

PROCEEDINGS: OAK RIDGE HOMEOWNERS'
ASSOCIATION MEETING

DATE: September 16, 2009
7:00 P.M.

PLACE: 7445 Chester McKay Drive
New Port Richey, Florida 34655

REPORTED BY: KARLA JOSEPHIK, RPR
Notary Public
State of Florida at Large

APPEARANCES: David Rosin, President
Mike Brescia, Vice President
Julie Rosin, Secretary
Marc Wertheim, Treasurer
Aldo Boselli
Joe Watkins
Dan Noble
Doug Lines

JUDY G. MOUKAZIS & ASSOCIATES, INC.
8630 Government Drive
Building 3, Suite 103
New Port Richey, Florida 34654
(727) 817-1268

ORIGINAL

P R O C E E D I N G S

1
2 THE PRESIDENT: The court reporter has
3 arrived. We're going to get started if she's
4 ready.

5 Ladies and gentlemen of Oak Ridge, I welcome
6 you to the VFW and a meeting of the committee to
7 revive the deed restrictions, also known as the
8 declaration for Phase I and Phase II of Oak Ridge.
9 It's a pleasure to have you here. And I'd like to
10 do some introductions.

11 First of all, the information you were sent,
12 listed on that information is the committee
13 members of the revival committee, Aldo Boselli.

14 Aldo, if you'd stand up so everybody can
15 recognize you.

16 He's the guy you always see walking around
17 the neighborhood. You can't miss him.

18 Joe Watkins. I don't know if many people
19 know Joe. He's how many years in the subdivision?

20 MR. WATKINS: About 30.

21 THE PRESIDENT: Thirty. Can anybody top
22 that? Any more than thirty? Very good. I'm
23 impressed.

24 Doug Lines. Doug Lines is one of the senior
25 members of the board.

1 MR. LINES: Hey.

2 THE PRESIDENT: Not senior as in age.
3 Senior, the most years on the board.

4 Dan Noble. Dan is a past president of the
5 Oak Ridge subdivision.

6 UNIDENTIFIED VOICE: So is Doug.

7 THE PRESIDENT: Okay. Very good. Sorry.

8 I moved here in '04 and joined the board in
9 '07 and president in '08 and into '09. My name's
10 Dave Rosin.

11 That introduction of the revival committee,
12 and I am going to make that call. We have all
13 members of the revival committee present. I'd
14 like to also introduce some of the members of the
15 Executive Committee for Oak Ridge.

16 We have the vice president, Mike Brescia. We
17 have the treasurer of the organization, Marc
18 Wertheim, he's in back taking everybody's money.
19 The secretary is my beautiful wife, Julie. And I
20 think that pretty much covers your Oak Ridge
21 Homeowner's Association Executive and Board of
22 Directors.

23 All right. You read a bunch of information
24 that was sent to you in the mail. And many of you
25 received phone calls. And a subset of the people

1 who received phone calls also got a knock on the
2 door over the weekend in our attempt to gather the
3 votes to revive Phase I and Phase II.

4 I hope when you talked to someone, whether
5 you talked to your neighbors or whether you talked
6 to the individual that called you on the phone, or
7 whether you talked to the individual that knocked
8 on your door, I hope they convinced you or they at
9 least relayed to you what the benefits are of the
10 declaration that was initially put in force in
11 1976 through 1979, depending on which phase you're
12 in, but it's the same declaration. And then
13 revised minorly for setbacks and culverts in the
14 1980s. That declaration is what we're trying to
15 revive since it expired in 2006.

16 And of the revival committee members, I have
17 one ace in the hole that can tell you all the good
18 reasons on why that declaration benefits you, the
19 Oak Ridge parcel owner. And so I'm going to call
20 Aldo up to grab the mike.

21 Okay. There's a lot of stage fright on this,
22 so. The only trouble is you don't have enough
23 rope.

24 MR. BOSELLI: Good evening, everybody,
25 neighbors, friends, everyone. It's good to see

1 some of you again.

2 Recently myself, other board members, and
3 volunteers had the opportunity to meet with you at
4 your home. Thank you for receiving us with
5 courtesy and interest. I really mean that because
6 it was moving for me to come to your houses and
7 you invited me in, and I was impressed. Thank
8 you.

9 Our meeting and this special meeting are
10 related by the need to revive the deed
11 restrictions, covenant bylaws, et cetera. Please
12 note that I did not say revise. It's revive.
13 Okay? As there was some confusion out there about
14 this. Maybe I articulated it -- maybe I
15 articulated -- my wife is telling me hold it over
16 here. But it's revived, not revised, and I had to
17 explain that to some individuals, and I think I
18 put their fears to rest with that. Everything
19 remains the same as it was. This is not a move to
20 change anything, or anything. This is survival.

21 Okay. You all received through the mail the
22 comprehensive package containing very informative
23 documents. They were provided to you mainly to
24 comply with the Marketable Record Title Act,
25 better known as MRTA criteria. But it was also an

1 opportunity to educate everyone about where they
2 lived and what our deed restrictions are.

3 Our only agenda at this meeting will be
4 primarily to fulfill the marketable title
5 requirements, particularly those set forth in
6 Florida Statute 720. Let me give you some
7 chronology concerning that.

