



Daybreak Woods

President's Message...by Mike Zeal

I would first like to say Happy New Year to all in our community. We all hope that everyone has had a safe and fruitful holiday season this past year.

I would like to begin this year's first newsletter with some of the happenings of last year.

We all know by now we have retained a management company to handle the day to day operations of the association, and we have been very pleased with the quality of this company thus far.

They have been instrumental in keeping the accounting side of the association on track and helped to secure our ability to properly and efficiently collect dues and back dues.

This has probably been the most important reason for seeking and keeping a management company. The process from turnover and up to the end of the year had its bumps that we have been working to smooth out over the course of the year and I believe that the current board has what it takes to accomplish some of our goals for the upcoming year.



First we have had some changes to the make-up of the board to start the year off, we have had our treasurer and secretary resign their positions to give them much needed time to allocate for their families and we thank them for their selfless service to the community.

Going forward I will be staying on as President, Mrs. Jenn Mann will be staying on as Secretary/V.P. and we have had Mr. Chad McGraw appointed to the treasurer position to complete the open positions that were left.

The Board is working to finalize goals for 2009 namely making aesthetic improvements to the park and entrance area. Getting the community more involved in the security of our

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2009 Assessment Deadline is Jan 31st...



Deadline for submission of the 2009 Annual Assessment is Saturday January 31st.

Payments that are received with a postmark after this date will be subject to a \$25.00 Late Fee, Interest at 18 percent (18%) from January 1st, and Certified and First Class postage costs of approximately \$5.74.

Also, in accordance with Florida Statute 720.3085 any payment received will first be applied (in this order) to any interest accrued, administrative late fees, any costs and attorney fees incurred in this collection effort and then to any delinquent assessment.

If you have not mailed in your \$133.00 annual assessment, please do so today so you do not incur these additional collection costs!

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HOMEOWNERS' MEETING

**FEB 3rd AT 6:00 P.M. IN THE
OCEANWAY COMMUNITY
CENTER**

Let's "Renew America Together"...

"We are one people; We are one nation; and together we will begin the next great chapter in America's story." — President Barack Obama

The President believes that we, as Americans, have a responsibility to help our communities and fellow citizens. In summoning a new spirit of service, he is calling on us to make an enduring commitment to our neighborhoods. Every time our nation faces crisis, our national experience has shown Americans rise to the challenge.

While government has an important role to play in helping rekindle our economy and addressing the problems of a distressed nation, President Obama believes each of us, as Americans, have a responsibility to do what we can for our communities and fellow citizens.

We are one nation...

The United States is once again at a crossroads and that is why the President hoped to use the occasion of his Inauguration to rally our nation to commit to service in our communities. We are asking for your participation in meeting this challenge.

In 1994, Congress transformed the Martin Luther King, Jr. holiday into a national day of community service to further commemorate a man who lived his

life in service to others. As a tribute to that legacy and the very real needs of our nation, the President and Vice President launched a national organizing effort on the eve of their Inauguration to engage Americans in service.



This national day of service fell on Martin Luther King, Jr. Day, and, unlike past calls to service, President Obama is calling on all Americans to do more than just offer a single day of service to their cities, towns and neighborhoods. He is asking all of us to make an ongoing commitment to our communities.

Never has it been more important to come together in shared purpose to tackle the common challenges we face.

The website <http://www.usaservice.org> is designed to help promote these events and for Americans to make their commitments, build communities, find opportunities to serve and share their results.

These can be events that engage people in direct service, or bring people together to reflect on Dr. King's legacy and how they can commit to becoming more engaged citizens.

We ask all of you to please create an event or sign up to volunteer today, even in our community there are people who need your help!.

Mark your Calendars NOW all the 2009 Meeting Dates have been set...

For everyone out there that uses Microsoft Outlook, a paper calendar, or other type of scheduling system, we've taken the time to set the dates for all of our regular and special meetings and events for the rest of 2009.

Hopefully this will help everyone get more involved and will allow you the ability to put our dates on your calendar NOW so you won't schedule something else in its place. We really need your presence and involvement this year, so we look forward to

seeing everyone at the following events:

FEB 2: Board meeting

FEB 3: General Homeowners' Meeting

MAY 4: Board Meeting

MAY 5: General Homeowners' Meeting

AUG 3: Board Meeting

AUG 4: General Homeowners' Meeting

SEPT 10: Deadline for nominations for the 2010 Board of Directors (2 open seats)

OCT 5: Board Meeting

OCT 6: Annual Meeting & Elections. The 2010 Budget will be reviewed and approved at this meeting.

