

**STONEYBROOK AT GATEWAY MASTER  
HOMEOWNERS ASSOCIATION, INC.  
NOTICE OF BOARD OF DIRECTORS MEETING  
April 8, 2010 @ 7:00 PM  
Stoneybrook Community Clubhouse**

**Approved 5-17-10**

**Present in Person:** Margaret Fineberg, Joe Mikulka, Richard Nussbaum, Joe Targia, David Lethem and Gina Queen representing Alliant Property Management.

**1) Call to Order/ Establish a Quorum:** A quorum was established and the meeting was called to order at 7:04 pm.

**2) Proof of Notice:** The meeting notice was posted at the clubhouse, on the bulletin board and on the door, at the guard house, on the website and on channel 95.

**3) Approval of the Minutes: March 11, 2010**

**Motion:** Motion was made by Richard Nussbaum to approve and accept March 11, 2010 as written, seconded by Joe Mikulka. **All in favor motion passes.**

**4) Alliant Report was given by Gina Queen:**

- a. Prepared Minutes for your March Meeting.
- b. Processed package for March Fine & Hearing.
- c. Processed several compliance letters including Fines and Hearing notices.
- d. Still working with Lee County School Board regarding school bus drop off and pick up location.
- e. Tru Twin and Florida Painters were contacted and will be giving us a proposal for restriping clubhouse parking lot and adding two directional arrows.
- f. Easter Egg Hunt and Pictures with the Easter Bunny was a great success. Pictures will be placed on the website and channel 95. If interested pictures can also be emailed to interested owners.
- g. Karaoke Night will begin 4/29/10.
- h. We would love to hear feedback on special events along with new ideas.

**5) Comments and questions from owners pertaining to agenda items only:**

None at this time

**6) Treasurers Report was given by David Lethem: March numbers**

- Operating Total Assets	\$649,421.71
- Operating Liabilities	\$133,130.82
- Reserves	\$90,578.31

David reported that he will be meeting with the Accounting Department at Alliant. We have collected \$5,000.00 in Capital Contributions and \$1,085.50 for Transponders.

**7) Committee Reports:**

- a. ARC Committee report was given by Suzanne Mikulka:

**STONEYBROOK AT GATEWAY  
ARC COMMITTEE MINUTES  
TUESDAY, APRIL 30, 2010  
7:00 P.M. STONEYBROOK CLUBHOUSE**

**Call to Order – 7:03 PM**

**Members Present – Joanne Targia, Suzanne Mikulka, and Chris Kielmeyer**

**Guest Present – Margaret Fineberg**

**Proof of Notice – Posted on front door of clubhouse, On website, On Channel 95.**

**Approval of Minutes– March minutes to be approved at May meeting**

**New Business**

**Browning @ 12435 Pebble Stone – Create a plant barrier around house.**

**(2<sup>nd</sup> Request). Request as submitted denied. Final determination will be sent to owners after May 21<sup>st</sup> ARC Meeting. ARC committee is requesting guidance from the Master Board concerning use of Areca Palms.**

**Cathey @ 12669 Ivory Stone – Basketball Hoop / Swing set.**

**Approved per ARC Guidelines-All in Favor.**

**Critcher @ 12880 Stone Tower – Screen enclosure - front porch. (already Installed).**

**Approved-All in Favor**

**Forest @ 9760 Blue Stone – Plant pygmy date palms.**

**Approved per Plans resident provided-All in Favor.**

**Hebert @ 9877 Blue Stone – Landscape flowerbed - right front of house.**

**Approved per Plans resident provided-All in Favor.**

**Loicano @ 12450 Pebble Stone – Install stamped concrete curbing.**

**Approved-All in Favor.**

**Lulaj @ 12567 Ivory Stone – Paint house.**

**Approved per Paint Samples resident provided-All in Favor.**

**Manno @ 9765 Blue Stone – Paint door/stones around landscaping. (landscape stones already in place).**

**Denied for lack of paint and color samples. All agreed on denial.**

**Merz @ 12686 Ivory Stone – Brick paver patio.**

**Denied because of placement in yard. Request was for patio to be detached from the home and placed in far corner of property. All agreed on denial.**

**Nussbaum @ 12466 Crooked Creek – Replace shrubs/paint driveway.**

**Approved per Plans resident provided-All in Favor.**

**Smith @ 12448 Green Stone – Raised wooden vegetable garden plots.**

**Denied request for 2 foot high wooden gardens boxes to be built and placed on side yard.**

**All agreed on denial.**

**(Note: ARC committee is requesting guidance form Master Board on planting of vegetable gardens.)**

**Strauss @12405 Muddy Creek – Gold colored mulch in flowerbeds.**

**Approved-All in Favor.**

**De Diego @ 12935 Stone Tower – paint exterior.**

**Approved per Paint Samples resident provided-All in Favor.**

**Announcements - None**

**Next Meeting: May 21, 2010**

**Adjourn – 8:25PM**

**b. Clubhouse Committee/Activities: None**

**c. Compliance Committee: Joe Allington**

Margaret Fineberg reported for Joe Allington that new committee members are needed.

