



COMMUNITY PERSPECTIVES

OFFICIAL NEWSLETTER OF THE COLLIER COUNTY PRESIDENTS COUNCIL

February 2016

ANNUAL MEETINGS AND ELECTIONS

Since we are approaching the time of year when the majority of associations have their annual meetings and elections. I thought this article may be helpful to some of you, as a reminders and in preparing for your annual meetings.

The first thing you should remember is posting the notice requirements for your annual meeting and election. Condominium elections are governed by Florida Statutes and the Administrative Code which defines exactly how the elections are to be conducted. A Homeowner Association Bylaws defines how the election process will proceed. If the Governing Documents, for a Homeowners Association, does not provide the notice provisions for posting then you should refer to the Florida Statutes which will require (14) fourteen days' notice for members meetings.

Condominium elections require at least 20% of the ballots cast, but to hold an Annual Meeting your Governing Documents will provide the minimum quorum requirements. Something to keep in mind is Condominium elections cannot be conducted by the proxy; however a quorum for the meeting can be obtained with the help of the proxy.

A Homeowners Association quorum is 30% of the total voting interest unless your specific Governing Documents specify a different number. A general proxy can be used in an HOA for any purpose, including the election of directors unless the specific Governing Documents of your Association say otherwise. One of the biggest issues Condominium and Homeowner Associations encounter is to find ways to get owners to be involved in their community business and elections. Think about ways you have used to encourage owners to be more involved in the elections and business of your association.

PICKLEBALL— WHAT'S ALL THE FUSS?

There are three basics to know about playing pickleball.

1. It is a fun sport that combines many elements of tennis, badminton, and Ping-Pong.
2. It is played indoors or outdoors on a badminton-sized court and a slightly modified tennis net.
3. Played with a plastic ball and paddle.

Pickleball was invented in 1965 on Bainbridge Island, a short ride from Seattle, Washington. Three dads – Joel Pritchard, Bill Bell, and Barney McCallum – whose kids were bored with their usual summertime activities are credited for creating the game. Pickleball has evolved from original handmade equipment and simple rules into a popular sport throughout the US and Canada. The game is growing internationally as well with many European and Asian countries adding courts.

A Pickleball court is the same size as a doubles badminton court and measures 20 X 44 feet. In Pickleball, the same court is used for both singles and doubles play. The net height is 36 inches at the sidelines and 34 inches in the middle. The court is striped similar to a tennis court with right and left service courts and a 7ft. non-volley zone in front of the net (referred to as the “kitchen”) Courts can be constructed specifically for Pickleball or they can be converted using existing tennis or badminton courts.

THE CCPC CHAIRMAN'S COLUMN

A belated wish to all our friends and neighbors for a Happy & Healthy, New Year. The CCPC had quite an active and interesting 2015. We were fortunate to have some terrific and informative guest speakers who brought us up to speed on a host of interesting as well as important issues impacting the citizens of Collier County. For example;



- ◆ Norm Feder, Vice Chairman of the North Naples Fire Control & Rescue District discussed the non-controversial subject of Fire District consolidations.
- ◆ On another non-controversial subject Steve Carnell, Director of Public Services brought us up to speed on the recent Farmers Market issues.
- ◆ Fred Coyle the retiring District 4 Commissioner gave a terrific presentation and then went fishing, while Penny Taylor the recently elected District 4 Commissioner suggested that she believes that serving as a County Commissioner would be far more relaxing than taking pictures. So much for optimism.
- ◆ Dr. Allen Weiss, CEO & President of NCH gave an overview of the Blue Zone initiative. As I stated in the past I personally prefer watching the NFL Red Zone.
- ◆ Rob Samouce, a locally respected attorney who specializes in Condo & HOA law gave an update on the latest statutes impacting associations so that our members can avoid spending time away from home.
- ◆ Abe Skinner, Collier County Property Appraiser, told us how property appraisals are determined, up, up, and away!
- ◆ We were enlightened by Dwight Brock on the role of the Collier County Clerk of the Courts and learned that nothing is a secret anymore.
- ◆ We also conducted workshops on a multitude of Association related issues.

Our primary focus is directed towards taking care of our homeowners. In doing so we recognize that we don't have the corner on brains and are willing to learn as well as contribute on how to be more effective and efficient in managing our communities.

So pay attention to the following commercials!

Paul Feuer, Chairman CCPC

WHY JOIN THE CCPC?

We represent thousands of doors throughout the county. We are able to speak with one voice that is listened to and puts us in a better position to gain the attention of the County decision makers. There are many matters that will ultimately have an impact, either directly or indirectly, on our homeowners that lie ahead of us in the coming year.

