

Community Newsletter

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

Volume 2 - Issue 7

Council of Neighborhood Associations, Inc. since 1985

September 2004

CONA

Board of Directors

Officers

President

Mel Phillips 872-2610
philope@tampabay.rr.com

Vice-President

Pat Gorecki 846-0143

Secretary

Florence Weber 876-2001
hogan1@gte.net
*Newsletter

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

IDENTITY THEFT PREVENTION TIPS

*Photocopy the contents of your wallet, copying both sides of each credit card. Keep the photocopies and account numbers at home in a safe and secure place. Also, list the telephone number by each copy of a card.

*Do not give personal information over the telephone, through the mail, or over the Internet unless you have initiated the contact.

* Shred documents and pre-approved credit applications received in your name.

* Never use your mother's maiden name, your birth date, or the last digits of your social security number as a password.

see TIPS page 3

CONA Members Meeting

Wednesday, September 15
9:30 a.m. at
New Port Kichey Cuy Hall.

▷ Agenda ◁

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

Kevin Brown will be the speaker for September 15.

Mr. Brown is with Independent Prepaid Legal Services and will be speaking on "Identity Theft."
Mr. Brown will have handouts.

CONA member meetings are always on the third Wednesday of the month. Your participation and support is always appreciated. Guests are invited; bring a friend.

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 at the meeting. Bring a notepad. If you don't have a computer for research, 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

September 15
October 20,
November 17 Annual Meeting.(vote)



December 15 Holiday Breakfast

From the President

Your Board of Directors was concerned that you might think we were loafing during the summer and might fire us in the fall. While we do not have meetings during the months of June, July, and August your board has been busy working on several projects in the county that is of interest to homeowners.

With the explosive growth in our county, one of the more pressing problems is the matter of how are we going to finance the infrastructure that is necessary to house the school children generated by this growth. We passed an additional 1% sales tax of which the school system will get 40% to be used for capital expenditures. Over the next ten years this will generate approximately 440 million dollars which will build facilities for about an additional 2,000 students each year. Last year the school enrollment increased by 2,500 students, thus we start out behind the curve. In the first six months of this year building permits increased 26% over last year, which places us even further behind. Someone will have to pay for this need; apparently we cannot look to the state as they cut their appropriation by two million dollars this year, so unless some other source of revenue is found then the taxpayer is about all that's left.

In 2001, the School Board in conjunction with the Board of County Commissioners passed an ordinance creating a school impact fee. This ordinance does not have an escalating clause in it, however, it stated it could not be increased for a three year period and even then only by a new ordinance. This three year period expired in April, 2004.

see President - page 2

President - from page 1

The combined boards of CONA East and West drafted a letter dated April 27, 2004 to each member of the School Board, Superintendent of Schools, and each County Commissioner pointing out the above shortfall and requesting action. Very little was done if anything as a result of this letter. The BOCC cannot initiate this action; it must be done by the school system.

We then decided to hold meetings with each county commissioner and also with the school administration. Finally, the later part of June the school board agreed to hire a consultant to study how much each new home's impact would be on the school system and make a recommendation for the increase. The estimate on time required for this study by the consultant is 90 days and then it will take about three months to get an ordinance passed. In the meantime, for each new home permitted, we will lose whatever increase is authorized. We further recommended that provisions be included for annual inflation adjustments are included in any new ordinance.

Why is this important to the average homeowner? Someone has to pay the bill; we feel it should be paid by the people causing the need.

The other activities some of your board members were involved in was the successful passage of the "big box" ordinance. This name is a misnomer as we were successful in getting the square footage trigger for this ordinance reduced from 75,000 square feet to 25,000 square feet.

