



# Community Newsletter

The Voice of Condominium, Civic, & Homeowner Associations of Pasco County

Volume 5 - Issue 2

Council of Neighborhood Associations, Inc. since 1985 - Incorporated 1987

February 2007



## Board of Directors

### Officers

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#### Secretary

Florence Weber 376-2001  
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#### Directors

Pat Gorecki 846-0143  
Program Chairman

#### Vacancy - Director

Ernie Reed 869-8991  
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Government Committee

Reynolds Smith Sr. 863-0734  
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Jim Turtle 938-3878  
Government Committee

**C.O.N.A.  
Meeting  
Wednesday  
February 21, 2007  
9:30 a.m.**

**at  
New Port Richey City Hall  
at 5919 Main Street**

**Speaker for this meeting will be  
Commissioner Michael Cox**

**Pasco County's newest  
commissioner**

**Michael has several subjects to  
discuss to be followed by Q&A's  
Lots of action is before the  
commissioners that affect HOA's**

C.O.N.A. meetings are open to the  
public. Bring someone with you.

### **"MAKE EVERY CAR A CARFULL"**

Try to encourage someone from your  
association's board of directors to attend  
our meetings, or send a representative.

Our program chairman, Pat Gorecki,  
could use a few suggestions for the  
kinds of subjects you're interested in so  
we can enlist speakers to have at our  
meetings. If you have a problem in your  
community, we may be able to enlist  
someone to speak at our meetings that  
may be able to help you.  
Just let us know your trouble areas.

If you have any suggestions for the kind  
of articles you would like to see  
addressed in our Newsletter, please  
don't hesitate to call the editor. ♥

## **OUR SPEAKER**

and newest Pasco County Commissioner



Michael Cox, CFP® was born in  
Springfield, Illinois and moved to  
Pasco County in 1971 at the age of  
6. He graduated Gulf High School in  
1982. Mr. Cox is a graduate of the  
Pinellas Vocational Technical  
Institute and University of South  
Florida's Certified Financial  
Planning Program. Mr. Cox is a  
Certified Financial Planner™.  
Michael served the City of Port  
Richey for three terms on the City  
Council, the last of which he was  
elected as Mayor. On 11/07/2006, Mr.  
Cox was elected to the Pasco County  
Commission to represent District 4.  
Michael is a founding member of  
Pasco County Safety Town and  
continues to serve on the Board of  
Directors. He is an Honorary Life  
Member and Past State President of  
the Vocational Industrial Clubs of  
America. Michael is Past President  
and current member of the Holiday  
Rotary Club.

Michael's greatest love in life is his  
wife Abbey who he married in 1993.  
Michael enjoys boating, fishing and  
volunteering for community  
activities. ♥

# Hurricane Preparedness and Insurance Bill

by State Senator Ted Deutch, District 30 - via e-mail

As you are well aware, the escalating cost of property and casualty insurance has been the focus of the legislature in January. As the Vice-Chair of Senate Banking & Insurance Committee, and Vice-Chair of the House-Senate Conference Committee that worked through this bill, I want to assure you that this piece of legislation was written to lower insurance premiums and to level the playing field between consumers and insurance companies in the State of Florida.

I want to share with you the outcome of our efforts. While it is unfortunate that the legislature's failure to act in the past two years has resulted in a dramatic increase in insurance costs, I am proud that in my first two weeks in the Senate, my colleagues and I have taken the initial steps toward meaningful consumer-friendly relief.

On Monday, January 22, 2007, the Legislature (House and Senate) voted on and passed the Hurricane Preparedness and Insurance bill. Governor Charlie Crist signed this legislation into law this morning. Below is a description of this bill, and what this bill will do for us:

## FLORIDA HURRICANE CATASTROPHE FUND (CAT FUND)

This bill expands the CAT fund to provide additional layers of coverage (reinsurance) for insurance companies and Citizens Corporation at a much lower rate and requires the savings to be passed directly to consumers.

