

HARBOUR VILLAGE



at historic St. Andrews

The Ultimate in Waterfront Living



Friday, March 26, 2010

To my fellow owners – the March 16, 2010 Board Meeting was an active one and I am writing this to make sure you are all aware of the **impending new rules, and rule changes.**

On March 10th, you were mailed along with your 2010 2nd quarter statement a detailed letter including committee minutes prepared by the Architectural & Rules Committee explaining their intention to propose various rule changes.

As we approached that portion of the board meeting I reviewed the procedure for adoption of new rules, or rule changes.

There is to be a **two-step process** by the board to implement rule changes.

- If a significant rule is changed (or new one adopted) it has to be passed at a regularly scheduled board meeting, or First Reading. The exact new rule language to be posted noting that it will be read a second time at the next board meeting.
- Then at the following regularly scheduled board meeting, the rule change would then be again brought before the board for a Second Reading. And then, after having input from all interested parties, **if** the rule change was again approved as written, it would then be adopted and the rule would go into effect when the board directed.

We all encourage interested owners to participate in the rules committee's meetings and discussions.

Further when there is a rule change being brought to the board I encourage you to let us know your feelings about the proposed changes!!

Finally to insure an opportunity for all to participate, the new rules have to be read and confirmed at two properly noticed and regularly scheduled board meetings.

All of that is intended to give you all sufficient notice of the changes and plenty of opportunity for your input.

On the attached sheet are the changes that have been approved. Please read them carefully and get involved if you have strong feelings one way or the other. The reasoning, a list of who was involved in the committee meetings, and its recommendations are all explained in that letter and the minutes.

But if you still have any questions please contact Mary Sowell or one of her committee members. And you can reply to the email and Tammy will insure that all comments are given to the board.

John Darrah
President

New Procedure:

The keypad to punch in a code to open the vehicle gate is to be deactivated on May 1, 2010.

HOWEVER your remote, key fob and/or the electronic cards will all still open the gate!

Current rule: All vehicles are to be registered with the management company.

Proposed New Rule: Parking decals will be issued and displayed where they are easily visible on the bottom driver's side windshield at all times while on the property. Vehicles must be operated in a safe manner at all times on the property and never in excess of 8 miles per hour.

Proposed New Rule:

Tenant Approval: Application must be submitted to Association at least 10 days prior to occupancy and submit \$fee for background and credit check. All tenants will be automatically approved, unless there are warrants or derogatory information on their background check.

Proposed New Rule:

Owners, who have rented their units and relinquished their right of use to those tenants, may not use Community Amenities during that lease period and/or tenant occupancy.

See the web site for the minutes of the board meeting and the explanation letter from the Architectural & Rules Committee

HARBOUR VILLAGE



at historic St. Andrews

The Ultimate in Waterfront Living



Harbour Village at Historic St. Andrews Condominium Association, Inc. Minutes of the March 16, 2010 Board Meeting

The meeting was called to order by President John Darrah at 5:30 PM.

The following Board Members were present:

John Darrah, Sara Ross, Anne Miller, Mary Sowell and Morris Leavins.

A motion was made by Morris Leavins to accept the minutes of the February 9, 2010 Board Meeting as presented. The motion was seconded and passed unanimously.

A financial report for February 2010 was presented by Anne Miller and Dennis Fuller.

Morris Leavins made a motion to accept February 2010 financials. Motion was seconded and passed unanimously.

There was a discussion regarding the three CPA firm proposals for the Audit and the 2009 Taxes.

Sara Ross made a motion to continue with the existing CPA firm as previous years, being Carr, Riggs & Ingram, LLC. Motion was seconded and passed unanimously.

There was a discussion referencing the Electrical Review contract and John Darrah stated the report reflected an \$8,000 saving for 2010 with a continuing savings of approximately \$300 per month.

John Darrah provided update on west tower enclosure and presented a proposal to add push button actuators for the new door enclosure.