We have noticed what we perceive to be a relaxation of enforcement of codes in the county since the departure of Joe Gross. On July 23, 2004 Jim Turtle, Ernie Reed and your president had a meeting with Debra Zampetti (Zoning and Code Enforcement director) and Pat Phillips (Field Supervisor, Code Enforcement) to discuss what we felt were problems in this department. We approached this meeting not as a finger pointing session, but rather an examination of what, in our opinion, was wrong with the current methods being used and what could be done to solve these problems

First, we discussed that a caller cannot get a PID number of the complaint at the time the complaint is filed, but instead one is told to call back the next

day to obtain this number. We stated this was a waste of time on the part of both parties and requested the system be changed to allow this number to be available at the time the complaint is placed. We were told this would be addressed.

Next subject was why it is necessary for code enforcement officers to report to work so early. At present some go in at 6:30 a.m., get their cases, which were called in the previous day, go to a computer (of which there are a limited number) to find the owner of the property against which the complaint is filed. We pointed out this is a waste of manpower; these officers should be in the field, not doing clerical work. Several alternative methods were discussed and an investigation will be instituted to come up with a better method.

We asked why the public could not be allowed to access the records of code enforcement on the Internet as to the status of complaints. This will be taken under consideration.

We suggested that an effort be made to equip all officers with a laptop in each vehicle with Internet access to all records. □

AVOID IDENTITY THEFT

Fastest Growing Crime

Did you know that thieves stole the identities of more than ten (10) million people last year? The Federal Trade Commission reported in January 2004 that complaints of identity theft nearly doubled in 2002 and was the fastest growing crime on the government's list of consumer fraud for the third consecutive year. The FTC said 43 percent of about 380,103 fraud complaints in 2002, and 161,819 were identity theft of personal information, such as a credit card or Social Security number, to steal money or commit fraud.

Experts say consumers should shred any unneeded documents containing account numbers or personal information. Among those documents are pay stubs, canceled checks, account statements, medical records, direct mail, credit card approvals, insurance forms, legal papers and anything with a Social Security number.

continued page 4

DISCLAIMER: UNDER NO CIRCUMSTANCES WILL LIABILITY OCCUR IN THE EVENT OF, INCIDENTAL OR CONSEQUENTIAL DAMAGES IN CONNECTION WITH, OR ARISING OUT OF, THE PROVIDING OF INFORMATION HEREIN, REFERENCE TO ANY SPECIFIC COMMERCIAL PRODUCTS, PROCESS, OR SERVICE OR TRADE NAME, TRADEMARK, MANUFACTURER, OR OTHERWISE, DOES NOT NECESSARILY CONSTITUTE OR IMPLY ITS ENDORSEMENT, RECOMMENDATION, OR FAVORING BY COUNCIL OF NEIGHBORHOOD ASSOCIATIONS, INC. OR ANY ENTITY THAT SUPPLIES INFORMATION IN THIS AND SUBSEQUENT "NEWSLETTERS." THE INFORMATION SET FORTH IN THIS NEWSLETTER IS GENERAL AND SUMMARY IN NATURE AND IS NOT INTENDED AS SPECIFIC LEGAL ADVICE APPLICABLE TO YOUR ASSOCIATION. IF YOU HAVE QUESTIONS REGARDING THE CONTENTS OF THIS NEWSLETTER AS IT APPLIES TO YOUR SITUATION, PLEASE CONTACT THE ASSOCIATION ATTORNEY RESPONSIBLE FOR YOUR ASSOCIATION. IN ADDITION, WE WISH TO REAFFIRM THE FACT THAT THE PRINCIPLES OF LAW CITED HEREIN ARE SUBJECT TO CHANGE FROM TIME TO TIME. □

Council of Neighborhood Associations - East Pasco -

Larry McLaughlin, President CONA East

To CONA East members and friends:

Greetings! I hope you're having a great summer. As you know, CONA East has taken a break for the summer along with CONA West. With so many members away on vacation or away for the season, we thought it best to forego our regular meetings during June, July, and August. However, we didn't want to be out of touch completely, so we thought it would be a good time to send a *letter From The President* to update you on CONA activities.