**8) Unfinished Business:**

**a. Insurance Appraisal: Report given by Joe Mikulka**

Joe reported that an appraisal had been received but Board is not happy with results. Joe will be acquiring proposals from other companies. Joe also reported that wind mitigation had been done on the clubhouse but Oswald Tripp refuses to give credit, Joe will be obtaining proposals from other insurance companies that will accept wind mitigation and allow for the credit. Owner Blake Chapman announced that he too is a licensed inspector and will be happy to offer his services to Stoneybrook at Gateway owners. Information can be obtained in the Stoneybrook at Gateway Clubhouse office.

**b. Pool Furniture/Gym Equipment: Report given by David Lethem**

David reported that the new furniture has been ordered and will be delivered next week. It will be announced when old furniture will be available for owners to purchase. All but one treadmill which is on back order has arrived. One piece was damaged while putting together, parts are on order and there will be no charge. More room will have to be made once the treadmill on back order arrives. David asked for ideas for placement. There will more attention to maintenance of the fitness equipment.

**c. Pool Repair Update: Report given by Richard Nussbaum**

Richard reported that pool and spa are up and running, there are parts on order for the kiddie pool and also someone has broken off the timer. Gina Queen is to make sure we are not paying for anything under warranty.

**9) New Business:**

**a. Committee Assignments: Report given by Margaret Fineberg**

Board of Directors have been assigned as Liaisons as follows:

ARC	Margaret Fineberg
Activities	Joe Targia
Budget	David Lethem
Clubhouse Inside	Joe Mikulka
Clubhouse Outside	Richard Nussbaum
Comcast Negotiations	Joe Mikulka
Community Affairs	Margaret Fineberg
Compliance	Joe Targia/ Chair-Joe Allington
Engineering	Brett Asbury/John Jack/David Lethem
GSCDD/Stoneybrook	David Lethem/Joe Mikulka
Fining	Joe Targia/ Chair-Phil Prinzi
Landscape	Margaret Fineberg
Neighborhood Watch	Richard Nussbaum/ Chair-Cheryl Brophy
Privacy & Protection	Richard Nussbaum/Joe Mikulka
Rentals	Joe Targia
Liens & Foreclosures	Margaret Fineberg
Insurance	Joe Mikulka
Contracts	John Jack/Joe Mikulka

**b. Meeting Date: Report given by Margaret Fineberg**

There was a brief discussion.

**Motion:** Motion was made by Joe Mikulka to change the meeting date to the third Wednesday of each month beginning May 19, 2010 at 7:00pm providing acceptable for John Jack and Brett Asbury, seconded by Joe Targia. **All in favor, motion passes.**

**c. Email Addresses:Report: Report was given by Joe targia**

Joe Targia recommended that email addresses be given as follows:

[President@StoneybrookGateway.org](mailto:President@StoneybrookGateway.org)  
[VPresident@StoneybrookGateway.org](mailto:VPresident@StoneybrookGateway.org)  
[Secretary@StoneybrookGateway.org](mailto:Secretary@StoneybrookGateway.org)  
[Treasurer@StoneybrookGateway.org](mailto:Treasurer@StoneybrookGateway.org)

There was a lengthy discussion, Everyone felt it was a great idea. Margaret Fineberg will follow through with Warren.

**d. Suggestion Box: Report given by Joe Targia**

Joe recommended that we provide a suggestion box on our website and also one in the clubhouse for those who do not use internet. There was a

brief discussion and everyone felt it was a great idea, Gina Queen will follow through.

**e. Unlocking Front Doors of Clubhouse: Joe Targia/Gina Queen**

There was a lengthy discussions and many opinions well taken. Gina Queen will get with Paul Kielmeyer and work out camera at front door and buzzer in the office.

**f. Board Member Liaison to Office: Joe Targia**

There was a brief discussion and it was decided that Margaret Fineberg being President should and will remain Office Liaison.

**g. ID Cards: Joe Targia**

Joe recommended that we update ID cards by reissuing 1-2 streets a month at a time, it was also suggested that we use colored laminate for distinction of children under 12-16 years of age. Joe received quotes from the printer which does our compliance tickets and found that it is very reasonable. There was a lengthy discussion.