- ◆ Expanding Fire Department and EMS consolidation
- ◆ The Blue Zone Project
- ◆ Quality water that we drink as well as the need for a comprehensive water management plan
- ◆ Electronic Voting
- ◆ Impact of illegal immigrants & Safeguarding our citizens from terrorist threats
- ◆ Beach Re-nourishment
- ◆ Zoning/density & redevelopment as well as the

- ◆ Affordable Housing & Attracting new businesses
- Expansion of multi-pump gas stations
- ◆ Maintaining, Expanding and Improving the existing infrastructure

We have an interesting slate of speakers scheduled for the coming months. So why not join us and become part of our team. Simply send us an e-mail to JVC4067@GMAIL.COM and we'll sign you up.

You don't have to be the President of your association to attend our meetings. Any designated representative may attend. In fact we encourage Property Manager to participate. The annual membership fee is \$125.00.

We meet at 9 AM, the second Friday of each month at the Chamber, located at 2390 Tamiami Trail N, Naples.

We look forward to meeting you.

ELECTION UPDATE

The first of a series of public forums sponsored by a broad-based civic coalition which includes the CCPC, was held on January 25 and 27, respectively, at Naples City Hall and broadcast live on cable channel 98 and moderated by retired Naples Daily News editorial page editor Jeff Lytle was the moderator. A well attended audience heard the platforms being offered by the incumbent, Mayor John Sorey and former Mayor and current City Council member Bill Barnett as well as the publicly announced policies and promises of council candidates, Reg Buxton, Ellen Siegel, Michelle McLeod, James Moon and Wynn Phillips. The audience was given an opportunity to raise questions and certainly took advantage of this opportunity.

Election Day in Naples is March 25th.

Florida Legislators Forum will be held on April 7th 6:00-7:30 pm at Hodges University for the following candidates:

Senate District 23, Matt Hudson, Kathleen Passidomo

House District 80: Byron Donalds, Joseph Davidow, John Ludin

House District 106: Georgia Hiller, Robert Rommel, Brandon Smith

County Commissioner Candidates Forum will be held on April 13th, 6:00-7:30 pm at the Golden Gate Senior Center.

District 3: Annisa Karim, Ron Kezeske, Joseph McCree, Burt Saunders, Russell W. Tuff

District 5: Randolph Cash, William 'Bill' McDaniel, Douglas L Rankin

School Board Forum will be held on May 18th, 6:00-7:30 pm at the Norris Center.

District 2: Kathleen Curatolo, John M. Brunner, Stephanie Lucarelli

District 4: Julie Sprague, Lee Dixon, Jeffrey Page

Sponsoring organizations for these and later state and local political forums are, the League of Women voters, Collier Citizens Council, Greater Naples Chamber of Commerce, Greater Naples Better Government Committee, Collier County Presidents Council, Naples Press Club, Greater Naples Leadership, Pelican Bay Property Owners Association and East Naples Civic Association.

Candidates will field written questions from sponsoring groups and the audience.

CCPC members are invited to attend.

Source Dave Trecker



We're on the web!
www.colliercountypresidentscouncil.com

Membership in the Collier County Presidents Council is open to representatives from any Collier Community Association. A small annual fee assists us in presenting many programs of benefit to communities and fight for collective representation on your behalf.

Collier County Presidents Council
P.O. Box 8853
Naples FL 34101

E-mail: ccpcnaples@gmail.net
Newsletter input: Jeff Cocklin or 937-725-8556
Email to jvc4067@gmail.com

CCPC EXECUTIVE

Paul Feuer	Chairman
Jeanie Bicanich	1st. Vice Chair
Open	2nd. Vice Chair
Chuck Nuechterlein	Treasurer
Open	County Affairs
David Trecker	State Affairs
Fred Rogers	Strategic Planning
Open	Membership

CONTRACT- WRITTEN OR ORAL

A recent decision, regarding contracts, could easily apply to any Florida Community Association. A Florida Appellate Court held that an oral agreement to replace windows and issue a new window warranty was an enforceable contract.

A homeowner constructed a home, on the ocean, in 2001. One window manufacturer made and installed the windows throughout the home. The windows had a problem with condensation between the panes, and even though the manufacturer tried to repair the windows, they continued to collect condensation.

The homeowner told the manufacturer he wanted the defective windows replaced and he wanted the manufacturer to issue a new written ten year warranty on the product. The manufacturer orally told the owner we have a deal. The homeowner was under the impression they had an agreement, so he did not hire an attorney.

The manufacturer later emailed the homeowner and told him they will not extend the warranty for the windows. The homeowner, now, hired an attorney and sued the manufacturer, alleging that the manufacturer had breached their oral agreement by refusing to replace the defective windows and failing to ensure a new written warranty.

The case went to trial and the jury returned a verdict in favor of the homeowner in the amount of \$126,816.25, which was the cost for the homeowner to replace the defective windows and repair damages to the inside of the home. The trial court disagreed and set aside the jury verdict.

A Florida appellate court reversed the decision of the trial court and ordered the jury verdict reinstated for the homeowner. The appellate court ruled that the trial court erred in concluding there was no oral contract. The appellate court separately determined the oral agreement was an enforceable contract.

FOOD FOR THOUGHT!