The legislative session that ended in April yielded results that will benefit several of our member communities. The CONA East Board has been working over the past two years for changes to Chapter 190 (the FL statute that authorizes Community Development Districts.) These changes will provide greater protection for people buying homes in CDDs. Pasco is second only to Hillsborough in the number of CDDs per county - many of our members are CDD residents. The proposed changes include:

- (1) Clarifying the procedures for electing district supervisors (at the time boards are controlled by the developer) in order to prevent delays in resident control of boards due to early CDD elections being out-of-sync with county general elections.
- (2) Requiring that impact fee credits be given to the CDD for eligible off-site projects when a developer uses CDD bond revenue to pay for the project (i.e., road improvement projects.) Such projects are often required in development agreements with the county to mitigate the new community's impact (when off-site projects are required, impact fee credits are given in return,) and
- (3) Requiring that builders specifically notify homebuyers of the amount of their CDD assessment and fees before they buy into a CDD community.

The CONA East Board has been working to get these and other consumer protections into CDD law. This year some progress has been made.

On item 1, we were able to get the elections procedures clarified, but with mixed results. The law, as amended, now instructs developer-controlled boards to put their board elections on schedule with general elections but are given the option of truncating or extending developer-appointed board member terms, the decision is now required at a point when communities generally have a number of residents to speak out on the issue or run for a seat if the decision is to have a number of residents to speak out on the issue or run for a seat if the decision is to shorten the appointed member's term. And on a related point, the law now states that when voting by proxy, notarized signatures are not required on the ballot. We felt this needed to be addressed when a developer-controlled board recently tried to challenge an election because the residents' ballots had not been notarized -- a step that would certainly hinder voter participation.

On Item 2. Although the Association of Florida Community Developers has fought us on addressing item 2 in state law -- that impact fee credits for

CDD -- we have found a champion in County Attorney Bob Sumner. Mr. Sumner's office is now including such a requirement in County development agreements where off-site improvements are required of developers. At least we now have this consumer protection in Pasco County -- thanks Bob! **On item 3**, we remain unsuccessful after two legislative sessions.

Over the past year, your CONA East Board has also joined forces with CONA West on several issues that impact the quality of life for all Pasco County communities. For example, CONA members have written and spoken at public hearings to ask County Commissioners to stand fast on upholding the Landscaping Ordinance and Neighborhood Park Ordinance when they were being challenged with exceptions. And, we recently weighed-in on the "Big Box" rules, asking Commissioners to set the minimum square footage on floor space at a level that would ensure many types of retail stores would conform to the ordinance's beautification standards when constructed.

Perhaps the most important effort in which the two boards are engaged is our request that the Pasco County School District and the Board of County Commissioners increase the school impact fee. This fee, assessed on new homes, only pays enough to build half an elementary school each year at its current level. We believe new home construction is creating a far greater impact on our public schools than this level would suggest. Over the summer, representatives from both CONA boards have been lobbying the School Board and Board of County Commissioners to set the school impact fee at a level that is commensurate with the level of new enrollments resulting from new home construction and sales. So far, the response has been positive and the school district has initiated the requisite study. We'll let you know how things progress on this important issue.

CONA East membership meetings will begin Thursday, September 9 at the Carpenters Run Clubhouse at 7:30 p.m.

CDD - Community Development District

• What are they?

They allow districts to impose assessments and/or taxes to pay for and maintain public facilities such as roads, sewers, bridges and parks.

• When were they created?

In 1980 under chapter 190 of the Florida statutes.

CDDs are special purpose taxing and development districts created to promote housing development through use of tax-free bonds that developers use to lower the initial cost of these residential communities.. Developers issue bonds to pay for initial infrastructure (sewers, roads, water supply, grading, utilities, etc.) Bonds are eventually paid off by residents over periods of 10-30 years.