Morris Leavins made a motion to proceed with the installation of push button actuators at \$4,500. Motion was seconded and passed unanimously.

There have been several issues with the plumbing at Harbour Village due to construction debris found within the interior walls and stacks. John directed management to proceed with having a couple of stacks cleared as unit #712 stack 12 is presently experiencing a problem. Request a flat fee proposal for running a scope down each stack and the specific cost if found to be clear.

Management Report – Dennis Fuller and Tammy Kimble

Management report update, see attached.

Dennis Fuller provided an update on the painting proposal on the **west tower** wall to include the **window sills/panels**. Dennis presented the Cerna proposal for the **painting of the unit doors and window sills along walkways** at \$17,685.00.

Mary Sowell made a motion to approve the Cerna proposal of \$17,685.00 for the painting of the unit doors, jams, replacement of weather stripping and window sills; however, request proposal on additional cost to include trim and columns to be done at the same time. Motion seconded and passed unanimously.

Landscaping Committee: Mary Darrah, Chairman. No report provided.

Architectural Committee: Mary Sowell, Chairman. Architectural Requests and committee's recommendation as follows: #412 – bench, Comm. 1 – Signage and lighting and #618 – rocking chair and green plants.

#412 Wahlberg - bench at front door.

Anne Miller made a motion to accept the Architectural Committee's recommendation for approval of bench at front door. Motion seconded and passed unanimously.

#1 Commercial - Schwartz– Signage and Lighting

Mary Sowell, Chairman stated that committee is working with Carlton Schwartz on the signage and lighting and committee will bring back recommendation at the April Board meeting.

#618 Green – rocking chair and plants

Architectural Committee recommended that the Board deny #618 Green requests for approval of rocking chair and green plants at front door entrance due to plastic furniture not acceptable.

Proposed rule change procedure:

There was a discussion regarding the process by which rule changes would be made. John Darrah, President stated that there is to be a **two step process** by the board in which rule changes would be adopted.

- If a significant rule is changed (or new one adopted) it has to be passed at a regularly scheduled board meeting or First Reading. It would then be promptly posted with the exact new rule language.
- Then at the following regularly scheduled board meeting, the rule change would then be again brought before the board for a second reading. And then, after having input from all interested parties, **if** the rule change was again approved as written, it would then be adopted and the rule would go into effect.

John Darrah commended Mary Sowell and the committee for the letter explaining to the owners why the committee wanted the various rule changes.

Architectural Committee recommended the **deactivation of the car entry gate keypad.**

Morris Leavins made a motion to approve the Architectural Rules and Regulation committee's recommendation to deactivate the car entry gate key pad. Motion was seconded and passed. John Darrah – yes, Sara Ross – absent, Anne Miller – yes, Mary Sowell – yes and Morris Leavins – yes.

There was discussion of the timing of the implementation of this new rule.

Mary Sowell made a motion for the deactivation to be made effective at this meeting; however, to become implemented in 30 days providing written notice to owners of the change. Motion was seconded and passed. John Darrah – no, Sara Ross – absent, Anne Miller – yes, Mary Sowell – yes and Morris Leavins –yes.

The board elected to override the proposed rule change procedure for the gate keypad and voted that it would be deactivated in 30 days after it was announced as reflected in previous motion. John Darrah was the dissenting vote.

Architectural Committee recommended that decals be required for all Harbour Village resident vehicles.

Morris Leavins made a motion to approve the Architectural Rule and Regulation committee's recommendation of proposed new rule to require parking decals for Harbour Village residents. Motion was seconded and passed. John Darrah – yes, Sara Ross – absent, Anne Miller – yes, Mary Sowell – yes and Morris Leavins –yes. See rule change below.

Architectural Committee recommended a speed limit of 8 MPH on the property.