8 In 1963, the Florida Legislature enacts the
9 Marketable Record Title Act, better known as MRTA.
10 The act was created to lessen the burden on title
11 companies constantly researching titles back to
12 the Spanish land grants. An unintended
13 consequence of MRTA caused communities to lose the
14 authority to enforce their deed restrictions after
15 30 years. Section Florida Statute 712 allowed any
16 person to preserve their deed restrictions prior
17 to their expiration, but there was no allowance
18 for homeowners' association authority.

19 In 1997, the Florida Legislature steps up and
20 amends Florida Statute 712 to allow homeowners'
21 associations to preserve their deed restrictions
22 prior to their expiration.

23 In 2004, Florida Legislature adopts a new
24 Florida Statute 720, which concerns us, to allow
25 reviving expired deed restrictions.

1 By definition, this statute addressed only
2 mandatory homeowners' associations, leaving
3 voluntary homeowners' associations, like ours,
4 without any recourse.

5 In 2007, Florida Legislature adopts Florida
6 Statute 712.11 to allow voluntary homeowners'
7 associations, like ours, to use the same
8 procedures provided in Florida Statute 720.

9 The possibility for abuse and disregard for
10 the special residential character of our
11 neighborhood could be compromised most severely if
12 this revival were not to succeed. The economic
13 climate and the rising number of homes for sale or
14 in foreclosure could present the golden
15 opportunity for speculators or investors to change
16 the character of our neighborhood.

17 Now, I'm not trying to scare you, but this is
18 a fact. Okay?

19 By petitioning for variances in special use
20 permits, it was never in doubt that the homeowners
21 of Oak Ridge would let this happen. The board and
22 the volunteers and neighbors are gratified that
23 our efforts were not in vein. Thank you all
24 sincerely.

25 Now, the ballots and other documents must go

1 through verification process with the Department
2 of Community Affairs. No later than 60 days after
3 submission, they must render a decision whether or
4 not our revival was approved.

5 So this is where we're at, folks. Tonight we
6 count it.

7 Thank you very much.

8 UNIDENTIFIED VOICE: Thank you, Aldo.

9 MR. BOSELLI: Thank you very much.

10 UNIDENTIFIED VOICE: We got that part.

11 THE PRESIDENT: If any of you had the
12 pleasure of meeting Aldo when he was walking
13 around the neighborhood, as he always does, and
14 you talked to him one on one as opposed to in a
15 crowd where everybody's nervous or talking into a
16 microphone, you heard Aldo tell you some of the
17 negative things that can happen to our
18 subdivision.

19 He's talking about when investors come in and
20 purchase property and do other things than what
21 you're used to seeing. Namely, a single-family
22 home.

23 The county, based on our zoning, will allow a
24 triplex. And if these deed restrictions aren't
25 enforced, there's nothing to stop them. They can

1 mow your neighbor's property down, build a
2 duplex/triplex and rent it out. And you want to
3 see a neighborhood go down, get renters in there.
4 They don't care about the property, not like an
5 owner.

6 Another big thing, there's certain business
7 organizations that are permissible under county
8 law. Namely, daycare.

9 Help me out, Doug.

10 There's a lot of them.

11 UNIDENTIFIED VOICE: Duplexes.

12 UNIDENTIFIED VOICE: Private school.

13 THE PRESIDENT: Private schools, duplexes,
14 daycare.

15 UNIDENTIFIED VOICE: Church.

16 THE PRESIDENT: Churches. Churches are a
17 specific interest. We, prior to my coming, in
18 2004 to Oak Ridge, there was a move afoot to build
19 a church on Perrine Ranch Road. And due to our
20 deed restrictions and great effort on a previous
21 board, that was put to rest.

22 So basically, to sum it up, and Aldo does a
23 better job when he talks to you one on one about
24 what are the negative aspects of not having deed
25 restrictions.

1 Now, nobody, especially this president, wants
2 somebody to tell me what to do. And I can't
3 stress emphatically enough that enforcing the
4 existing deed restrictions established in 1976 is
5 not going to give us any kind of power to do
6 anything that you're not used to for the last 30
7 years. We ain't telling anybody to do anything.

8 We're trying to prohibit a very dramatic
9 change to the neighborhood and these deed
10 restrictions allow us to do that. So I'm really
11 attempting to put everybody at rest. People start
12 mentioning deed restrictions and people get
13 nervous. Myself included.

14 Okay. Let me see if I can get back to the
15 agenda before you really run off.

16 All right. I'm going to open the floor for
17 questions. We have a court reporter. The court
18 reporter is attempting to cover every word that I
19 speak as far as I speak it.

20 So anybody else that gets up to the
21 microphone, when you do, please state our name and
22 if you could state the street you live on,
23 Overview, Cheswick, Perrine, wherever you live.
24 It'll help isolate where exactly you're talking
25 about.

1 Now, I'm going to open the floor up for
2 questions for anybody and everybody for this board
3 and this revival committee. There's got to be
4 one. We sent out enough paperwork.