CDDs are independent special districts authorized pursuant to chapter 190 Florida Statutes, as a mechanism to manage and finance basic community development services. CDDs may issue bond anticipation notes, bonds, and levy and assess ad valorem taxes. The future residents and/or owners of land within a CDD then make the payments with revenue gained by the levy of special assessments and ad valorem taxes (cdds are held to a three mil cap) to retire the bonds and to pay the operating expenses of CDD. A disclosure statement must be furnished to all buyers, and contracts for the sale of property within CDD must contain information about CDD

CDDs under 1000 acres in size are created by counties through ordinances which provide for general and special powers for public improvements and community facilities. Additional special powers may be conferred to an established CDD board for parks, recreation, fire prevention,

schools, security, mosquito control, and waste collection and disposal. CDDs once established are public agencies and therefore are subject to financial disclosure, accountability, ethical, and the Sunshine Law requirements which apply to governmental entities.

CDDs in Pasco County are
Ballantrae - County Line Road
Cannon Ranch - 52 E. of I-75
Connerton West - 52 E. of 41
The Groves - So. of Connerton
Heritage Pines - Hudson
Heritage Springs - Trinity
Lake Bernadette - Zephyrhills
Lexington Oaks - Zephyrhills
Longleaf - 54 E. of Little Road
Meadow Pointe - Wesley Chapel
Meadow Pointe II " "
Meadow Pointe III " "
Meadow Pointe IV " "
Country Walk (p.k.a. Meadow Woods) So of 54 E. of I-75
Northwood - Wesley Chapel
Oak Creek - near Lake Bernadette
Mark Maconi - approx. 550 homes
Oakstead - Wesley Chapel
Preserve at Wilderness Lake
E. of 41 So. of 52
approx. 980 homes
Seven Oaks & Seven Oaks II
(p.k.a) Saddlebrook Vlg & SBVII
Wesley Chapel I-75, 56, 54, 581
Suncoast - Springhill (Hudson)
Brightwater - proposed (Lennar)
CDDs are a government inside a government.

If you go to the Internet and type in Florida Senate and go to "bills" you will be able to get Senate Bill 1184 ER - CDDs, scroll to page 74-86 to see the latest amendments for CDDs.

SB1184, signed into law by Governor Bush in June 2004.

Happy hunting! □

SEWAGE BACKUP ALERT! Hurricanes are still out there!

When communities flood or the electric is turned off by Progress Energy or electric lines being down during a storm be aware of sewage backup.

There are over 500 "lift stations" or "pump stations" installed in subdivisions in Pasco County. When the electric is turned off, and remains off, it is recommended by the county that you do not flush your toilet.

A call to a county utility department employee revealed that the collection of waste is a gravity system that pumps waste to a continuing higher level along the path to the sewage plant. Lift stations are the only vehicle that delivers the sewage to the sewage plant for processing. Lift stations have extremely loud sirens to alert residents that there is a problem. The siren is battery powered and will sound for two hours before stopping. If the siren sound in your area, please call the Utilities Department of Pasco County - 727-847-8144, available 24/7.

It is recommended that if the electric is off over 24 hours in your area, take the cap off of your clean out sewage pipe outside of your home and keep it in a safe place until it is safe to put it back on. The clean out is usually close to the house and most have square tops on the plug. Know where your clean out cap is before disaster strikes. Removal of this cap will release the sewage to your yard instead of your home. It has happened and will no doubt happen again if precautions are not heeded.

Hurricane Charley left some residents of Florida without electric, water, air conditioning, and a host of other amenities. When and if the **water** is turned off, the electric remains on and you continue to use hot water, remember to turn off the breaker to your electric water heater to keep the elements from burning out when the electric is turned on again.

