

**Sunrise Lakes Phase 4 Recreation District**  
**Meeting Minutes**  
**Tuesday, July 18<sup>th</sup> 2017**

- Meeting Called to order at 9:30 AM by Chairperson Jack Meehan.
- Pledge of Allegiance

### **Roll Call**

- Supervisors in attendance were Jack Meehan, Stan Leibowitz, Sandra Hankin, Robert Mendelow and Doreen Kay. Steve Salkin is absent. Also in attendance are Kim Juda and Thomas Angelos.

### **Approval of Prior Meetings Minutes**

**M1:** Jack Meehan motions to accept the minutes from the June 20<sup>th</sup> meeting. Seconded by Sandra Hankin. All present in favor. Motion passed.

### **Manager's Report**

The roof project is moving along. ADA compliance is an agenda item. The next step, if the Board decides to move forward, is to have an engineer come and spec out the work. Bids for repairs of pool tables are included in the package. The movies and shows schedule will be posted online for the whole season. We will have an update from Stan on District dissolution today. Per the attorney, the satellites do not need to have telephones. However, we are recommending that the satellites keep some sort of communication. Request for proposal for concrete work at Satellite 3 has been posted in the newspaper, since the initial estimate was over \$10,000. The 2017-2018 Budget is posted online and we will have the first reading today. The 2016 financial audit has been posted on the web-site.

### **Treasurer's Report**

Performed by Stan Leibowitz.

### **Old Business**

Stan discusses a letter received from and correspondence he had with Jack Waller – the President of Phase 4 Inc. 1, regarding issues with District dissolution. He sent Mr. Waller a certified letter at his request. Key talking points include:

- There has been no appraisal of the property or properties in the District. Estimate is that the appraisal will be close to the dollar amount of outstanding bonds.
- Bond information is included in the Annual Audit that can be found online.

- Financial conditions of the district as well as information on any pending legal action or compliance issues can be found online in the Annual Audit.
- The District is not allowed to hold cash reserves and therefore has not had a reserve study.
- Is the District in compliance with the Florida Sunshine laws? As far as the Board is aware; yes.

He also describes the differences between an Inc. and the District. The vote is different in the way that each person in Sunrise Lakes gets a vote, not each unit. If you're not a registered voter, you may not vote. Therefore the vote is not necessarily weighted evenly. Cost savings in dissolving the District are high. Plus, if we don't dissolve now, the entire issue of dissolving will come up again when the bonds are paid off in 7 years. The final point to consider is property taxes. Initially, when Stan and Kim asked the attorney if Phase 4 would have to pay property tax on the District facilities once we dissolved, the answer we received was "no". In phase 3, the Recreation Association does not pay tax on the facilities because each unit owner pays a portion. After further research the attorneys realized that there was a concern since the District charges outsiders to come on to the property and watch shows. An Attorney General report from years ago and stated that common areas of nominal value are non-taxable as long as all the benefit of these areas is for the benefit and use of the property owners only. Kim, Stan and Steve Weinberg met with the Broward County Property Appraiser's Office (BCPA). BCPA stated that they would not appraise property and not do checks to see if the District is charging outsiders. They basically stated that they would not require Phase 4 to pay property tax. When asked to put that in writing, they replied that they are not able to. So now the Board is faced with the decision of either continuing with dissolution or to stop. Stan suggested we authorize the attorney to seek an answer from the Attorney General that pertains specifically to the Sunrise Lakes Phase 4 Recreation District on whether they really do need to pay property tax. They will explain why they believe they should not have to pay property tax and hope to receive a better answer than they did from Broward County.

**M2:** Stan Leibowitz authorizes, but not requires, the attorney to get an opinion from the attorney general that pertains specifically to the Phase 4 Rec District regarding property taxes. Jack Meehan seconds. Sandra Hankin suggests we forward this to the District Counsel Denise Ganz as well.

Discussion ensues among the Board and unit owners regarding the cost of dissolution, the vote and the history of the District.

All supervisors present vote yes to the motion. Motion passed.

**M3:** Stan Leibowitz motions to hold off on the process of dissolution until the attorney general provides an answer. All supervisors present in favor. Motion passed.

**M4:** Jack Meehan motions to maintain, at a minimum, emergency call services in the satellites. Doreen Kay seconds. All present in favor. Motion passed.

We received the second ADA compliance report which encompasses the satellites.

**M5:** Stan Leibowitz motions to publish requests for proposals for an engineer to help spec out the work that needs to be done to bring the District in to compliance. Jack Meehan seconds. All present in favor. Motion passed.

## **New Business**

Stan Leibowitz performs the first reading of the 2017-2018 Proposed Budget.

**M6:** Stan Leibowitz motions to accept the proposal from Game Room for the repair of 11 pool tables. Bob Mendelow seconds. All in favor. Motion passed.

Habbad has offered to perform Yom Kippur services for free in the large card room.

## **Good & Welfare**

Fred Weissbaum explains that at the last Inc. 3 meeting Inc. 2 members were told they had to leave. He asks for an update on the question brought up at the last meeting regarding facilities access. Jack explains that for now it will be as it has been – a unit owner is allowed to attend a Board meeting held on District Facilities, even if they do not live within the Inc. holding the meeting.

Robert Zrein asks if the District can opt out of the ADA compliance. The Board explains no. He asks about grappling hooks at pools and if the guards are checking ID's.

Meeting adjourned at 10:56 AM.