Morris Leavins made a motion to approve the Architectural Rule and Regulation committee's recommendation of proposed new rule adding a speed limit of (8) miles an hour upon entering garage. Motion was seconded and passed. John Darrah – yes, Sara Ross – absent, Anne Miller – yes, Mary Sowell – yes and Morris Leavins –yes. See rule change below.

Proposed New Rule:

Current rule: All vehicles are to be registered with the management company.

New Rules Parking decals will be issued and displayed where they are easily visible on the bottom driver's side windshield at all times while on the property. Vehicles must be operated in a safe manner at all times on the property and never in excess of 8 miles per hour.

Architectural Committee recommended a new rule to lease addendum requiring Association approval of all leases.

Morris Leavins made a motion to approve Architectural Rule and Regulation committee's recommendation of proposed new rule to lease addendum requiring that all owners leasing their units provide an application to the Association at least 10 days prior to occupancy and submit \$fee for background and credit check. Motion was seconded and passed John Darrah – yes, Sara Ross – absent, Anne Miller – yes, Mary Sowell – yes and Morris Leavins –yes. See rule change below.

Proposed New Rule:

Tenant Approval: Application must be submitted to Association at least 10 days prior to occupancy and submit \$fee for background and credit check. All tenants will be automatically approved, unless there are warrants or derogatory information on their background check.

Architectural Committee recommended new rule requiring owners that lease their unit, to relinquish their rights of use to their tenants, to include all common elements.

Anne Miller made a motion to approve Architectural Rule and Regulation committee's recommendation for proposed new rule requiring unit owners relinquish their right of use to their tenants, also relinquish their right of use of all common elements such as pool, clubhouse, and park during term of lease. Motion was seconded and passed. John Darrah – yes, Sara Ross – absent, Anne Miller – yes, Mary Sowell – yes and Morris Leavins –yes. See rule change below.

Proposed New Rule:

Owners, who have rented their units and relinquished their right of use to those tenants, may not use Community Amenities during that lease period and/or tenant occupancy.

Architectural committee will proceed with further review of pool tags/bands and handicap spaces.

Budget Committee: Jerry Sowell, Chairman. No report provided

Hurricane Committee: Nathan Miller, Chairman. No report provided.

Maintenance Committee: Morris Leavins, Chairman. Morris Leavins provided verbal report.

Committee will work on maintenance report for slip resistance on walkways and organization of the condominium blueprints.

Social and Recreation: Theonne Harris and Peggy Caldwell. No report provided.

John Darrah asked residents for any questions or suggestions. Hearing none then adjourned the meeting

718.106 Condominium parcels; appurtenances; possession and enjoyment.--

(1) A condominium parcel created by the declaration is a separate parcel of real property, even though the condominium is created on a leasehold.

(2) There shall pass with a unit, as appurtenances thereto:

(a) An undivided share in the common elements and common surplus.

(b) The exclusive right to use such portion of the common elements as may be provided by the declaration, including the right to transfer such right to other units or unit owners to the extent authorized by the declaration as originally recorded, or amendments to the declaration adopted under s. 718.110(2).

(c) An exclusive easement for the use of the airspace occupied by the unit as it exists at any particular time and as the unit may lawfully be altered or reconstructed from time to time. An easement in airspace which is vacated shall be terminated automatically.

(d) Membership in the association designated in the declaration, with the full voting rights appertaining thereto.

(e) Other appurtenances as may be provided in the declaration.

(3) A unit owner is entitled to the exclusive possession of his or her unit, subject to the provisions of s. 718.111(5). He or she is entitled to use the common elements in accordance with the purposes for which they are intended, but no use may hinder or encroach upon the lawful rights of other unit owners.

* (4) When a unit is leased, a tenant shall have all use rights in the association property and those common elements otherwise readily available for use generally by unit owners and the unit owner shall not have such rights except as a guest, unless such rights are waived in writing by the tenant. Nothing in this subsection shall interfere with the access rights of the unit owner as a landlord pursuant to chapter 83. The association shall have the right to adopt rules to prohibit dual usage by a unit owner and a tenant of association property and common elements otherwise readily available for use generally by unit owners.

