smith & Executive Secretary Sally Stigler. Absent: Directors Roy Benton, Rick Ginsburg, Carol Notes, Joe Tomaino & President Mark Generales & Secretary Renee Notes.

APPROVAL OF MINUTES –September 10, 2020 minutes were not available for review & approval.

TREASURER’S REPORT – Gary Hudson

Gary emailed September financial statements & supporting documents to Board Members prior to the meeting. With no questions presented, the financial report was accepted & approved by motion as submitted.

The monthly financial statements may be accessed on the association’s web site www.townandriverfl.com.

PROPERTY LITIGATION DISCUSSION – Gary Hudson

The association received correspondence in September from an attorney representing a Town & River homeowner. The client, through the attorney, is demanding that the association “cease and desist its improper attempts at enforcement against my client in relation to the hedges(s) on the Property and demands that the Association grant my client a variance for same.” The correspondence also included a records request. The association’s legal counsel responded to the homeowner’s attorney in a timely manner, indicating where records were located and executing an agreement to mediate. The cost of mediation would be split 50/50 between the property owner & the Association.

“Solid hedge” is not defined in the Amended, Restated, and Combined Deeds of Restriction (ARCDOR). Section 3(E) states in part: “Walls or fences of solid construction and solid hedges in the rear set back of waterfront lots shall not exceed three (3’) feet in height.” Note: per Lee County Code, rear setback for waterfront lots is 25’ The board discussed several possible definitions of “solid hedge” including:

- A living fence made of closely planted bushes, which, as they grow and get trimmed and shaped, form a wall of green.
- A line of closely spaced plants, planted or grown so close together that you cannot push through them easily

Following discussion, the board adopted the “living fence” definition to guide its enforcement responsibilities.

ADJOURNMENT

With no further business, the meeting was adjourned by motion at 7:30pm. The next regularly scheduled Board Meeting will convene 6:30pm Thursday, November 12, 2020 at South Pointe South Clubhouse, 9734 Foxglove Circle, Ft. Myers.

Respectfully submitted,
Sally Stigler
Executive Secretary