



# Community Newsletter

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

Volume 2 Issue 6

Council of Neighborhood Associations, Inc.

June 2004

## CONA

### Board of Directors

#### Officers

##### President

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philope@tampabay.rr.com

##### Vice-President

Pat Gorecki 846-0143

##### Secretary

Florence Weber 376-2001  
hogan1@gte.net  
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##### Treasurer

Reynolds Smith 863-0734  
reynoldssmithsr@msn.com

##### Directors

Ronald Hubbs 863-0392  
\*Membership  
msheahubbs@aol.com  
Ernie Reed 869-8991

Charles Rifkin 376-7525

George Thomas 848-8870

Jim Turtle 938-3878

### **ASK AN ATTORNEY !!**

Don R. Peyton, Attorney  
7317 Little Road, New Port Richey  
848-5997

*Several interesting decisions have been published by the appellate courts in Florida during the past two years. Of particular interest are some of those relating to condos, homeowners's associations, and real property.*

See "Did you Know?" page 2

## CONA Members Meeting

Wednesday, September 15

9:30 a.m. at

*New Port Richey City Hall.*

### ▷ Agenda ◁

Pledge of Allegiance  
Approval of Minutes  
Treasurer's Report  
Unfinished Business  
New Business  
Open Forum

CONA member meetings are always on the third Wednesday of the month. Your participation and support is always appreciated  
Bring a friend!

*Please share this Newsletter with other residents in your association.*

*Thanks!*

*Speaker for September- ?*

*Speaker for October is Property Appraiser, Mike Wells. He will demonstrate the nooks and crannies of Pasco County records. He will be on the Internet for his demonstration. Bring a notepad. If you don't have a computer you can use any library computer or go to the clerk's office at the Pasco County complex on Little Road.*

### 2004 CONA MEETING DATES

**Summer Break, June, July & Aug.**

September 15

October 20,

November 17 Annual Meeting.

December 15 Holiday Breakfast

If you have a computer and want to be notified of any breaking news, send your email address to hogan1@gte.net I will keep you posted by e-mail.

### From the President

It's hard to believe that it's June 2004 already. Another CONA year has past much too quickly.

Over the past several years, we've had the opportunity to share in the growth of CONA with the help of members of homeowner, civic, condominium, management companies, and individual members. Part of that growth was the addition of East CONA to our Association. I would also like to take this opportunity to thank our Board of Directors for their continued hard work, dedication, and support. Our Board of Directors work diligently to provide you with informative meetings, and invited guests throughout the year.

I would like to express my thanks to all of our members; our new members, and members who have supported our efforts over the past year by attending our meetings and/or writing letters, telephone calls, and personal contacts to help our cause. It was good to see new faces at our meetings. Kudos to our regular members who attend every meeting. We could not have accomplished what we've accomplished without your help.

Many members work full time and can't attend our meetings, but they continue to support CONA. We thank you!

We will continue to keep you informed of what we are doing, and present the latest bills passed by the House and Senate of the Florida Legislature that affect all residents in Pasco County.

CONA will take a summer break for June, July, and August. We are not disappearing for the summer. Feel free to contact any board member any time with suggestions for speakers, or "Ask an Attorney" questions you would like answered.

The Board of Directors wishes you a safe and happy summer! Hope to see you on September 15.

# DID YOU KNOW ?

from page 1

**Did You Know** - A unit owner's suit to force the condo association to enforce a provision of the condo declaration against another unit owner must be filed within five years of the alleged violation?

**Did You Know** - A code enforcement lien does not attach to homestead real property?

**Did You Know** - An "as is" clause in a contract for the sale and purchase of residential real property eliminates the seller's duty to repair, but does not eliminate the duty to disclose hidden defects materially affecting the value of the property?

**Did You Know** - Where homestead real property passes to a class of people who are "heirs" of the decedent, they take the homestead free from the claims of creditors of the estate?

**Did You Know** - Where a homestead is freely devised by the portion of the decedent's will referring to "all the rest, residue, and remainder of my property," it is property of the decedent's estate and is subject to sale by the Personal Representative to satisfy a specific cash bequest before it would pass to the persons who would receive it as "remainder of my property?"