If you have any questions call the Utilities Department of Pasco County at the number above. □



Recruiting New Members - Ron Hubbs, Membership Director

Now that the fall season is upon us, we need to think about getting new members for CONA. Did you know that CONA has a personal membership (\$5) as well as an institutional membership (\$25)? This means that more than one person can join from the same homeowners association...!!! Also, you may know persons from other associations that would make good CONA members; in those cases the homeowner's association does not have to be a member of CONA. Of course, we would like them to be members..!!

Mention should be made here of property management groups that manage homeowner associations. We already have a few property managers that are members in good standing of CONA. So, do not let the title "property manager" put you off from doing a little recruiting. □

**DON'T
TOSS
IT !!!**



**SHRED IT
& GET A
DISCOUNT**

Office Depot's manager, Randy, has agreed to give CONA members a **10%** discount if you buy a shredder at Office Depot. You must bring the envelope with your address label on it, that the September Newsletter came in, to the September meeting and get it stamped to get your discount.

As concerns about identity theft grow, more Americans are using document-mincing machines to make sure discarded records don't end up in the hands of thieves.

It certainly makes sense to destroy unneeded financial and medical documents that thieves could sift from your trash can. Shredders cut up documents in one or two ways: either into strips or into bits that resemble confetti. Strips can be put back together.

Getting what you pay for

Today's shredders do more than destroy paper. Many models are also powerful enough to cut up plastic credit cards, and some even cut CD's to pieces. Almost all of them have no trouble handling staples.

Experts say consumers should shred any unneeded documents containing account numbers or personal information. Among those documents are pay stubs, canceled checks, account statements, medical records, direct mail, credit card approvals, insurance forms, legal papers and anything with a Social Security number.

The only maintenance to a shredder is to oil the metal blades that cut up the paper.

MAILING LABELS

Please check the address label on the envelope that your Newsletter arrives in. Please let our secretary know when there is a change of your board. Also check to see that the Newsletter is getting to the correct person and address. Thanks!

If the date on your label is in red then it is a signal that your dues are due. Just a reminder!

Don't forget to bring your envelope to the Sept. mtg. if you want a shredder discount from Office Depot.

NEW PRESIDENTS

Gary Amundson of Oak Ridge Homeowners Assoc.
Wini Smith of Orchid Lake Civic Association.

NEW MEMBERS

Art Shaw of Heritage Springs, Rhonda Warren of Magnolia Valley Civic Association, D.H. Boothby of Summer Lakes #7, Louise George of Gulf Harbors Civic Association., Paul Silvage of Timber Oaks Community Association.

WELCOME ALL!



We are sorry to announce the death of one of our members and former CONA board member, Halldor Sigurdsson. Our condolences and flowers were sent to his wife Grace and family. Grace and Halldor very seldom missed a meeting. A card was received from Grace and her family

"The family of Halldor Sigurdsson acknowledges with deep appreciation your kind expression of sympathy."

Thank you all for your beautiful flowers and for thinking of us during our time of sorrow.

Grace Sigurdsson

TIPS - from page 1

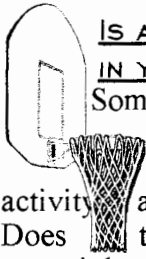
* Do not carry your social security card, birth certificate, or passport unless necessary.

* Order your credit report at least twice a year. Reports should be obtained from a local credit reporting agency or from

Equifax (800) 685-1111,

Experian (888) 397-3742, or

Trans Union (800) 680-7393



IS A BASKETBALL COURT IN YOUR PLANS?

Some residents say a basketball court would be a great neighborhood activity and should be allowed. Does the comfort of the few outweigh the enjoyment of the many? Have the neighbors in close proximity to the area complained? Who will supervise the activity? Is there a time frame for accessibility? Were the neighbors informed when they bought their home that an activity would be programmed in the future at this site? Would the activity be open or would teams be formed? Would the area be accessible to a handicapped person(s) i.e. wheelchair? Do you have adequate insurance to cover any accident? Do your covenants have rules that address noise from recreational activities? What about local ordinances?

