
VILLA VOICE

Reporting the News and Happenings Around the Bobcat Villas

Calendar

Water Aerobics, Daily, 9:30 am,
Villa Pool

Villa Coffee, Sat., Nov. 4, 9 pm*

Euchre, Mon., Nov. 13, 7 pm*

Villa HOA Brd Mtg., Wed., Nov.
15, 4 pm

Bobcat Trail CDD Board of
Supervisors Mtg., Thurs., Nov.
16, 3 pm, Bobcat Community
Center

Villa Potluck, Tues., Nov. 21, 5
pm*

Euchre, Mon., Nov. 27, 7 pm*

Bobcat Trail Master HOA Mtg,
Wed., Nov. 29, 3:00 pm,
Bobcat Community Center

Other events may be scheduled throughout the month. Be sure to check the message boards at each post office station and in the breezeway of the Clubhouse for event notices and sign-up sheets. Items above marked with a ()*



From the October Villa Board Meeting

The Villa Board of Directors met on Thursday, October 26 at 4 pm in the Bobcat Villa Clubhouse and via Zoom.

The meeting began with a brief presentation on the status of our two insurance claims for roof damage/replacement by Brian Lewis, our attorney working on both. He then took questions from the owners. A recap of this portion of the meeting can be found at the end of this newsletter.

Smoking Banned Around Villa Clubhouse



At its October meeting, the Villa Board of Directors voted to restrict smoking within 25 feet of the Villa Clubhouse.

This encompasses cigarettes, cigars, pipes, vapes and e-cig.

This move was taken to prevent smoke from wafting into the pool area and inside the Clubhouse when events are being held. Smoking within the pool area itself has already been banned.

The no-smoking restriction was originally proposed for all common properties but as that includes areas just beyond our personal property behind our lanais and Lynx Run in general, the motion was narrowed to just around the Clubhouse.

This follows similar restrictions on smoking within public areas enacted in both the City of North Port and Sarasota County.

Officer Reports

During a discussion about the gutters having been cleaned out Sept. 16, it was reported that owners are noticing their gutters have gotten backed up with sand, undoubtedly from the sand bags breaking apart. Owners are instructed to alert Chris McCluskey if their gutters need attention. Lou Sperduto reported that the gutters, downspouts and underground lines will be replaced when the roofs are.

It was noted that the color of the yard lights throughout the community are not uniform (some are “soft”, others are “bright”). Lou explained that he is using one type of bulb and our maintenance tech is using another. Chris said he will purchase the same type of light bulb for them to use.

Committee Reports

Finance Committee Chair George Baillie reported that the HOA has 3 months to get organized for creating the 2024 Villa budget. Chris said he would be getting a preliminary budget to George and the Committee very soon. George then asked for volunteers to assist Sue Mason, Kathleen Glenney and himself on this committee.

Pool/Clubhouse Committee Liaison Sue Mason recalled that the Board had directed Chris to get a quote to replace the pool pump that was not working properly. Chris said that our pool contractor Kast had ordered the replacement and installed it already. The company apologized for not presenting a quote to the Board first.

Sue also reported that a new ceiling fan had been installed in the overhang area of the pool. It replaces the fan destroyed during Hurricane Ian. She also said that the landscapers continue to use the restrooms in the pool area. Chris is to contact LMP about this.

Sue then said that the garbage disposal in the Clubhouse kitchen had quit working. Our maintenance tech Jerry tried to fix it but couldn't so he purchased a new one and installed it. He will be reminded to occasionally run the disposal, particularly during the summer months when few events are being held and the unit is never operated.

New Business

- Lou reported that the bulk of the funds received from our Hurricane Ian insurers had been deposited in 4 separate \$250,000 CD's. At 4.8%, they have amassed enough interest that the accounts exceed \$250,000 and therefore are not fully insured by the FDIC. He moved to have the excess funds in the accounts be combined with those in a money market account and that a fifth CD be purchased. The Board passed the motion.
- It was reported that all but one Villa owner had paid the \$2,000 assessment levied earlier in the year. Lou referenced a report that showed almost \$200,000 in costs associated with landscape/irrigation clean up and repair. The \$20,000 surplus from the assessment funds will be used to replace bushes, shrubs and trees damaged or destroyed by Hurricane Ian.
- George Baillie discussed the HOA insurance for 2024 and that he is talking with Gino Littlestone, our insurance broker, to try to get our insurance timetable to January - December as opposed to how it is now at April - March. This would make budgeting for our insurance premium easier and more accurate. He also is looking at whether each building can be insured individually, thus saving on any deductible should damage occur within just one building. As it stands now, any damage that warrants an insurance claim will incur a deductible based on the value of *all* of the buildings.
- Due to changes in state law concerning condominiums and housing communities, our legal counsel has informed us that our covenants need updating in order to comply. A committee of Board members and residents will be selected and convened to address these changes and to present something to the ownership for ratification in the future.
- The Board took action on a new contract for our legal representation. This contract is up for renewal every 2-3 years. The hourly rate for legal services did increase a bit.
- In answer to resident complaints, the board voted to ban smoking within 25 feet of the Clubhouse. This will include all smoking materials such as cigarettes, cigars, pipes, vapes, e-cig, etc. Smoking is already prohibited in the pool area.