**Did You Know** - Deed restrictions are extinguished under the Marketable Record Title Act by a subsequent root of title that has been of record for more than 30 years and they are not preserved by a later general reference to them in amended restrictions, according to the Fifth District Court of Appeal?

**Did You Know** - A property owner parking in his driveway a Chevy Astro Van that bears the painted words "Enjoy Coca Cola" does not violate a subdivision restriction providing that "no commercial trucks (except small pickup trucks) shall be permitted?" □

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## NOMINATING

*Election of CONA officers and directors for 2005 will take place at our November 17th Annual Meeting. If you are interested in serving in any capacity or would like to suggest someone else, please call Paul McClintock at 727-967-6000.*

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## GOOD NEWS!

from \*Florida Communications Commission\*

Last November, the FCC required wireless carriers in only the 100 largest cities to start allowing customers to switch and keep their numbers. Over 3.5 million numbers have been switched. Most of these --approximately 3.34 million--involved wireless customers switching from one wireless carrier to another. Approximately 229,000 involved landline customers taking their landline number to a wireless carrier. Just over 7,000 people transferred a wireless number to a landline phone.

Your phone number belongs to you, and you can take it with you--no matter where you live," said FCC Chairman Michael Powell. These changes will bring lower prices, more innovation and better service to everyone through the benefit of competition.

Editor's Note: Didn't we hear this when they broke up the baby-bells?

Federal Communications Commission number portability rules took effect on May 24, 2004 giving consumers the ability to change their wireless telephone provider and keep their number. **This now expands to cover the entire country.** □

Additional information is available at [www.fcc.gov](http://www.fcc.gov)

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Do you think gas prices are high? Gas is not really high if we deduct the taxes, but check out the following prices. Prices will vary from store to store.

HOW  
Evian water 8oz. @ \$1.19 = \$19.04 per gallon  
Lipton Ice Tea 16oz @ \$1.19 = \$9.52 per gallon

HIGH  
Pantene ProV Shampoo 10.2oz. @ \$4.29 = \$53.76 per gal.  
Scope 8.4oz. @ \$2.99 = \$45.82 per gallon

Liquid Paper 6oz. @ \$1.48 = \$31.56 per gal. (incl. tax)

Dove body wash 12oz. @ \$3.99 = 42.53 per gal.

Vick's Nyquil 6oz. @ \$3.79 = \$80.84 per gallon

Pepto Bismol 4oz. @ \$3.29 = \$105.28 per gallon

So...next time you're at the pump, be glad your car doesn't run on Nyquil, Scope, or Pepto Bismol!

## House Bill 511

### NEIGHBORHOOD CRIME WATCH PROGRAMS

Signed into law by Governor Bush on April 22, 04

Effective Date: July 1, 2004

Neighborhood Crime Watch Programs formally have been in existence since the 1960's. Their roots date back to colonial times when the night watchman patrolled the streets. In response to the advent of violent crimes and gang activity associated with the rise of illegal drug problems nationally, various groups began to form in an effort to "take back the streets."

These programs are community sanctioned and coordinated with local law enforcement. The principal concept is that local citizens in a neighborhood organize in an effort to monitor their areas for possible crime, either through actual patrols or by simply being vigilant and becoming familiar with their neighbors.

HB511 w/cs creates a new section of statutes which authorizes county sheriffs or municipal police to establish neighborhood crime watch programs. The programs may include local residents or business owners. The bill also creates two separate offenses:

1) Willfully harassing a person who is a member of a neighborhood crime watch program for the purpose of intimidating or retaliating against that person for his or her participation in the program and



2) Harassing a person for participating in a neighborhood watch program while such member is traveling to or from a watch program meeting or activity, participating in a meeting, or involved in an ongoing criminal investigation. The bill specifies that each is a first degree misdemeanor punishable as provided in s.775.082 and s.775.083, Florida Statutes. The bill provides a definition of "harass" as "to engage in a course of conduct directed at a specific person which causes substantial emotional distress in that person and serves no legitimate purpose."

#### 775.082 - (4)

For a misdemeanor of the first degree, by a definite term of imprisonment not exceeding one year.