## MANDATORY RATE ADJUSTMENT TO REFLECT SAVINGS

This bill will require that all residential property insurers make a rate filing with the Office of Insurance Regulation (OIR) which will reflect savings to policy holders due to the provisions of this act.

This bill will prohibit insurers from obtaining a rate increase due to the election of coverage options from the CAT Fund.

## ADDITIONAL PRO-CONSUMER MEASURES

This bill prohibits excess profits and requires refunds to consumers of any excess profits collected by an insurer over a ten-year period, if certain thresholds are met.

It prohibits a "cooling off" period until January 1, 2009. We will continue to work to make this change permanent.

It suspends use of the arbitration panel until January 1, 2009.

It will allow property and casualty insurers to offer multi-line discounts, meaning the policyholder gets a discount on their homeowners policy if he has additional policies such as auto insurance.

It repeals a provision that allowed insurers to increase rates 10% without approval from the OIR.

## LOW-INCOME GRANT PROGRAMS

This part of the bill states that the Legislature intends to create (during the 2007 Legislative Session) a grant program to facilitate the purchase of property insurance by low-income persons to protect their homestead property.

## INSURANCE FOR CONDOS AND HOME OWNERS ASSOCIATIONS

This bill specifies adequate insurance under the Act for a group of at least three communities operating as residential condos, cooperatives, homeowners associations, or timeshare entities. The bill also makes available to condominium associations other forms of insurance not currently available.

## POLICY CHOICES

This bill will require insurance companies to sell policies that don't cover wind damage, if the policyholder writes a statement, saying they want to go without hurricane coverage. Remember, many banks may not let homeowners do that if they still have an outstanding balance on their mortgage.

*This bill prohibits property insurers from denying coverage based solely on the age of the home.*

This bill will allow policy holders to choose higher deductibles than they're currently allowed to have, taking on more risk themselves in the event of a loss in exchange for lower premiums.

*This bill will require insurers to allow policyholders to go without coverage for contents of their home if the policyholder personally writes a statement that they do not want such coverage.*

This bill allows policyholders (personal residential and commercial) to pay premiums in a quarterly or semiannual basis.

## BUILDING CODE

This bill deletes the "Panhandle exemption" from the building code for the area from Franklin County to the Alabama border in the Panhandle. The exemption, in effect since 2000, enabled homes farther than one mile from shore to be built to lesser standards than in the rest of the state.

## FLORIDA DISASTER RECOVERY INITIATIVE

This bill for FY-6-07 (fiscal year 2006-2007) provides an appropriation of \$100 million from the Community Development Block Grant Program Fund, to the Department of Community Affairs. This funding will be allocated to the counties to harden single-family and multi-family affordable housing.

# signed by Governor Charlie Crist Jan. 22, 07

## CITIZENS PROPERTY INSURANCE

This bill will allow Citizens to write policies that cover risks other than wind damage in certain areas, meaning that it can spread its risk more and thus lower rates.

This bill rescinds a 21% average rate increase that took effect January 1, 2007. It will require Citizens to provide refunds to customers who were paying this rate.

This bill freezes rates at the December 31, 2006 level for the remainder of this year.

This bill cancels a 56% average Citizens rate increase that was scheduled to go into effect in March of this year.

This bill deletes a requirement that Citizens rates be non-competitive and no lower than the top 20 insurers.

This bill will require rates to be actuarially sound

This bill will delay, until 2008, a requirement that Citizens impose up to a 10% assessment on all non-homestead policyholders, in the event of a deficit. It will also delay, until 2008, the requirement that Citizens impose a 10% renewal surcharge on all of its policy holders if the non-homestead assessment is not sufficient.

This bill will allow Citizens to write commercial coverage statewide.

This bill expands the assessment base for Citizens to be the same as the CAT Fund, with the exception of workers' compensation, accident and health, and medical malpractice.

## PUPS

This bill raises the surplus requirements for a domestic residential property insurer that is wholly-owned subsidiary of an insurer authorized to do business in another state.