**10) Board of Directors Requests:**

**Joe Mikulka** - Joe reported that the community of Gateway Greens would possibly be able to work something out with Comcast and if so we may have another avenue. Joe has hopes of working something out with Comcast for Stoneybrook at Gateway. After May 9, 2010 Joe will have more information.

**David Lethem** - David reported that the Scoop is progressing well, disc has been received from Alliant. All information and Scoop must be to the printer no later than the 22<sup>nd</sup> of each month. The Scoop will continue to be emailed to owners as well. Gina Queen will get with Paul Kielmeyer on a better program for email blasts.

**Joe Targia** - Joe reported that he has ordered new compliance ticket books pages in triplicate instead of duplicate.

**Richard Nussbaum** - Richard asked if there will be a grace period for ticketing of vehicles parked on the streets. Margaret Fineberg explained that it will not be Stoneybrook writing tickets but rather Lee County. Paul Kielmeyer stated that it was not just in Stoneybrook but in five other communities within Gateway.

**Margaret Fineberg** - Margaret asked for Board approval to start the process of amending our documents to concur with state laws as follows:

**Proposed Amendment to Master Declaration**

**Existing Provision:**

**15.2 Mortgage Foreclosure.** Except as otherwise provided by Florida law as amended from time to time, if an Institutional Mortgagee acquires title to a Lot, Living Unit, Tract or Parcel as a result of foreclosure of the mortgage, or as the result of a deed given in lieu of foreclosure, such mortgagee shall not be liable for the Master Association assessments or charges attributable to the Lot, Living Unit, Tract or Parcel, or chargeable to the

former owner, which came due prior to the mortgagee's acquisition of title. Any unpaid assessment or charges for which such acquirer is exempt from liability becomes an expense collectible from all owners, including such acquirer and his successors and assigns. No owner or acquirer of title to a Lot, Living Unit, Tract or Parcel by foreclosure (or by a deed in lieu of foreclosure) may, during the period of his ownership, be excused from the payment of any assessments or charges coming due during the period of such ownership.

**Proposed Amendment:**

**15.2 Mortgage Foreclosure.** In the event that an Institutional Mortgagee having a first mortgage acquires title to a Lot, Living Unit, Tract or Parcel as a result of foreclosure of that first mortgage, or as the result of a deed given in lieu of foreclosure of that first mortgage, the liability of that Institutional Mortgagee holding the first mortgage shall be the maximum as provided for under §720.3085, Florida Statutes, as amended and in effect at the time of the issuance of a certificate of title to the Institutional Mortgagee. The limitations on liability of the Institutional Mortgagee holding a first mortgage, as provided by this section, apply only if the Institutional Mortgagee filed suit against the parcel owner and initially joined the Association as a defendant in the mortgagee foreclosure action.

**Purpose:**

At the time that the Declaration was written, the current law requiring a first mortgagee to pay a limited amount of the past due assessments did not exist. The law was later amended to require a first mortgagee to pay the lesser of 1% of the mortgage amount or the assessments which came due 12 months prior to that mortgagee's acquisition of title to the property.

A recent appellate court case has provided that the lender's liability is the lesser of what the law provides (§720.3085(c), Florida Statutes), or the declaration. In our case, the language acknowledges future changes in the statute, which are now controlling, but it remains confusing in that the "exception" clause at the beginning must now be raised when a lender disputes having to pay any amount under the recent court decision. This change will clarify the Association's right to claim the maximum past-due assessments under the law, including future amendments.

**11) Comments and questions from owners pertaining to non-agenda items only:**

Suzanne Mikulka stated that she was very upset with the Book Club being canceled and was not happy with the response she received from the Activities Director.

Todd Bello suggested that we add fountains with lights to our lakes. Margaret Fineberg suggested Todd speak with the Liaison for the GSCDD Committee. Todd also suggested in the future a Tiki Bar. Margaret Fineberg suggested Todd speak with the Liaison for the Clubhouse - Outside.

Adam Menkes stated that after 5:00pm and before 9:00 am when using the fitness room there is no way to get to the water fountain or the restrooms and suggested moving of doors. Margaret Fineberg suggested Adam speak with the Liaison for the Clubhouse - Inside/Outside.

Cheryl Brophy asked that the amount of monies received for Capital Contribution and transponders be disclosed at each monthly meeting. David Lethem stated that it is part of the Financials and has no problem reporting that information.

Lynn Lewis had questions as of the expense of having an activities director and then having to hire a fitness instructor vs one person doing both as in the past. Margaret assured members that it was at the same cost due to the way fitness instructors are paid.

**12) Adjournment: 8:42pm**

**Respectfully Submitted by  
Gina Queen, CAM  
Alliant Property Management, LLC**