

# POA Pulling a Fast One?

Looks like the POA is trying to avoid a vote on the Storm Drainage Project, which will likely exceed a **MILLION BUCKS**.

They are calling it “a maintenance & repair project”. It is clearly a **capital improvement** and requires a vote of the members to go forward with the project. See the attached documentation below. This will likely be the **MOST EXPENSIVE PROJECT EVER FOR THE POA**. The roads only cost 700-800K, we were told.

They are also talking about a “*general upgrade of our appearance on Military Trail*”, which has been stated as costing **over \$100,000 DOLLARS**. I’m sure many will be surprised to know that **this includes the median strip in the center of Military Trail**. Why is Delaire responsible for maintenance in the middle of a public thoroughfare? Nevertheless, this also requires a vote for approval of the POA members before commencing.

Be sure to tell the POA that you want a say in both these matters and also ask **why we feel it is our obligation to maintain the middle of Military Trail?** That seems crazy. If there is some written agreement, trot it out for all to see. Read below the **POA statements** in the Good Life and also the **bylaw requiring an approval vote** by the members.

**ABOLISH MANDATORY MEMBERSHIP**

May 1, 2019 - The Storm Drainage Project requires a vote of the members for approval in accordance with our bylaws.

## News from Your P.O.A.

Bernard Dayan, P.O.A. President

Marc Bressler, New P.O.A. President



**This is a Capital Improvement and anything over 50K requires a vote. See specific Bylaw below.**

The Delaire Country Club Property Owners' Association, Inc. is charged and obligated by Florida statute and our own documents with certain responsibilities. These boil down to Safety, Security, Maintenance of the Infrastructure and Community Appearance. Your POA Board takes these issues seriously and believes that many members of the "Camp Delaire" community are unaware of some of the rules and reasons for the Rules. Many are common sense. We all not only want to enjoy our time here but also want our community to "appear" comfortable and exciting.

Your current Board is seeking the cooperation of all members in joining in this endeavor. Speeding on our roads and failure to stop at stop signs are safety issues we cannot ignore. Having front lights on from dusk to dawn is required and is both a safety issue and a security concern. Repairing and clearing brush from sidewalks is both a safety and appearance issue. We request that all members adhere to the rules and advise their guests and vendors to do the same.

There are several areas that your Board is moving forward on in the near future. One is of immediate concern and has, unfortunately, been neglected for many years. I speak of the **storm drainage runoff system**. Hopefully, by the time this is published, we will be in the middle of this **maintenance and repair project**. Your Board has provided for this costly project in our current budget and no assessment is needed to fund the project.

Another area on which we are moving forward is a general upgrade of our appearance on Military Trail. This will improve the curb appeal of the Delaire community that we all enjoy. **Also requires member vote, since estimate exceeds mandated threshold.**

Our legal and by-laws committee has spent many hours working on the POA documents, updating them so that they are not only in conformance with Florida State Statutes but not in contradiction of each other nor the Club documents. These will be presented to the entire membership for approval.

Finally, a Long Range Planning Committee has been established to look at and plan for our future needs. POA Board meetings are open to all POA members and you are invited to attend and participate.

## P.O.A. Report

Gail Karpel, P.O.A. Secretary



The 2018-2019 season is coming to a close. We remain available to answer questions - should a problem or concern arise. Remember our monthly meetings are open to all Delaire P.O.A. Members to observe and/or speak at.

There are a few things with which the POA would appreciate your compliance.

1. Please call the gate for access for all guests and workers. This makes it easier for everyone. Also, if you do not have the gate access app and would like to have it installed on your cell phone, please call the Club office and someone from the POA will be happy to help and show you how to use it.
2. Please do not put your trash out until 4:00 pm the night before pickup and take it in by 10:00 am the next day.
3. Please park your vehicle in your driveway rather than the street if possible. Also, have your guests and workers park in your driveway. When that cannot be done, remember to park on the even side of the street on even months and the odd side of the street on odd months. All vehicles have to be off the street by 1:00 am.

Wishing everyone a wonderful summer. Remember your POA is working for you even if you are not here.

**ABOLISH MANDATORY MEMBERSHIP**

**ARTICLE IV  
POWERS AND DUTIES OF THE BOARD OF DIRECTORS**

All of the powers and duties of the Association existing under the Declaration of Covenants and Restrictions for Maintenance, the Articles of Incorporation and these By-Laws, shall be exercised exclusively by the Board of Directors, its agents, contractors or employees, subject only to approval by members of the Association when such is specifically required. Such powers and duties of the Directors shall include, but shall not be limited to the following, subject, however, to the provisions of the Declaration of Covenants and Restrictions for Maintenance, the Articles of Incorporation and these By-Laws.

A. To purchase insurance for the protection of the Association and its members.

B. To call meetings of the members.

C. To cause to be kept a complete record of all its acts and corporate officers.

D. To enforce by legal means, the provisions of the Articles of Incorporation, the Declaration of Covenants and Restrictions for Maintenance, and the By-Laws of the Association.

E. To appoint and remove at pleasure, all officers, agent, and employees of the Association, prescribe their duties, fix their compensation, and require of them such security or fidelity bond as it may deem expedient. Nothing contained in these By-Laws shall be construed to prohibit the employment of any member, officer or Director of the Association in any capacity whatsoever.

F. To establish, levy and assess, and collect the assessments necessary to operate the Association and carry on its activities, and to create such reserves for extraordinary expenditures as may be deemed appropriate by the Board of Directors.

G. To make expenditures for Capital Improvements and assess the members therefore limited to no more than \$15,000 on any single project and subject to the foregoing, no more than \$50,000 in the aggregate in any fiscal year for all projects.

Either or both of the foregoing limitations may be removed, in whole or in part, by the same procedure and vote necessary to approve a By-Law change. The amounts so approved shall be reinstated, as available, under the preceding paragraph of this section.

Notwithstanding the above, the Board may expend a maximum of \$650,000 in funds in excess of the above stated amounts for Capital Improvements to Association property in connection with the Delaire Country Club Renovation Project, as approved by vote of the membership of the Delaire Country Club on May 13, 2008 so long as: a) such funds are available from existing budgeted funding of reserve accounts and current reserve accounts; and b) reserve funds are maintained at levels sufficient to comply with applicable law and satisfy currently identified Association needs. Unless extended by the same procedure and vote necessary to approve a By-Law change, the foregoing exception shall be effective until December 31, 2011.

**ARTICLE V  
EXECUTIVE OFFICERS**

The executive officers of the corporation shall be a President, who shall be a Director, a Vice President, who shall be a Director, a Treasurer, and a Secretary; all of whom shall be elected annually by the Board of Directors and who may be