If the governing documents state that this area may be used for recreational purposes, then the board does have a right to adopt fair rules and regulations regarding its use. However, since the lot was never used for this purpose, it is strongly suggested that the community legal counsel be consulted and a plan for implementation be devised.

It would be prudent to contact the association insurance carrier to discuss the situation. Do not proceed without insurance coverage under any circumstances.

If the board does intend to begin using this lot for recreational purposes, it should be professionally assessed and landscaped to ensure it meets safety standards for its intended purpose. Since bringing this lot up to standard will require operating funds and most likely add a reserve line item in the budget, any effects on the assessment rate should be reviewed carefully. Any plans to develop the open-space should have been the subject of an agenda item at a board meeting.

Common courtesy would have required that persons affected by the development be specifically notified of the plan to give them the opportunity to comment.

Liability. Do you carry appropriate liability insurance? Surely the conversion of passive open space to an active recreation area has an impact on liability premiums. Do you carry workers compensation insurance with the proper volunteer endorsement? Was the carrier notified of the increased exposure, as normally benign volunteer members have now become landscapers and mowing-equipment operators? If there's nothing in the HOA bylaws prohibiting use of the vacant lot for a basketball court, and the "potential liability" problems are more imaginary than real, the only remaining question is, who gets to decide the questions?

Normally, the board of directors would decide. However, if several board members are among the basketball players, there's no way the board (even the non-players on the board) can decide this question in favor of the basketball players without compromising its credibility on many other unrelated issues.

If funds are available, a "living fence" could also be added to the common area. This would create a type of noise barrier that would reduce any potential disorder and also add to the aesthetics of the open space.

Another option - the board could turn this development area into a positive for the entire association. The board could make basketball a sanctioned activity, scheduled at appropriate times, with neighbors invited to attend the games and cheer the players on. Refreshments could be served.

If you have decided to go ahead and have enlisted all the criteria mentioned, and more if needed, then it's a win-win situation. Get everyone involved, (cheerleaders?)

Reprinted in part from "Common Ground magazine by Community Association Institute. □

continued from page 2 **Identity Theft**

25% to 35% growth rate anticipated. There are a slew of ways thieves use the Internet to gather personal information about their victims, and most are variations on real-world stunts. Many rely on social engineering to get victims to voluntarily cough up information. Some thieves create bogus Web sites that look like a business, government, or other legitimate Web site and use forms to collect information on misled visitors. They also send email messages that appear to come from a bank, a gift award center, the government, or another official-sounding source, requesting a person's Social Security number for "verification" or other imaginary purposes. Some fabricated email messages even threaten the recipient with an electronic IRS audit. "The IRS does not electronically audit anybody."

To avoid having your personal information exposed, when you are dealing with any company that wants your personal information, ask a representative from that company to answer the four W's:

Why are you collecting this info?
Who's going to have access to it?
What steps are you taking to protect it,
and What steps will you take to dispose of it? If you can't get satisfactory answers, take your business elsewhere.

It is recommended that you check your credit report quarterly if you are a victim of identify theft and then at least once a year if you're not. Never use your mother's maiden name for identification. Maiden names are easy to find. Use a password and use that password for banking, and put a password with your telephone company so someone can't switch your service without the company calling you. It's a good idea to have a password with the electric company so someone can't turn off your electricity because they are angry with you, especially if you are on a board of directors. There are many places that a password would be prudent.

If a business or other enterprise asks you for your SSN, you can refuse to give it. Giving your number is voluntary, even if you are asked for the number directly. Ask them • Why your number is needed.

• How your number will be used.

• What happens if you refuse; and

• What law requires you to give your #.

Internet sites of interest:

<http://www.idthefcenter.org>

<http://www.privacyrights.org>

<http://www.consumer.gov/sentinel>

<http://www.consumer.gov/idthef>

www.socialsecurity.gov

Information for this article taken in part from Soc.Sec.site & Smart Computing Magazine 3/2003. □