#### 775.083 - Fines - (1) (d)

\$!,000, when the conviction is of misdemeanor of the first degree or a noncriminal violation.

(2)(a) A county may adopt an ordinance imposing, in addition to any other fine, penalty, or cost imposed by subsection (1) or any other provision of law, a fine upon any person who, with respect to a charge, indictment, or prosecution commenced in that county, pleads guilty or nolo contendere to, or is convicted of or adjudicated delinquent for, a felony, a misdemeanor, or a criminal traffic offense under state law, or a violation of any municipal or county ordinance if the violation constitutes a misdemeanor under state law. □

## **Recruiting New Members - Ron Hubbs**

New membership brochures were distributed at the May meeting of CONA.. Included in the brochure are data about CONA, the County, and forms for prospective new members. If you know any persons who are members of homeowner, condo, or civic associations that are not members of CONA, we hope that you will take the time to contact them about CONA or refer them to Ron Hubbs, Membership Chairman (863-0392.) Pasco County is a fast-growing vibrant county, and we want to grow with it. Here's hoping you all have a great summer...!! See you in September. □

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## **BOARD REPORT**

At the April 21st meeting, treasurer Reynolds Smith, reported a bank balance of \$2,553.69.

Guests were Marge Kloess and Rosemary Lyons.

Marge Kloess presented her petition to change the "Blue Bag" pickup from every other week to once a week. Marge mentioned that Wal-Mart's blue bags were acceptable for recycled materials.

Rosemary Lyons from Pasco County Animal Control presented her slide program on the different phases of animal control in the county. Rosemary informed members that an amendment on the current ordinance on animal control is currently being reviewed by County Commissioners.

Director Ernie Reed encouraged members to make an issue about the "noise ordinance."

Motion by Carol Smith to send letters to Superintendent of Pasco County School District, John Long, and a letter to Chairman, Board of County Commissioners, Peter Altman was approved by the membership. The letters were signed by President Mel Phillips, and President of East CONA, Larry McLaughlin. The letters indicated CONA's concern about "Impact Fees" being too low. Some CONA board members have been and will continue to meet with Pasco County officials on the matter of "Impact Fees."

*August Primary* candidates spoke for three minutes each at the May 19th meeting. Primary speaker at this meeting was Terry Thomas from Florida Department of Revenue. Mr. Thomas handed out booklets listing the responsibility of associations to pay taxes to the State. "If you rent your clubhouse for parties, etc., you must pay taxes on that money." You are entitled to two events per year that are tax free. Taxes must be paid on any events more than two, to the State of Florida.. You may be entitled to an exemption. Contact Mr. Thomas to find out how. More information is available in the booklets and are available from Mr. Thomas. Call him at 727-841-4404. His email address is [thomaste@dor.state.fl.us](mailto:thomaste@dor.state.fl.us)

You may pick up a booklet on homeowner association tax information at 8709 Ridge Road Suite 360. Follow the law! □

## **NEW PRESIDENT**

Beverly Hagel is the new president of Summertree Villas Homeowner Association.

## **NEW INDIVIDUAL MEMBERSHIPS**

Jeffery Turner of Magnolia Valley, and James Kennedy of Rosewood at River Ridge.

WELCOME ALL!

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**Judge people by what you find them to be.**

**Not what others find them to be !**

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## **COMMUNICATE COMMUNICATE COMMUNICATE !**

An essential element to managing a successful community is the implementation of a system to get information to the owners. The owners need to know what is being planned and why. *The solution* is to publish a community association newsletter. The newsletter should be neither political nor controversial.

There are also pitfalls if you don't know the law. Some associations mail a copy of the minutes of board meetings to the members before being approved. This policy results in the minutes being received by the owners of actions taken several weeks or even months earlier. This is not the most effective communications tool. As a matter of policy, minutes should not be distributed until approved by the board

Owners have a right to know who is behind in their dues payment...but **never, never**, print the names of owners, who are delinquent in paying their dues, in a newsletter.

You can hand deliver your newsletter, mail it, or put it on the Internet. Some printers will print it free if you let them put ads in your newsletter.□