5 MR. DAY: My name's Dennis Day. I live on
6 Overview Drive.

7 We've been doing pretty well for the last
8 three years without the deed restrictions and --

9 UNIDENTIFIED VOICE: Can't hear you.

10 UNIDENTIFIED VOICE: Talk closer.

11 MR. DAY: Been doing pretty well without the
12 deed restrictions for the last three years. And I
13 just don't feel like the agenda that you have
14 about restricting those particular things is
15 really pertinent to the area.

16 The county already has rules for what we have
17 there. And, you know, we're under county, state,
18 federal laws. And, you know, we're pretty tired
19 of all those, but we have to live with them. We
20 just don't need another group coming in after it's
21 been dead, buried, and just don't want it.

22 That's how I feel about it. Thanks.

23 THE PRESIDENT: And I thank you, Dennis.

24 Dennis has a point. I won't argue the point.
25 What I will point out is what's already been

1 stated.

2 The county restrictions are significantly
3 less -- are significantly lax, as it relates to
4 businesses, specifically daycare, and as it
5 relates to our zoning, our three triplexes.

6 And it's this board's position and this
7 member's position that triplexes in the
8 neighborhood and renters in the neighborhood will
9 not provide a plus as to the concept of Oak Ridge.

10 Yes, ma'am? Hi, Beverly.

11 MS. GUCIK: Good evening. My name is
12 Charlotte Gucik. That's G-u-c-i-k. I live in the
13 very first home that was ever built in Oak Ridge,
14 so I have a little bit of seniority rights, and we
15 won't even cover that.

16 Across the street from my house was where the
17 church was opening up. They bought in. They
18 decided that if they were a church they did not
19 have to pay taxes, as we would, and, therefore, it
20 would be very lucrative. I won't even discuss the
21 traffic. You have a street that's not meant to
22 hold the Sunday traffic for church.

23 And I don't know if you're aware of it or
24 not, but there's a plaza right next to us where
25 Pizzazz Hairstyle is, and there is also a school

1 there. Their problem getting their customers in,
2 just to the dentist and to the hairdresser, is a
3 nightmare when the people come to pick up their
4 children.

5 So if you want to see a real problem on your
6 street trying to get home, wait until you have a
7 line of people waiting to pick up their children
8 at a daycare center.

9 The original deed restrictions, when I moved
10 in, basically allowed you anything you wanted to
11 do other than you couldn't have bigs (sic). That
12 was a no-no. And if you had RV vehicles and
13 boats, they asked that they be back by the --
14 beyond the front edge of your house. I mean, this
15 is not a major problem, I don't think, for
16 anybody. Most people put their things behind
17 their house anyway because it's acreage home
18 sites.

19 I have found in the past 33 years that the
20 county, per se, does not enforce those things that
21 we don't want to have done. And they bend very
22 easy to rezoning.

23 Case in point. You have a section of
24 apartments right down the street, right before you
25 get to Seven Springs Boulevard, we weren't a

1 strong homeowners' association at that time. We
2 fought to have that apartment complex put in
3 because it butted right up against a home that was
4 a single-family residence that had sold for, at
5 that time, about \$120,000. That was a tremendous
6 amount of money back in the seventies. And all of
7 a sudden, their value went to absolute zip because
8 here you have an apartment complex right up
9 against it.

10 Now, you also have properties within Oak
11 Ridge that do not have just acreage, they have
12 three to five acres. Right now they say a
13 triplex, but if you have five acres and it gets
14 rezoned to where they could probably put ten units
15 in, what will that ultimately do? And with the
16 economy like it is, I fully believe that the
17 reinstatement of these deed restrictions are about
18 the only thing that's going to preserve the
19 property. I mean, our values have already gone
20 down. We don't need to see them go any further
21 because of something that was brought in that
22 wasn't meant to be here.

23 And that's all I have to say.

24 THE PRESIDENT: Excellent. Thank you.

25 Any more questions?

1 MR. BAYO: My name's Phil Bayo. I live on
2 Catalba Drive. I moved down here a few years ago.
3 I'm losing track of how many years it is. Five,
4 six, seven. Right in the middle of a fire storm
5 when you people were raising hell about someone
6 having a business and tractor trailers in the
7 middle of the night.

8 I had just got done spending five grand on
9 the front yard, getting all these woods cut down
10 and new landscaping. I had someone take a picture
11 of a shed in the rear of my property that had been
12 there for 25 years and was presented at one of
13 your meetings with the administrator saying, how
14 would you like to live next to this. And I raised
15 hell with you people back then. And when I got an
16 opportunity to vote you out, I did.

17 Watching the news over the past few years
18 down here, I hear cases of people's flag poles and
19 the American flag being too high, a man going to
20 jail because he can't get sod to grow in the
21 middle of a drought. And I wonder, actually, I do
22 not want you people as part of my life. And I was
23 wondering if you were all democrats.

24 As far as the things you're presenting
25 tonight, it makes sense. I don't know if they can

1 sway me, but they make sense. But if someone told
2 me my flag had to come down, it was too high, I'd
3 ram it up somebody's butt.