## "CHERRY-PICKING"

This bill requires insurance companies that write auto insurance in Florida, and homeowners policies in other states, to also write homeowners policies in Florida - unless an affiliate of that company already does so. This provision goes into effect January 1, 2008.

## RE-INSURANCE

This bill will allow state regulators to waive deposit requirements for foreign-based reinsurance companies. The idea is, to lure more worldwide reinsurers to sell coverage to Florida companies, raising the possibility they'll be able to find additional cheaper reinsurance and pass on savings to the consumer

## SELF-INSURANCE; BONDING AUTHORITY

This bill will allow alliances of two or more hospitals, licensed and located in Florida, for property coverage.

It allows the alliance of hospitals in special districts, county hospitals, or municipal hospitals, to borrow and bond, to finance property coverage and claims.

It allows local governments to self-insure. It also allows governmental entities to bond in order to finance property coverage and claims.

Finally, this bill allows one or more community associations (condos,

co-ops, homeowners, timeshare and vacation, mobile home park lot tenant associations) to apply to OIR (Office of Insurance Regulation) to form a commercial self-insurance pool for property and casualty insurance.

Please note that I will be meeting with the Office of Insurance Regulation (OIR) to help identify the steps that our condo and community associations must take to pursue this self-insurance option. I will also bring the appropriate officials to the District to help these groups move forward. ♥

## \*\*\*UPDATED STANDARD WATERING SCHEDULE\*\*\*

### POTABLE WATER CUSTOMERS:

Pasco County remains on a one day/week watering schedule. Your potable water irrigation time of day has changed.

Please note the new watering times are from 12:01 a.m. to 8:00 a.m. OR 6:00 P.M. TO 11:59 P.M.

**NO POTABLE WATER IRRIGATION ON SATURDAY OR SUNDAY.**

Based on the LAST NUMBER of your address: 0-1(Monday)2-3(Tuesday)4-5(Wednesday)6-7(Thursday)8-9(Friday)

Editor Hints: Check for leaky faucets (inside & out) Cut back on the force of water when showering. Check sprinkler heads. ♥





# IN THE WORKS

As referred to on page 2 and 4

HB 433 - Community

## Associations

General Bill by Domino (co-sponsor)

Anderson - (Summary)

**Community Associations:** Provides for revival of certain covenants that have lapsed; prohibits local governments from limiting access of certain persons to beaches adjacent to or adjoining condominium property; revises provisions relating to amendment of declarations, material alteration or **substantial additions, mixed-use** condominiums, improvements subject to equity club form of ownership, & corporations operating residential homeowners' association; requires association to provide certain information to prospective purchasers or lienholders; provides for architectural control covenants & parcel owner improvements; requires budget to provide for annual **operating expenses**; authorizes **reserve accounts** for future expenses to be maintained; requires developers to deliver financial records to board in transition of association control to members; increases ability of community developer to guarantee common expenses; revises provisions relating to dispute resolution.

Effective Date: July 1, 2007

Now in Safety & Security Council on Wednesday, January 31, 2007 8:09 PM

## SB902 GENERAL BILL By James Compare HB433) (Summary)

**Homeowners' Associations:** requires such associations to prepare annual budget that sets out its operating expenses; requires that budget set out all fees or charges that are paid by association; prohibits developer-controlled association from voting to use reserves for other than intended purposes under certain circumstances; requires developer to deliver financial records & source documents to association; provides for establishment of guarantee of assessments, etc. Amends 720.103, 307, 308. EFFECTIVE DATE:

Upon becoming law.