All General Homeowner meetings take place at **6:00 P.M.** in the **Oceanway Community Center**, 12215 Sago Ave.

All Board of Directors meetings take place at **6:00 P.M.** at Panera in the River City Marketplace area.

Covenant Amendments, Why the Need...



Unfortunately we did not receive enough responses last year to the proposed amendments to the Covenants & Restrictions to take any action, however, we strongly feel there is still a need to both modernize our governing documents and allow the Board some leeway on approving fencing other than the mandated 6-inch picket shadow-box designed fencing.

We hope each of you will go online at www.daybreakwoods.org and review the proposed changes that are brought about because of recent changes in the Florida Laws governing homeowner associations, specifically areas addressing fines, arbitration & mediation, architectural standards and assessments due to the growing foreclosure rate.

The Board of Directors in consultation with its attorney and management company representatives, have proposed a series of amendments that will help clarify association policies, remove old and outdated items like satellite dish placement, fence standards, garbage can placement, basketball hoop restrictions and other arcane items.

We ask every one of you to go online and review the changes and

if you see a need to amend another area we haven't addressed, we ask that you send an e-mail (or letter by U.S. Mail) with the specific wording you think needs to be changed or added. We will have those comments reviewed by our attorney and if warranted they will be compiled with the rest of the proposed amendments.

If we get enough responses, we will compile your suggestions and will go over them at the May 5th Homeowners' meeting and then send out the ballots so we can vote on them at the August 4th Homeowners' meeting.

Please help us get the governing documents in line with the current laws and make them work for the betterment of the entire community!

Operation Gratitude — Sending Care Packages to U.S. Troops...

As part of President Obama's national "Call to Service" you are encouraged to participate in community service. Making a care package for one of our troops overseas is a way for you to participate and help others.

Hundreds of thousands of American troops are deployed in hostile and remote regions of the world, including the Middle East, Afghanistan, Africa, Guantanamo Bay and on ships throughout international waters. The physical conditions they must endure are difficult and they may be separated from loved ones for long periods of time. **OPERATION GRATITUDE** seeks to lift troops' morale, and bring a smile to their faces by sending care packages addressed to individual service members deployed overseas. **OPERATION GRATITUDE** care packages contain food, toiletries, entertainment items and personal letters of appreciation, all wrapped with good wishes of love and support.

Here's how to do it.

STEP 1: Write a letter or a card to say "Thank You" to the soldier that will receive your package. You may decorate your letter however you'd like. Soldiers really like bright colors and drawings and would love to see your artwork. You don't need to put a stamp on your letter! It will be included in your package.

STEP 2: Make your Care Package. You can include such things as: AA Batteries; Crossword or Sudoku Books; Baby wipes or Pampers hand wipes; Ziploc bags; Playing cards; Writing notebooks; Pens; Stationery/note



cards; Beanie Babies; Packs of Gum; Girl Scout Cookies; Lip Balm; Socks; Toothpaste and toothbrush; Stamps.

STEP 3: Send your Care Package: Operation Gratitude is an organization that works with the military to find soldiers who need a care package. Please send your package to Operation Gratitude and they will get your package to a soldier. Address is: **Operation Gratitude, 16444 Regugio Road, Encino, California 91436.** If you cannot send a package, please make a financial donation to help this valuable organization continue its mission to help our service members. **Web address is:**

www.opgratitude.com

Fence Selection & Standards, it's more than you think...



Probably the most hotly contested area in this community is fence standards and the need for compliance with their specifications.

What you probably don't understand is that the requirement for 6-inch wide picket shadow-box fencing wasn't some standard the developer just picked out of a hat. It was actually mandated by the State of Florida in response to the building code enhancements that were enacted after hurricane Andrew tore apart southern Florida in August 2002.

Shadowbox fencing actually reduces the wind load pressing against a fence during high winds. The open slating

(spacing) between the fencing pickets allows air to go through the fence and thereby relieves the stress on the fence and reduces the likelihood of the fence collapsing and then being picked up and hurled into neighboring properties.