4 And that's what I have to say to you.

5 THE PRESIDENT: And I greatly appreciate
6 those comments. And you'd be surprised on how in
7 agreement we are.

8 What occurs, what has occurred in the past,
9 I'm not going to speak to. What I will say is
10 that it won't occur in the future as long as I'm
11 here.

12 Now, don't take this the wrong way. This is
13 meant as a positive comment. But as a homeowners'
14 association, and particularly a volunteer
15 homeowners' association that costs you five cents
16 a day to join and have a say so in who runs the
17 organization. If you don't get up here and vote
18 and put the right guy there in front of the
19 president's sign, what are you going to end up
20 with?

21 Any more questions?

22 MS. WILLIAMS: Yeah.

23 THE PRESIDENT: Please.

24 MS. WILLIAMS: My name is Dee Williams. I
25 live on Meadow Wood. I've been here 31 years.

1 And I agree with the last man with the deed
2 restrictions. Anything that we have here, if I
3 wanted to live in an area where people were
4 telling me how to live, where to have my fence, be
5 picky about things like that, I'd live in one of
6 these other deed restriction areas that really
7 worried about somebody's yard and everything else.

8 Now, as far as you asked us -- you mentioned
9 about the triplex coming in. I don't know if
10 that's true. I mean, I have you telling me this,
11 but as far as I knew, we have one-acre properties
12 here. Years ago I was fighting to get the pasture
13 behind me where those big fancy houses are now,
14 they were going to put four to six houses per acre
15 on it. No, I'm sorry. About three houses per
16 acre on it and we were fighting against that. So,
17 because it was adjacent.

18 So I don't know why you are saying, and I
19 don't know -- I mean, I'm sure you think what you
20 say is true, but I would need some proof about us
21 being able to -- I mean, if that would really be
22 true. Can we really -- how sure are you that this
23 could happen. And if it starts to happen, why
24 can't it be fought against? So I don't understand
25 the problem.

1 Thank you.

2 THE PRESIDENT: In regards to the R-3 zoning,
3 it's my understanding if anybody has any more
4 experience out there, because I'm a layman as it
5 comes to zoning. Anybody with zoning experience?

6 My understanding of R-3 implies a number of
7 single-family residences you can have per acre.
8 That's my understanding of it. We are zoned R-3.

9 UNIDENTIFIED VOICE: All right. One home per
10 acre.

11 THE PRESIDENT: We're R-3. Three single-
12 family residences per acre.

13 Doug, you want to help me out here?

14 MS. DAY: My name is Carol Day. I live on
15 Overton Drive.

16 THE PRESIDENT: Please.

17 MS. DAY: I thought it was state residential
18 that was zoned.

19 THE PRESIDENT: To help the court reporter
20 out, one person at a time. And we will get you
21 all in.

22 MR. LINES: Okay. Concerning our zoning.
23 Our zoning is a state residential. A state
24 residential is one-acre or larger lots. Doesn't
25 have anything to do with the density on that lot.

1 All it says is single-family residence for the
2 lots that are there. And those lots may vary in
3 size.

4 Zone R-3 is not really a zoning. When you
5 hear the term R-3, that has to do with the
6 comprehensive plan on the county and their
7 planning as to how to establish a zoning for a
8 given area. So they're two different animals.

9 Right now we are state residential. And
10 under the state residential, the county can, under
11 a special exemption rule for a state residential,
12 allow duplexes, riding stables, churches, all
13 those things that David mentioned a moment ago.
14 And all they have to do, if the county
15 commissioners get on that because somebody in here
16 petitions, that is a property owner or prospective
17 property owner, they can very well accomplish
18 that.

19 Now, in past time, we have -- we, as Oak
20 Ridge Homeowners' Association, even though legally
21 we didn't know at the time but we do now, legally
22 we could not enforce our restrictions because of
23 that MRTA statute that Aldo was talking to you
24 about.

25 However, because we went to the county

1 commission and because we stood up before them and
2 gave our opinion, we were speaking for 444 people
3 in this neighborhood, and they listened to that.
4 Ann Hildebrand will listen to that. Now, we've
5 gone round and round with Ann on some issues, but
6 she, in fact, most of the time, is on our side.
7 Okay?

8 Does that answer your question?

9 MR. SIETTA: If someone wanted to build a
10 triplex -- my name's Al, last name Sietta.
11 Catalba Drive.

12 THE PRESIDENT: Al.

13 MR. SIETTA: If someone wanted to build a
14 triplex, they would have to file for a variance,
15 put a yellow sign out in front of their home?
16 Five or six surrounding neighbors would have to
17 agree to it? Yes?

18 MR. LINES: That's correct.

19 MR. SIETTA: Okay.

20 UNIDENTIFIED VOICE: They would have to have
21 a sign for it, but they don't have to agree to it.
22 There's a big difference.

23 MR. SIETTA: If they disagree to it.

24 THE COURT REPORTER: All right. I don't know
25 who's speaking and when you're talking to each

1 other, I can't do that.

2 THE PRESIDENT: That's why we spent the time
3 and effort to get these microphones in here. So
4 please use them.

5 MR. SIETTA: The surrounding homes around
6 this duplex would have a yah or a nah to allow
7 this to happen?

8 MR. LINES: No.

9 MR. SIETTA: So if they decide that they
10 didn't want this and they went to the board and
11 they said, look, we don't want a triplex next to
12 us, then the board would override the will of the
13 neighbors?