1/25/07 SENATE Filed

WILL KEEP YOU POSTED. ♥



## Members of C.O.N.A. who passed recently.

*Charlie Rifkin was a board member for C.O.N.A. and was instrumental in arranging Christmas Appreciation Breakfasts while he was on the board.*

*Don Waldman was one of the first board members of C.O.N.A., active in getting C.O.N.A. started, and constructing the first bylaws in June of 1985.*

*Roland Quinn was a member of C.O.N.A. and also a member of Pasco Republican Club.*

*John Panici was a member of C.O.N.A.*

*Condolence cards were sent to their families from C.O.N.A.*

## NEW OFFICERS AND INDIVIDUAL MEMBERS

**Foxwood at Trinity HOA** - Pres., Jay Demyan; VP., Diane Kocienda; Sec., Michael Morganti; Treas., John Aubrey

**Forest Lakes Estates Civic Assoc.** - Pres., Shawn Foster; VP., Viola Gates; Sec., Marie Lucas; Treas., Chuck Eckerson

**Gulf Harbors Civic Assoc.** - Pres., MaryLou Hontz; VP., Frank Bifulco; Sec. Genie Johnson; Treas., Kay Hilgen

**Autumn Oaks HOA** - Pres., Julia Dickie; VP., Bob Pellitier; Sec., James O'Neal; Treas., Daniel Carey

**Magnolia Valley Civic Assoc.** - Pres. Roger Borger; VP., Richard Musgrave; Sec., Lisa Yolen; Treas., Jeffrey Turner

**Gulf Trace HOA** - Pres., Charles Tuider; VP., Jeanine Brunning; Sec. Lynn Dennie; Treas., Susan Davidson

**Signal Cove** - Pres. Doug Backes; VP. David Ertle; Sec. Carrie Hiller; Treas. Carol Ertle;

**Gulf Landings HOA** - Pres., Chris Thomas; VP., Barry Wolfe; Sec., Dona Rose; Treas., Ali Golji

**Embassy Hills Civic Association** - Pres., Wanda Stickler; VP. Donald Nuce; Sec. Georgianna Nuce; Treasurer ?

**Gulf Harbors Woodlands HOA** - Pres. Sharon O'Donnell; VP Art Brusco; Sec. Robert Woodland; Treas., Kyle Kummer

### NEW - ASSOCIATION MEMBERS:

**The Wilds** - Pres. Robert Consalvo, VP., Leonard Slade; Sec., Jane Mahar; Treas., Don Silipigni

**Dollar Lake Vlg Condo II** - Pres., John Bobowski

### INDIVIDUAL NEW MEMBERS:

Loretta Bolender of Estates of Beacon Woods East

Shirley Dayton of Barrington Woods

Florence Duchnowski of River Bend

Daniel Meahl of Beacon Woods Vlg

Larene K. Rolfes of Viva Villa

Lora Rozkowski of Lakeside Woodlands ♥

## Meeting Dates - November Annual Meeting & December Breakfast

2007

JANUARY							FEBRUARY							MARCH							APRIL						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
7	8	9	10	11	12	13	4	5	6	7	8	9	10	4	5	6	7	8	9	10	1	2	3	4	5	6	7
14	15	16	17	18	19	20	11	12	13	14	15	16	17	11	12	13	14	15	16	17	15	16	17	18	19	20	21
21	22	23	24	25	26	27	18	19	20	21	22	23	24	18	19	20	21	22	23	24	22	23	24	25	26	27	28
28	29	30	31				25	26	27	28				25	26	27	28	29	30	31	29	30					
MAY							JUNE							JULY							AUGUST						
6	7	8	9	10	11	12	3	4	5	6	7	8	9	8	9	10	11	12	13	14	5	6	7	8	9	10	11
13	14	15	16	17	18	19	10	11	12	13	14	15	16	15	16	17	18	19	20	21	12	13	14	15	16	17	18
20	21	22	23	24	25	26	17	18	19	20	21	22	23	22	23	24	25	26	27	28	19	20	21	22	23	24	25
27	28	29	30	31			24	25	26	27	28	29	30	29	30	31					26	27	28	29	30	31	
SEPTEMBER							OCTOBER							NOVEMBER							DECEMBER						
2	3	4	5	6	7	8	7	8	9	10	11	12	13	4	5	6	7	8	9	10	2	3	4	5	6	7	8
9	10	11	12	13	14	15	14	15	16	17	18	19	20	11	12	13	14	15	16	17	9	10	11	12	13	14	15
16	17	18	19	20	21	22	21	22	23	24	25	26	27	18	19	20	21	22	23	24	16	17	18	19	20	21	22
23	24	25	26	27	28	29	28	29	30	31				25	26	27	28	29	30	23	24	25	26	27	28	29	