March 1, 2010

We are enjoying the wonderful opportunities that living at Harbour Village allows us as owners and residents, and it seems that “others” are enjoying our property also. As a result, complaints of parking issues, rowdy behavior at the pool, use of facilities by non-owners and residents, and many parking problems have been drawing a majority of the complaints by residents for quite some time now. The Architectural/Rule and Regulation Committee has been looking at ways to address the issues while still preserving the great quality of life we have here at Harbour Village.

These recommendations to the board have come after over a year of discussions, drafting’s, postings, redrafts, and more meetings. The committee list is attached and all meetings have been open to the owners. The cost of the recommendations is minimal.

Many of the problems that we are addressing ultimately comes from excessive use of gate codes by outsiders and those who come and go by using old codes, using amenities such as pool and gym without permission and without being accompanied by an owner. These are just a few examples of situations:

Non-owner, non-residents driving into the garage, unloading multiple children and floats, using the pool, loading up and driving off.

Two different families totaling 10 people, non-owner, non-resident, not accompanied by owner, chicken fighting in the pool (parents included), running around the pool, loud and rowdy.

Two non-owner, non-residents driving into garage using gym, not returning equipment where it belonged, left TV and lights on and then driving off.

Some may say “Well that sounds harmless”, but have you considered that these type guests don’t give a hoot about our property and take care of it that same way, or that owners who have actually paid to have these nice amenities can’t enjoy them because these people are tying them up or behaving in ways that residents can’t enjoy them. Well that is what is going on.

Those of you who haven’t been involved in this long process may ask question Well why don’t they just.....ask them to stop? Ask them to leave? Who ask them to stop? Hire Security? We have been working through many scenarios for over a year and this is what we recommend:

Gate Access

Stop the problem before they come in the gate: Gate codes have been and are just too easy to get and too easy to pass around. Do you think we want to inconvenience ourselves? Heck no! But faced with the situation we feel this will go a long way to resolving our problems and we are willing to forego the inconvenience to give this resolution a try. The Committee is recommending that the four digit codes be disabled from the vehicle entry gate only. **The gate will still open for gate remotes, and magnetic cards.** Visitors will still be able to call owners/renters from the call box. The pedestrian gate will remain the same. This does not require a rule change just a vote by the board.

Garage/Parking/Speed Limit

PROBLEM:

1. Cars park on sidewalks, overnight in loading zone, in the middle of the drive inside the garage, yes! On multiple occasions. Although management has some vehicle tag numbers on record, it is cumbersome and hard to identify cars by this method. It is too time consuming to go door to door looking for the owner and although we have the means to tow, we seem to suffer from towing reluctance. 2. Units are rented short term or without notification and proper paperwork to the Association.

The Committee is recommending two removable parking decals per unit. Owners will receive two decals of a color and may place them on any two vehicles. They are removable and can be transferred. Renters will receive two of a different color. This will allow management and owners to monitor cars in the garage and identify parking violators more readily and get the situation solved quickly. It will also alert Management when Tenants have not registered with the Association.

PROBLEM:

Close encounters of the collision kind when entering and exiting the garage. 2. Excessive speed in the garage.

The Committee is recommending a speed limit of 8mph upon entering the gate and in the garage. All vehicles must be properly parked in the spaces provided. The loading/unloading parking space by the Clubhouse should be limited to 15 minutes.

RULE CHANGE

All vehicles are to be registered with the management company. Parking decals will be issued and displayed where they are easily visible on the bottom driver's side windshield at all times while on the property. Vehicles must be operated in a safe manner at all times on the property and never in excess of 8 miles per hour.

Storage of materials in the garage by Residents or Guests is prohibited.

All vehicles must be parked only in the spaces provided for parking.