14 MR. LINES: They might very well do that.

15 MR. SIETTA: Okay.

16 MR. LINES: That's happened in the past.

17 UNIDENTIFIED VOICE: It's happened in the
18 past.

19 MS. GUCIK: I'm already -- I'm sure you --

20 THE COURT REPORTER: I know. I'm sorry. I
21 can't remember your name. I can't store it all.

22 MS. GUCIK: When they were --

23 THE COURT REPORTER: I'm sorry. Your name
24 again?

25 MS. GUCIK: I'm Charlotte Gucik. G-u-s-i-k.

1 And I'm on Catalba drive also.

2 When they were going to widen Perrine Ranch
3 Road and make it dual lanes all the way through,
4 I, myself, sit on the corner of Perrine Ranch Road
5 and Catalba Drive. So, needless to say, I didn't
6 want a thoroughfare going by. And I'm sure the
7 neighbors didn't either.

8 The fact that I didn't want it didn't make a
9 darned bit of difference. It wasn't until I got
10 the backing of the homeowners' association to also
11 come forth and say, no, we don't want it, that
12 they finally backed down to just turn lanes.

13 But if you don't think that they can pass
14 these against your will, trust me, like that. The
15 only thing that gives you any power at all is an
16 organization that will speak up as an entity to
17 itself and represent a large block. Otherwise,
18 you are five people around someone that wants to
19 make a triplex, oh, well, too bad. That's only
20 five people. Look at who it's going to benefit
21 for the three that live there. So, and you've got
22 to take that into consideration.

23 THE PRESIDENT: Thank you.

24 Are there any more questions for this revival
25 commit meeting?

1 Okay, Bev. Bev, I don't have enough rope to
2 get a mike to you. Can you wheel over?

3 MS. LASSOR: Bev Lessor, L-a-s-s-o-r. I live
4 in Innbrook Court.

5 THE PRESIDENT: Beverly Lessor, Innbrook
6 Court.

7 MS. LASSER: I would like to know who is this
8 lawyer here? (Indiscernible.)

9 THE PRESIDENT: Steven Messer.

10 UNIDENTIFIED VOICE: She wanted to know who
11 our lawyer was. Messer.

12 THE PRESIDENT: He's an attorney we've used
13 in the past for the Phase III restoration of --

14 MS. LASSER: Not Phase I?

15 THE PRESIDENT: No, ma'am. Not in Phase I.

16 MS. LASSER: So it is not involved?

17 THE PRESIDENT: No.

18 MS. LASSER: Not involved?

19 THE PRESIDENT: Beverly, he's not. We had
20 two options. One was involving an attorney that's
21 registered -- that's licensed to practice in the
22 state. And an alternative was a beautiful court
23 reporter. And we went with Plan B.

24 MS. LASSER: And I really appreciate the last
25 six years. And I really like my own privacy and I

1 try to keep my property up, and most of the
2 neighbors do. And I really don't see the big
3 problem because anything the county does has to go
4 before a special zoning hearing.

5 Now, when I -- before I bought this house, I
6 tried to buy five acres in north Pasco, in 1983.
7 I went before the county and it cost me \$375 to
8 get -- try to get a special (indiscernible) to
9 have a boarding kennel, and the neighbors had a
10 fit.

11 So in my opinion, it's not that easy to get
12 things passed. But it will have to go before the
13 hearing if anybody does try to build a triplex, or
14 whatever.

15 Thank you.

16 THE PRESIDENT: Thank you, Beverly.

17 Please.

18 MS. FONTAINE: I'm Susan Fontaine. I live on
19 Amity.

20 I don't know if you all were at the meetings
21 when we got discussing about repaving the roads,
22 but that popped into my head today. I took one of
23 my kids' friends home. In the section where it's
24 River -- you know, the new addition at the end of
25 the road --

1 UNIDENTIFIED VOICE: Riviera.

2 MS. FONTAINE: What is it called?

3 UNIDENTIFIED VOICE: Riviera.

4 MS. FONTAINE: Riviera Estates. And when I
5 drive through our neighborhood, I think, wow,
6 these roads are starting to look a little shabby.
7 And then I went through that neighborhood, and
8 those roads are trashed.

9 So if you start having people coming in with
10 daycares and churches, and we have some in our
11 neighborhood. We've seen them come and go. We've
12 seen people -- cars pull up, six of them parked
13 there ten minutes and they leave. I mean,
14 remember when we got involved with the road
15 discussion? That's what I'm planning on is going
16 to come up real soon because the roads aren't
17 getting any better.

18 And if we don't have the homeowners'
19 association in place to help back us up with that,
20 and be a voice, unite a voice for us, do you all
21 want to get stuck paying paving fees, you know. I
22 think it's really important to have a united front
23 to protect ourselves. I don't think the
24 homeowners' association has forced anything really
25 crazy on anyone. In fact, I wish we had more

1 teeth (sic) so we could get our neighborhood
2 cleaned up a little bit.