**Brian E. Corley**

**Supervisor of Elections**

**Pasco County**

**Post Office Box 300**

**Dade City, FL 33526-0300**

February 2, 2007

**CONA**

RE: Letter to the Editor

As the newly appointed Supervisor of Elections for Pasco County, I would like to pledge my commitment to the citizens of Pasco County to serve them with integrity and professionalism. I will strive to be one of the best Supervisors in our great State.

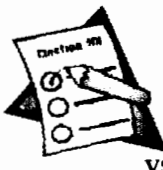
I am honored by Governor Crist's appointment and welcome this opportunity to serve the citizens of Pasco County. My staff and I stand ready to assist the citizens of our county and I will personally commit to build upon the tremendous strides achieved during the tenure of Secretary of State Kurt Browning.

My primary goal is to work hard to earn your trust and confidence. I will be tenacious and enthusiastic in pursuing this endeavor.

Again, it is with great honor that I look forward to serving you as the Supervisor of Elections.

Sincerely,  
signed - Brian Corley

Editor's Note: typed verbatim from original letter received via e-mail.



## PROXY VOTING BY BOARD MEMBERS

vs. attendance by telephone

We are often asked if board members may assign their board voting rights to another board member or other person. While the answer is "no," the use of speaker phones may be a viable alternative when a board member is unable to attend in person.

### A. ASSIGNMENT OF BOARD MEMBER VOTING RIGHTS:

Both Section 718.111(1)(b), Florida Statutes for condominiums and Section 720.303(2)(c)3, Florida Statutes for HOAs contain the following statement:

**Directors may not vote by proxy or by secret ballot at board meetings, except that secret ballots may be used in the election of officers. (Emphasis added)**

Accordingly, board members may not assign their right to vote to any other party.

### B. ATTENDANCE BY TELEPHONE

Even though board members may not assign their right to vote to any other party, the following laws may allow both condo and HOA board members to attend board

meetings and vote by way of speaker phones.:

Section 617.0820(4), Florida Statutes which applies to both condo and HOAs, reads as follows:

**(4) Unless the articles of incorporation or the bylaws provide otherwise, the board of directors may permit any or all directors to participate in a regular or special meeting by, or conduct the meeting through the use of, any means of communication by which all directors participating may simultaneously hear each other during the meeting. A director participating in a meeting by this means is deemed to be present in person at the meeting (Emphasis added.)**

Section 718.112(2)(b)5, Florida Statutes then provides the following for condominiums:

**(5) When any of the board or committee members meet by telephone conference, those board or committee members attending by telephone conference, may be counted toward obtaining a quorum and may vote by telephone. A telephone speaker must be used so that the conversation of those board or committee members attending by telephone may be heard by the board or committee members attending in person as well as by any unit owners present at a meeting.**

*While Chapter 720 does not contain specific provisions relating to the use of speaker phones, it is our belief that HOAs should use the requirements contained in above cited Section 718.112(2)(b)5, Florida Statutes in order to comply with the "open Meeting" requirements imposed by Chapter 720.*

Please also remember that individual documents may forbid the use of speaker phones, so before this process is used, please consult your articles of incorporation and bylaws.

The Association e-Lawyer, Vol. V, Issue 18 from the firm of Taylor & Carls, P.A.