The parking space marked Loading Zone Only next to the entrance to the clubhouse is reserved for active loading and unloading only with a 15 minute maximum.

PROBLEM:

1. Moving vehicles parking overnight in the drive, leaving grease, and damaging pavers. (We need coordination with Management) 2. Personal items being left in the garage.

These are just clarifications and restatements of what is already in the condo docs and rules, placed in the appropriate area of the rules.

RULE CHANGE: Vehicles, including moving vans and trucks, with more than four (4) wheels shall not be permitted to park temporarily or permanently upon the Common Elements, without prior consent of the Association.

Owner/Renter Dual Usage of Amenities:

We knew the day would come when more residents would be moving into the community and enjoying the amenities. We feel now is the time to address dual usage which causes a strain on those facilities.

The Committee recommends that Owners-who by the rules already relinquish their right of use to their tenants, also relinquish their right of use of all common elements such as pool, clubhouse, and park. This is for the duration of the rental period.

RULE CHANGE:

Owners, who have rented their units and relinquished their right of use to those tenants, may not use Community Amenities during that lease period and/or tenant occupancy.

CHANGE ON TENANT ADDENDUM:

Obviously this should be self explanatory that living in a gated community or any close community that a certain amount of scrutiny should be performed. This is a common practice in property management.

Tenant Approval: Application must be submitted to Association at least 10 days prior to occupancy and submit \$fee for background and credit check. All tenants will be automatically approved, unless there are warrants or derogatory information on their background check.

I want to thank the following members of the Architectural/Rules and Regulations Committee for all their hard work and for giving the amount of time that is required of members of this committee.

Clarence Springer
Anne Miller
Patty Leavins
Dorothy Peterson
Barbara Beville
Curtis Horton
Jack Gallira
Sara Ross
Dennis Soucy

We also want to thank the following people for taking the time to attend meetings, make contributions and give feedback since working on the above issues.

Morris Leavins
Joe Hassler
Barbara Gallira
Jeanne Horton
John Darrah
Chris Pariseau
Gerry Clemons
Dennis Fuller

Thank you for your continued cooperation and contributions.

Mary Sowell
Chairman-Architectural Rules/Regulations Committee

Harbour Village - Architectural Control and Rules & Regulations Committee
Notes From Meeting on 1/12/10

Issues Voiced By Committee Members	Possible Solutions
1. People who do not rent or own here are using the amenities including the pool, exercise room, and garden area.	How are they getting through the gate system? We could eliminate or re-issue the codes.
2. Possible duplication of keys to exercise room.	We can rekey the exercise room. We can review the camera placement also review the video to see we can determine who these people are or what time they visit. We can post someone at the exercise room to ask users if they own or are a resident.
3. We cannot easily determine if people belong here.	We can implement a decal for automobiles. We can implement an arm band for use of the pool and exercise room.
4. There are people hanging out in the garage who do not belong here.	How are they getting through the gate system?
5. There were problems last year at spring break with renters having too many guests.	We can send out a notice in advance of Spring Break reminding everyone that they need to accompany their guest.
6. People are coming on to the property and parking in the garage during local events.	How are they getting through the gate system? We could eliminate or re-issue the codes.
7. Many vendors have codes to gates and get access when the owner is not home.	How are they getting through the gate system? We could eliminate or re-issue the codes.
8. There are too many renters at Harbour Village.	
9. Renters are causing problems because they do not respect the property.	We can enforce the existing rules more stringently.
10. There are young people approximately 20 yrs old running on the walkways.	
11. Moving trucks are being parked and left for the entire weekend.	We can add a rule that requires specific times for the move in and the rule could not allow weekend move ins or outs. Although move outs on the last day of a month that fall on a weekend would be hard to disallow.
12. People are using the luggage carts for moving in.	We could provide a cart for move ins that is more heavy duty.
13. People are speeding in the garage and have almost hit others walking in the garage.	We can add a rules that contains a speed limit and then post those limits. We can view the video to catch speeders.
14. There are people who exit the property through the entry gate.	
15. There are not enough handicapped parking spaces.	We can add more handicapped spaces.
16. Committee members are concerned that patrons of the new spa and salon will park in the garage.	We can require decals making it easy to spot those that do park inside the garage.
17. Cars are being parked and not used for extended periods of time.	We can add a rule allowing long term parking and place the long term parking at the most undesirable parking spots.