3 So, you know, if somebody's got something
4 really negative that's happened with the
5 homeowners' association, or really good reason why
6 we shouldn't have it, the bylaws reinstated, I'd
7 like to know about that. I haven't seen any
8 negative yet.

9 THE PRESIDENT: Thank you.

10 For all of you who live anywhere in the
11 vicinity of Amity, Amity is of special interest to
12 this board, myself personally.

13 Are there any other questions?

14 If there are no more questions, what I'd like
15 to do is if anybody has any Phase I votes in their
16 possession and they want to turn those, make that
17 decision and turn that vote in, I'm going to have
18 one of the revival members, revival committee
19 members, Doug Lines, pick that vote up.

20 No votes? Excellent.

21 I need -- here's one.

22 UNIDENTIFIED VOICE: Looks like this.

23 THE PRESIDENT: Phase I. Yes. And it should
24 be clear there are two phase -- there are two sets
25 of property owners called to this meeting, Phase I

1 and Phase II. And across the top of your vote it
2 clearly states Phase I or Phase II. We're looking
3 for Phase I.

4 And now, by a show of hands, who is an Oak
5 Ridge Homeowner Association member?

6 Excellent.

7 Now, by a show of braver hands, who wants to
8 be a volunteer from that group? I need someone to
9 validate Doug's count. Basically stand over his
10 shoulder and make sure that when he sees somebody
11 that says this is a yes vote that he circles yes
12 vote on the summary. Please, I need a volunteer.

13 Peach shirt. And would you step to the
14 microphone and state your name, please?

15 MS. AGETT: My name is Babette Smith Agett.

16 THE PRESIDENT: And road?

17 MS. AGETT: Oh, I'm sorry.

18 THE PRESIDENT: That's all right.

19 MS. AGETT: Winding Brook.

20 THE PRESIDENT: Great.

21 And following in suit, are there any Phase II
22 property owners that have a vote in their hand,
23 now is the time to commit that vote, and I'm going
24 to have a revival committee member, Dan Noble,
25 pick up the Phase II votes from the members, from

1 any property parcel owners in the group. I don't
2 see anybody with a hand up or a group.

3 So, Dan -- and now, I'm going to need from
4 that same group that had their hand up before one
5 more volunteer.

6 Ms. Newman? No.

7 One more volunteer. I basically need a
8 volunteer. All you do is basically stand over and
9 make sure that Dan circles a yes vote when --
10 please. Thank you.

11 MS. McVEY: Joanne McVey. Bellingham Court.

12 THE PRESIDENT: Thank you.

13 All right. While the Phase I and Phase II
14 groups count like crazy, let me go over some of
15 the good things. And you're going to get an idea
16 what this president --

17 UNIDENTIFIED VOICE: David?

18 THE PRESIDENT: What this president --

19 UNIDENTIFIED VOICE: I had a call on it.

20 This is a legal vote. Only one signed it.

21 THE PRESIDENT: Count it and we'll let the
22 Department of Community Affairs adjudicate whether
23 it's --

24 UNIDENTIFIED VOICE: Okay.

25 THE PRESIDENT: You've all received the

1 newsletter that I sent out. I hope some of those
2 coupons were worthwhile. Did you get ten percent
3 off at the produce place? Get your carrots?

4 We've got a social coming up on the 22nd of
5 September. I hope all you people come to Grill
6 54. If you haven't been, it's a great place to
7 eat.

8 You'll detect a trend here on what my
9 objectives are to run this association. One is to
10 get these deed restrictions revitalized, which is
11 a great deal of work that this dedicated team
12 spent many, many, many hours in the evenings
13 putting together and make happen.

14 But my goal in life is to have fun, and
15 that's why these things are up here. And that's
16 why you guys get a newsletter, and that's why I'd
17 like to send it to you via e-mail to keep you
18 informed and to have fun. I'm not out here to
19 drag anybody through the mud, as some people in
20 past organizations have experienced.

21 But Grill 54 is a great place. We're going
22 to get together. They've got fabulous sushi and
23 Italian food.

24 We've got another newsletter coming out
25 October 14th with lots of good discount coupons

1 that I can bring them up.

2 Did anybody participate in the July 4th flag
3 display?

4 Excellent.

5 UNIDENTIFIED VOICE: Yeah. I had eight of
6 them stolen.

7 THE PRESIDENT: Did you? I don't know what
8 to say. Buy more flags.

9 That basically was a trial event because
10 there was insufficient time to get the word out to
11 everybody. Well, now the newsletter has come out,
12 I've talked about it. It's on the front page of
13 the website. You're hearing it now at this
14 meeting. We're going to put the signs back out at
15 the entrances requesting everybody to go to the
16 website such that the November 8th, which is a
17 Sunday, through November 11th, Veterans Day
18 itself, which is a Wednesday, we display our flags
19 in the entire -- all phases of the subdivision.
20 You can purchase those flags on the website and
21 we'll deliver them to you. Aldo and his
22 (indiscernible).

23 The November 15th through the 17th, the
24 community art sale. Sell your craft. Unload your
25 garages. Now's your opportunity.