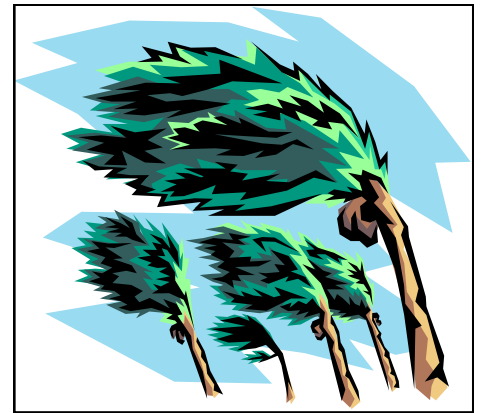
Hurricanes probably pose the single greatest threat to living in Florida. Winds in excess of 70 miles per hour can cause extensive damage and if the wind picks up an improperly installed fence, there's no telling of the damage and possible loss of life that can result.

That is specifically why the Covenants, Conditions & Restrictions go to great lengths to describe in detail the requirement that all fencing be constructed with 6-inch wide pickets and be assembled in a shadow-box configuration, not a privacy configuration nor board-on-board configuration.

However, with advances in technology some of the newer space-age fencing materials can actually withstand even greater wind loads than wood fencing

but the fact remains that until the governing documents are changed to allow the Board of Directors some flexibility in approving fencing materials and designs that are different than the specifications in the governing documents, those specifications must be followed to the letter.

As the story on page 3 about the proposed amendments to the governing documents highlights, the Board really needs your vote to amend the design standards so that you may legally construct or have installed some of the newer types of fencing that meet or exceed the new hurricane standards.



Weed Control Begins With Proper Management...



Proper management practices that encourage a dense, thriving turf are the best method of weed control. Healthy turf shades the soil so sunlight can't reach weed seeds ready to germinate. A thick turf also minimizes the physical space available for weeds to become established.

There are several management practices that will promote a healthy, dense grass.

- **Proper Turf grass Selection:** Proper management begins with selection of the best turf species or variety for a particular area. For example, heavily shaded areas will support only a few turf grass species. This results in thin, weak turf that is very susceptible to weed invasion. Good grass choices for shady conditions would be certain cultivars of St. Augustine

grass, zoysia grass, and to a lesser degree, centipede grass.

- **Proper Cultural Practices:** Proper fertilization, watering, mowing, and control of other pests are required to produce a dense turf that will prevent weed infestation. If turf is over-or under-watered, over-or under-fertilized, or mowed too low or too infrequently, the turf is weakened and cannot compete with weeds. Damaged areas resulting from using unsharpened mowers increase time needed for turf recovery, allowing for weed invasion. It is very important to understand that weeds don't create a void, they fill a void.

- **Sanitation:** It is extremely important to prevent the introduction of weeds into lawn areas. A good practice is to wash off mowers and trimmers used in weed-infested areas before mowing or trimming in weed-free areas. Similarly, rototillers should be thoroughly cleaned prior to and after using to minimize dispersal of weed seeds found in the soil. Yard clippings that contain weeds should be properly disposed of or composted to reduce the possibility of unwanted contamination

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neighborhood, continuing to work aggressively to have 100 percent of the collections completed, and continuing with our very successful work with our monthly inspections that seemed to get a lot of improvements done last year.

Our first success story of the year has already happened. At the start of the year we had a few companies inspect the playground equipment for all of the nasty and vile markings that were all over it and we are pleased to say that we have found a company that for a very small fee has cleaned the entire surface of the equipment so our families don't have to be subjected to the pitiful language that was draw all over our playground, we hope that parents will help keep a vigilant eye when they are in the park so we can keep our playground a kid friendly area.

Finally I would like to let everyone know that it seems with the slowing economy we have been hearing of a rise in crime in our neighborhood, several cars on entire streets have been broken into and homes have

had doors kicked in and major items that were quick and easy to take were taken away within minutes. I can not emphasize enough how much we all need each other's help to look after your friends and neighbors and report any suspicious activity to the sheriff's office.

If you don't have an alarm system look into having one installed, it can help save your home and save you money on your homeowners insurance. If you must leave your car outside please lock your doors and take anything of value inside especially any garage door openers since all they have to do is hit a button and open your garage up for the taking.

Please join us at our next meeting to share your thoughts and ideas for improvements you would like us to look into or ideas for better security in our community, with out you there is only so much we can do.

Thank you and again Happy New Year!

Mike Zeal, President

Questions & Answers...

Q1: How come the playground does not have a place for parents and others to sit while our children are playing?

A1: Great question! One of the things we will be working on this year is suggestions on how to upgrade the park and stay within our tight budget (see page 6). In the past we had elaborate plans drawn up to really upgrade the playground, however, with the current state of the economy and the great amount of accounts with outstanding balances, we have had to scale down the plans for this area. If you come to the homeowners' meeting on February 3rd, we would love to hear what you think should be our focus for this recreation area.