The next meeting of the Villa Board of Directors is Wednesday, November 15 at 4 pm in the Villa Clubhouse.

Meet Your Neighbors, Eat Some Food, Have Fun!

A full slate of social events is on the schedule for November. Get things started with the **Villa Coffee** on Sat., Nov. 4 beginning at 9 am. It's a casual gathering that features coffee and doughnuts and often other pastries to enjoy while catching up with your friends and neighbors. The Social Committee provides the coffee and doughnuts and you supply the fun and lively conversation. Donations are welcomed. Look for the sign-up sheet in the Breezeway of the Clubhouse.

Euchre returns to the Villas to the second and fourth Monday of the month (Nov. 13 & 27). The games begin at 7 pm and usually rap up around 9 pm. An entry fee of \$1.00 is charged and the top 3 scorers take home a generous cash prize. Be sure to look for the sign up sheet a few days before the games as attendance should be a multiple of 4!

Get your appetite ready for your Thanksgiving feast by attending the **Villa Potluck** on Tuesday, Nov. 21 at 5 pm in the Villa Clubhouse. Since we'll all probably enjoy a typical Thanksgiving dinner of turkey, stuffing and the like, plan to bring your favorite non-traditional holiday dish to the potluck. There'll be a sign-up sheet in the Breezeway of the Clubhouse in advance of the event.

Roof Replacement Update - A Recap of the Report from Brian Lewis

Brian Lewis, the attorney representing the Villa HOA Board on our claims of roof damage from both Hurricane Irma and Hurricane Ian, attended the Board meeting via Zoom to present an update on both claims and to answer owner questions. The following is a recap of his remarks.

Hurricane Irma - Brian began by indicating that we are currently in litigation with the Florida Insurance Guaranty Association (FIGA) over our claim of roof damage from the hurricane. Depositions from relevant parties are often taken by both sides as part of the litigation process. We are in a dispute with FIGA over the order of depositions to be taken. We will request a deposition from a Bobcat Villa representative. Currently FIGA is requesting a deposition from John Sobecki, a Villa resident who has been an outspoken critic of the Villa HOA's board actions relating to our insurance claim and of the management of Villa funds. As the 2 parties are unable to reach an agreement, they are looking for the court to issue an appropriate order. Tentatively a hearing is scheduled for Nov. 7 to address the deposition dispute. In the meantime, Brian has filed a motion for documents related to FIGA's response to our claim to date.

Hurricane Ian - Brian is working with Knox Roofing on submitting the correct information the insurers need in consideration of our claim for mitigation work done to protect our roofs post-Ian. To date, 3,000 pages of documents have been submitted. Brian is also working on a final demand package to our Ian insurers in response to their decisions regarding our Ian claim. Typically insurers can take up to 60 days to review documents submitted.

Brian said that the responses from our insurance carriers will determine how we will continue in the future with our claims.

Questions from the Board and from Owners

- Where does our claim stand? Brian has been dealing with attorneys with FIGA for several months, working toward a settlement. He indicated that he has seen a change in the attitude of FIGA on a settlement since John Sobecki got involved. He knows that Mr. Sobecki has been in contact with FIGA.
- Is Mr. Sobecki being deposed by FIGA's legal counsel? Yes, they will subpoena him.
- Is he representing himself, our community or our board? He's representing himself in this capacity and will be questioned as a "fact witness", instructed to offer no opinion.
- Will his involvement on our case with FIGA prolong a final settlement? Insurers typically try to get out of making any payment. At the very least his involvement has delayed the process.
- Are you aware of how Mr. Sobecki was able to be deposed? Mr. Sobecki has issues that he has communicated with FIGA. They will go through his concerns to see if they can use any of them. At this point, FIGA will be unlikely to offer any settlement until after all depositions are taken.
- Is he in any legal peril in what he can say? He will be giving sworn testimony under oath. If it is determined he lies under oath, then someone can take legal action.
- Do you know who at FIGA Mr. Sobecki is talking? Brian said he doesn't know who he is talking to but will find that out when he questions him at the deposition.
- What does this mean for our community if this goes to trial? Brian still feels unlikely that this will go to trial. He is trying to get a maximum settlement by keeping pressure on FIGA and their attorneys. There may be a mediation on the case to come to a final settlement.
- What about the cease and desist order? This question is better posed to Ernie Sturgess, our HOA legal counsel. A cease and desist order is not a judgement, it's a demand. It's not a court order.
- Is there a trial date set? There has been a notice for trial filed but no date has come in. There is no date set regarding when the depositions need to be completed. That will come with a trial order.
- Is FIGA a Florida insurance company? FIGA is not an insurance company. It is a state agency that takes over the cases of an insolvent insurance company.
- Will FIGA consider the quote Mr. Sobecki submitted to them for roof replacement? A document of this type is typically discoverable. Brian indicated he will have to deal with Mr. Sobecki's quote during the deposition.
- Will Mr. Sobecki have an attorney? Brian said he hasn't heard of one but he can have one if he chooses to have one.