1 There's a special for Oak Ridge Homeowner and
2 Association members. We'll paste a balloon up on
3 your mailbox, a color coordinated balloon that'll
4 match the motif of the homeowners' association.
5 And it'll be hanging on your mailbox so that all
6 them people buying your stuff will come flocking
7 to your door.

8 We've got another planning event that's just
9 beginning. December 19th we're going to try to do
10 a luminary. If anybody has seen this actually
11 implemented well, it is very cool. White bags
12 with sand and a candle illuminating the entire
13 walk. For you people that live in Phase II, if
14 you can picture overview totally lit up as you
15 pull in off Perrine, that's going to look very
16 nice, if we can get enough participation.

17 Rolling into the 2010 timeframe, we form an
18 organizing committee. This goes back to the
19 individuals that didn't like a past board. We
20 form an organizing committee in March. That
21 organizing committee's going to make
22 recommendations and going to solicit people who
23 want to be a board member, like these, a
24 president, a vice president, a secretary, a
25 treasurer -- where'd he go -- a treasurer.

1 The work is not hard. It really isn't. And
2 normally the work isn't hard. You've got to do
3 this stuff and it's hard. I've got to admit.
4 We've spent a great deal of time. But this is
5 once in a 30-year event. So you won't be doing
6 this next year. So that organizing committee
7 starts in March. And the board meeting for that
8 vote occurs sometime in April. Generally around
9 the 30th, but it all depends on what day the 30th
10 falls in the week.

11 And right about now, since they're still
12 counting and I'm out of material, this is when I
13 turn it over to Joe Watkins because he's going to
14 hum the Jeopardy tune.

15 My wife has suggested, on the agenda, towards
16 the very bottom, although that's going to get
17 confusing if it doesn't -- if the motion fails, if
18 the revival for Phase I and Phase II fail,
19 basically, the deed restrictions for Phase III are
20 in force. Phase I and Phase II you'll be left to
21 your own accord. The board will have no say so on
22 whatever you do or whatever your neighbors do.
23 It's up to you to stand up to the county. You've
24 got to gather your neighbors and get them, like
25 mine, to do something.

1 If the declarations pass, then what happens
2 is we take all this information that we've
3 gathered and we send it off to the Florida
4 Department of Community Affairs. The Department
5 of Community Affairs within 60 days says, you
6 followed the rules, you followed the statutes,
7 everything's okay. You now have the wonderful
8 privilege to roll down to the Pasco County
9 Courthouse, hand them all 17,000 pages of
10 documents that you sent all these people, and file
11 it at the courthouse. And then, based on Florida
12 Statute, the Pasco County Circuit Court will then
13 send you exactly the same thing you just got
14 couple months ago all again, at our dime.

15 So that's what happens if it passes. And
16 that's all per Florida Statute. And we'll let you
17 know via the newsletter and the website if we --
18 when we achieve -- when -- if we achieve the
19 Department of Community Affairs' approval.

20 You get in front of a mike and you get in
21 front of a crowd, I get nervous. One of the
22 things that we had the unique pleasure that we
23 haven't had since I've been president, since
24 April, is we actually had some volunteers. They
25 saw the worth in what we were doing as it relates

1 to reinstating the deed restrictions, and without
2 even asking, they said, hey, can I help. And we
3 had two volunteers that did that. And I'd like to
4 recognize them right now. Although I don't know
5 if one of them is in the room, but I'll find out.

6 John McCormick. He lives on Governor's.
7 Thank you, John.

8 And Sherry. Is Sherry in the room? I've not
9 met Sherry so, unfortunately, I don't know her by
10 sight. But Sherry was another person who
11 recognized the worth and sought us out and said,
12 I'd like to help, which is very nice.

13 Now see if I can do some public good.

14 Does anybody fix wooden fences for Beverly?
15 No. Somebody smacked into that fence there on
16 Perrine Ranch and I was hoping I'd get a
17 volunteer.

18 MS. LASSOR: I have the wood.

19 MR. BRESCIA: You do? I'll fix it.

20 THE PRESIDENT: I'll come over there. I
21 didn't know you had the material.

22 MS. LASSOR: Yes.

23 THE PRESIDENT: All right. Mike Brescia has
24 just volunteered to --

25 MS. LASSOR: Thank you.

1 THE PRESIDENT: Looks like the stacks they're
2 counting from are getting lower.

3 We've received a few votes today and a few of
4 those at this meeting. But on average the ones
5 that we had received prior to this meeting, we
6 were keeping a tally of, and for Phase I,
7 approximately of the votes received, 80 percent
8 want the deed restrictions reinstated. For Phase
9 II, approximately 85 percent want the deed
10 restrictions reinstated.

11 Now, although those percentages imply they're
12 high, keep in mind that we need a majority of the
13 parcel owners. And a large -- a relatively large
14 number did not turn in a vote. So it literally
15 hangs in the balance by what they're counting
16 right now. It is not a done deal.