Harbour Village Condominiums
Architectural Control and Rules & Regulations Committee
Notes From Meeting Held On January 26, 2010 at 4:00 PM

The following members were present:

Mary Sowell, Dennis Soucy, Clarence Springer, Jack Gallira, Sonny Horton, Sara Ross, Patty Leavins, Dorothy Peterson, Anne Miller

Dennis Fuller handed out the attached list of issues presented at the prior meeting and the Committee discussed each issue.

Mary Sowell asked the Committee Members the following questions and the Members voted as indicated:

Gate Codes

How many Members are in favor of recommending to the Board of Directors that the four digit access codes be eliminated? 6 voted in favor

How many Members are in favor of recommending to the Board of Directors that the four digit access codes be re-issued? 2 voted in favor

Parking Decals

How many Members are in favor of recommending to the Board of Directors that Owners be issued two removable parking decals? 8 voted in favor

How many Members are in favor of recommending to the Board of Directors that Rental Tenants be issued two permanent parking decals that are a different color than Owners? 8 voted in favor

Dual Usage of Amenities

How many Members are in favor of coming up with rules to control dual usage of the amenities when a unit is rented? 8 voted in favor

Dennis agreed to provide the following items at the next meeting:

Proposed rule language to control the dual usage of the amenities.

A move-in form that requires a specific window of time for the move in.

Proposed rule language to control speed in the garage.

Office/Generator

The Committee was directed by the President to discuss the possibility of changing the electrical wiring so that our existing generator could provide electrical power to the office in the event of an extended power outage. It was suggested that a portable generator be used instead and Sonny Horton agreed to donate a brand new portable generator that he is not using.

Harbour Village
Architectural Control and Rules & Regulations Committee
Minutes of Meeting on February 18, 2010

The meeting was called to order by Mary Sowell at 4:05 PM.

The following Members were present: Mary Sowell, Dennis Soucy, Clarence Springer, Patty Leavins, Dorothy Peterson, Anne Miller, Sara Ross, Barbara Gallira, Jeanne Horton

Mary provided the current Rules and Regulations which included the proposed new language with the new language underlined and in red print.

There was a discussion regarding speed limits. Sara Ross made a motion to recommend setting the speed limit on the property at 8 mph. The motion was seconded and passed.

There was a discussion regarding recommending changing Vehicle rule # 9 as follows:
9. Vehicles, including moving vans or trucks, with more than four (4) wheels shall not be permitted to park temporarily or permanently upon the Common Elements without the prior consent of the Association.

Mary asked for all those in favor of recommending this change and the vote was unanimously in favor.

There was a discussion regarding the following Vehicle rule additions:

1. All vehicles must be parked only in the spaces provided for parking.
2. Vehicles must be operated at a safe speed at all times on the property and never in excess of 8 MPH.
3. The parking space marked Loading Zone Only next to the entrance to the clubhouse is reserved for active loading and unloading only.
4. Storage of materials in the garage by Residents or Guests is prohibited.

Mary asked for all those in favor of recommending these additions and the vote was unanimously in favor.

There was a discussion regarding dual usage of the amenities by an Owner and a Tenant when a unit is rented. In Mary's handout the following language was provided as an addition to Common Area rules:

16. Owners who have rented their unit and relinquished their right of use to those tenants, may not use Community Amenities during that lease period and/or tenant occupancy.

Mary asked for all those in favor of recommending this addition and the vote was unanimously in favor.

The meeting adjourned.