**The information contained in The Association e-Lawyer should not be acted upon without professional legal advice. The opinions expressed herein are as of the date hereof, and this firm undertakes no obligation to advise the Association of subsequent changes in the law.**

e-mail date - November 01, 2006 5:18 PM ♥

**DOOR PRIZE DONATION OMISSION**



The above contributor to our Christmas Breakfast drawings was omitted from the list in the January Newsletter. Director Reynolds Smith, Sr. won this basket and he said it was very nice. ♥

**Pasco County Ordinance No. 97-02  
STOPPING, STANDING AND PARKING.**

by Cona Director Jim Turtle

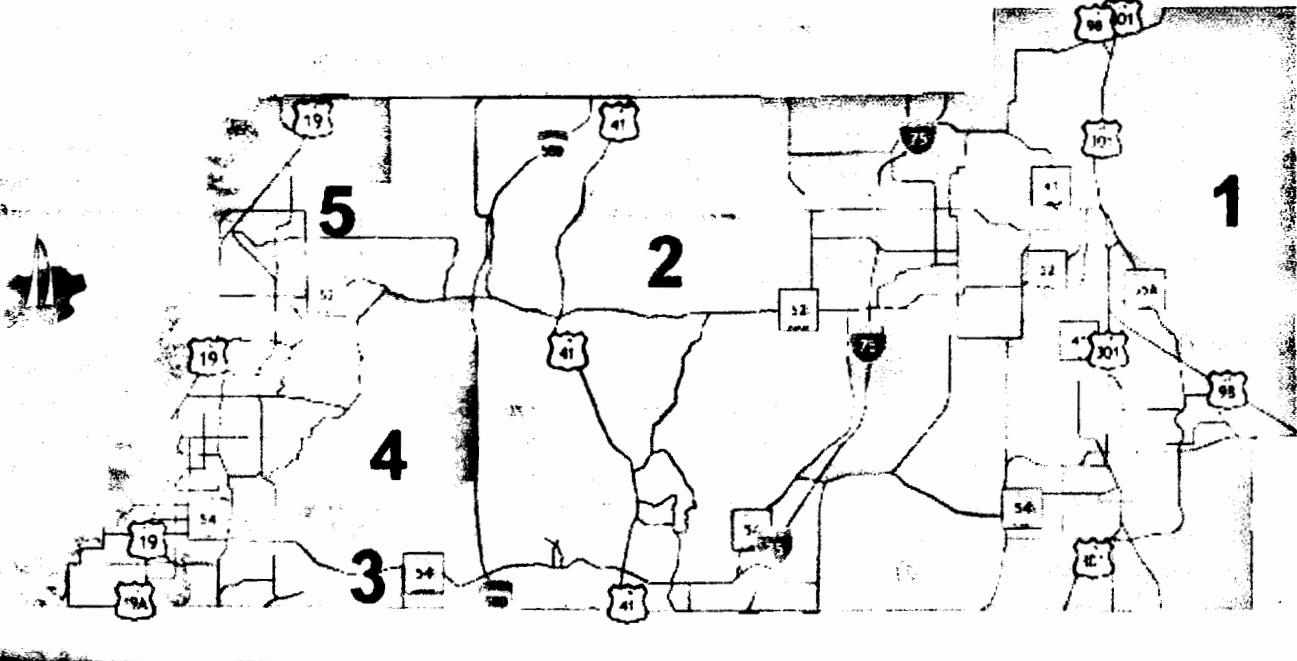
Prompted by a request from a Cona member, Directors Jim Turtle and Ernie Reed spoke with Pasco County Commissioners asking them to consider increasing fines for people parking their vehicles on residential streets in Pasco County. Commissioner Cox put this subject on the schedule for the January 9th meeting.

At the Jan. 9th meeting, the commissioners decided to have Pasco County staff look into the situation and report back to them at the meeting of January 23rd.

It was postponed again at the Jan. 23rd meeting. The Pasco County staff are overwhelmed with projects and won't be able to consider this request for six to eight weeks.

We'll keep you informed when there is a final decision. ♥

**DO YOU KNOW WHO YOUR COMMISSIONER IS?**



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