17 MS. CARTER: What's the majority?

18 THE PRESIDENT: There are 77 --

19 THE COURT REPORTER: I'm sorry. I couldn't
20 hear what she said.

21 THE PRESIDENT: You're going to have to step
22 to the microphone.

23 THE COURT REPORTER: I'm sorry. I just
24 couldn't hear you.

25 MS. CARTER: I'm Debbie Carter, and I live on

1 Catalba Drive.

2 And I was just wondering what the majority
3 number is as far as homeowners go, what is the
4 majority?

5 THE PRESIDENT: That each phase is treated
6 separately. Phase I has 77 parcels, and Phase II
7 has 115 -- 116. Sorry.

8 MS. CARTER: So, in Phase I, only ten percent
9 returned votes, or -- do you know, or --

10 THE PRESIDENT: I will have those percentages
11 for you shortly. And they're going to be
12 announced.

13 MS. CARTER: All right. Thank you.

14 THE PRESIDENT: You're welcome.

15 State your name and --

16 MS. HAMMOND: Eleanor Hammond. Sun High
17 Drive.

18 We have a number of houses, I guess, in Phase
19 I, also, but in Phase II that are empty. Are they
20 taken as part of the number for no vote?

21 THE PRESIDENT: The vast majority of those
22 votes were not returned. The banks own them. The
23 information was sent to the last person on the tax
24 record per state requirement, for statutory
25 requirement.

1 MS. HAMMOND: They didn't respond.

2 THE PRESIDENT: Yeah. Those babies fell up
3 in the bit bucket.

4 Of the hundred -- what, seventy-seven, one
5 sixteen, whatever that totals to, of those we
6 received four back as undeliverable. So those
7 ones went for a house that's not occupied. I
8 don't have a clue.

9 UNIDENTIFIED VOICE: But those are no votes.

10 THE PRESIDENT: They're non-returned. It's
11 an interesting concept. They're non-yes votes.

12 UNIDENTIFIED VOICE: They're (indiscernible).

13 THE PRESIDENT: Yeah. You can call them
14 that. I mean, you're right. But --

15 UNIDENTIFIED VOICE: That's fact.

16 THE PRESIDENT: You're right. Yeah. They're
17 no good.

18 Dennis, that's kind of interesting because
19 it's basically your mindset perspective. We're
20 sitting here driving this thing. That's my
21 perspective.

22 Going back to the addenda. Doug, you still
23 working?

24 The tabulation is complete. The vice
25 president will be summarizing and then stating the

1 results. And amazing as that is, we're right on
2 schedule.

3 I'm going to turn the microphone over to the
4 vice president, Mike Brescia.

5 THE VICE PRESIDENT: This is for Phase I.
6 Based on the seventy-seven parcel owners of Oak
7 Ridge, Unit 1, fifty-eight -- Unit 1, fifty-eight
8 total votes received, of which forty-seven parcel
9 owners voted to approve the declaration. Eleven
10 parcel owners voted to disapprove the declaration.
11 Sixty-one percent of the seventy-seven parcel
12 owners of Oak Ridge, Unit 1, have approved -- have
13 voted to approve the revival of the declaration.

14 Phase II. Based on a hundred and sixteen
15 parcel owners of Oak Ridge, Unit 2, and seventy-
16 seven total votes received, of which sixty-seven
17 parcel owners voted to approve the declaration,
18 ten parcel owners voted to disapprove the
19 declaration. Fifty-seven point eight of the
20 hundred and sixteen parcel owners of Oak Ridge,
21 Unit 2, have voted to approve the revival of the
22 declaration.

23 I'm going to give the mike back to Dave.

24 THE PRESIDENT: Thank you, Mike.

25 Is there some repair draft that needs to be

1 read? This one?

2 UNIDENTIFIED VOICE: Yeah. There you go.

3 THE PRESIDENT: One more legalese.

4 THE VICE PRESIDENT: In accordance with the
5 Florida Statute 720.405, a majority of the
6 affected parcel owners of Oak Ridge, Unit 1, have
7 agreed in writing to revive the declaration. In
8 accordance with the Florida Statute 720.405, a
9 majority of the affected parcel owners of Oak
10 Ridge, Unit 2, have agreed in writing to revive
11 the declaration.

12 THE PRESIDENT: Thank you, Mike.

13 Okay. So the majority of the parcel owners
14 for both phases have agreed. We have the
15 necessary documentation for Florida Statute, and
16 I've already explained the next steps. We send a
17 bunch of paperwork off to the Department of
18 Community Affairs, they say it's okay, we file it
19 with the county, and you get another copy of
20 everything you already got.

21 I'd like to see if anybody would entertain --
22 I need a motion to close the meeting.

23 UNIDENTIFIED VOICE: I so move.

24 THE PRESIDENT: A second?

25 UNIDENTIFIED VOICE: Second.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

THE PRESIDENT: All right. Close the meeting. Thank you very much for attending.
(MEETING CONCLUDED.)

1 STATE OF FLORIDA)

2 COUNTY OF PASCO)

3 I, KARLA JOSEPHIK, RPR, certify that I was
4 authorized to and did stenographically report the
5 foregoing proceedings and that the transcript is a true
6 and complete record of my stenographic notes.

7

8 DATED this ____ day of October, 2009.

9

10

11

12

KARLA JOSEPHIK, RPR

13

14

15

16

17

18

19

20

21

22

23

24

25