Q2: I got a bill when I received a 3rd Notice of Violation, I do not agree with these fees and won't pay them.

A2: The fees for sending the 3rd and 4th notices of Violation by Certified and First Class mail are required to comply with the Florida statutes. Since you did not respond to either of the two or three previous notices or you did not correct the problem, the fee is required because our management company must send an inspector to re-inspect your property and to begin building a case file for a hearing if the problem is not corrected. These fees are authorized and must be paid or you can incur additional late fees and interest.

Q3: Why can't you make the annual dues payable later in the year? January 31st is so close to the holidays and hard for me to find the money to pay.

A3: While it would be easy to say that we could extend the deadline to April or sometime later, the Association would have to recalculate all of the bills to add the additional 3 to 4 months to the annual amount as a pro-ration if we were to

change the deadline to a later date. Because this is an annual bill we feel it is better to plan accordingly throughout the year so that the funds are available to pay the bill, which is actually due on January 1st but not considered late unless the payment is not postmarked by January 31st.

Q4: The house across from me continues to have a trailer in the driveway and sometimes parked on the grass, I thought this was a violation?

A4: You are correct, it is a violation and is being addressed. In one case it was a tenant living in a soon-to-be foreclosed house and the owner was not responsive to our requests to correct the problem. Our attorney contacted the tenant and they removed the trailer. The other case that is still on-going is working its way through the enforcement process. This does bring up a point though, the Association will seek a towing order through the courts if an owner continues to ignore requests to remove a trailer or park it properly. This is extremely expensive both to the Association in up-front legal costs and to the owner who eventually has to pay the outstanding bill for all the fees.

Q5: I loved the extra police presence in the neighborhood last summer, does the Board plan to continue with this service this coming summer? It was a great deterrent and I certainly felt safer.

A5: We have allocated \$2,450.00 in this year's budget for these off-duty patrols, however, we will have to see where we stand financially as the summer approaches before actually spending the funds for these patrols. If we collect the projected dues payments on-time and are successful with some of the impending legal actions on properties with large outstanding balances, we don't see where we shouldn't be

What's being considered for the community...

Playground—We will be looking into installing new rubberized mulch in the playground as well as installing benches and maybe some permanent barbeque grills. We will also be installing replacement signs that were taken by vandals.

Parking—It doesn't make sense to improve the playground without first addressing the parking issue. We will be researching and getting estimates on having 6-8 parking spaces created so that there will be a safe place to park while you enjoy the park & playground. Several ideas are being considered, installing pavers, having the parking spots paved with asphalt, or putting down crush-crete (a form of rock that has a layer of lime rock underneath). However, there are still many other details that have to be addressed before we can go forward with construction, they include, permitting, budgetary constraints and how to control the parking spaces so that they are available to those visiting the park and don't just turn into more off-street parking spaces.

Fencing—Now that the major graffiti and accident damage has been repaired, the Association is looking into ways in which to strengthen the PVC fencing so that there is better support behind the side facing the street so as to preclude it being constantly kicked in by vandals and strong winds. The company that installed the fencing is

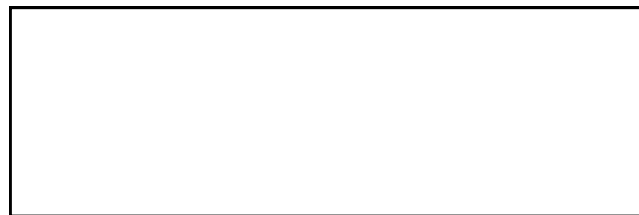
researching ways to add this strength without detracting from its appearance.

Landscaping—A new lawn vendor takes over on February 1st and we will be looking at ways to improve the landscaping and shrubbery. We will be installing mulch rings around the palm trees along Daylight Trail as well as trimming them to help make them more attractive. We will also be looking into the costs to installing Pampas grass or other small plants along the perimeter fencing to help beautify the look of the neighborhood.



Security Cameras — This item was discussed in the last newsletter but has not been resolved so we will keep this item open until we can get more information to reach a decision on. One of the things we recently heard about while attending an event hosted by our Northside City Council Representative Ray Holt was the possibility of partnering with Shirley Oaks and Daybreak Forest to install security cameras at the front entrances of our communities to record vehicles coming in and going out of our communities and to record the activities of children waiting for and getting off of the school busses. Representative Holt said there may be the availability of some city funds to help offset the enormous costs associated with this effort.

Daybreak Woods Homeowners' Assn
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Return Service Requested