

**The Landings Management Association, Inc.
Minutes of the Board of Directors Meeting
November 2, 2006**

Call to Order

Bob Capo called the meeting to order at 7:00 PM at the Landings Racquet Club, 5350 Landings Boulevard, Sarasota, Florida.

Determination of Quorum

Present were Bob Capo, Dolores (Dee) Ricapito, Bill Whitman, Dick Bayles, Don Smally, Jerry McFadden, John Newcomer and Fred Stanyer constituting a quorum. Also present was George Niel of Argus Property Management, Inc. Irwin Starr of The Landings Eagle and several homeowners.

Confirmation of Proper Meeting Notice

The notice was posted in accordance with the Bylaws of the Association and requirements of Florida Statutes.

Appointment of Acting Secretary

A motion was made and seconded to appoint George Niel as Acting Secretary for the meeting. The motion passed unanimously.

Approval of Minutes of October 5, 2006 Board Meeting

On a motion by Dee Ricapito and seconded by Fred Stanyer the minutes were unanimously accepted.

President's Report:

The President said that he had no report and opened the floor for any question concerning the 2007 Budget.

There was only one question from the President of South IV:

The question was concerning the deficit spending that has been occurring over the past few years. Dick Bayles said that the 2007 Budget was addressing that issue and hopefully by the end of 2007 the deficit will no longer exist.

There being no further inquires on a motion by Dee Ricapito seconded by Bill Whitman the 2007 Budget was unanimously accepted.

Treasurer's Report:

The Treasurer said that his report was attached to the September 30, 2006 financials.

He also reported that the forms to change the Smith Barney account from the President's control to the Treasurer's control had arrived and needed to be signed.

Safety and Security Committee:

Bill Whitman said that he was glad to report that Halloween came and went with no incidents. He also reported that a few new signs were placed around The Landings including one at the North gate and two new 500-watt lights were also placed at the North gate.

Bill Whitman reported that he had confronted a Landings resident about her alleged unsafe driving (speeding and going through two stop signs without stopping). The Board President said that he had received a call from that resident complaining about the issue. The president said he asked her if she was speeding and if she had run two stop signs. The President said that she admitted to the allegations and the President told her that the Association had

the right to enforce traffic laws within the community. The general consensus of the Board and other in attendance was that Bill Whitman acted in a responsible manner.

One of the residents asked the Board to look at the intersection of Kestral Park South and Landings Boulevard because in her opinion there should be better lighting at that intersection. Bill Whitman said that he would look at that intersection after dark.

Landscaping Committee:

Fred Stanyer reported that 30 shrubs at the front entrance to The Landings on the South side needed to be replaced and that the approximate cost of the shrubs and planting would be between \$1,200.00 and \$1,500.00. Because the trees will be on school property he was waiting for the School Board to give their approval. A question was raised about the expenditure and Fred Stanyer said that it was necessary to keep the front entrance to The Landings looking good because the School Board was not interested in how it looked to the Landings residents. An open issue is the extent to which the plantings would be maintained by the School Board, something to which they had committed to when the initial planting was done.

Fred Stanyer also reported that one of The Landings residents while trimming vines from some pine trees in the preserve stepped into a fire ant nest and ended up in the hospital. Fred Stanyer again said that the preserve area was not a safe place to walk around in. The resident said that he was only trying to protect the pine trees as in his opinion the vines were killing the trees. Fred Stanyer said that it is Pine Borers causing the problem, not the vines. A brief discussion followed with no action taken.

Fred Stanyer reported that in his opinion Sarasota Sprinkler was no longer doing as good a job as they should and suggested that another irrigation company should be interviewed. A brief discussion followed, however no action was taken.

Roads and Drainage Committee:

Don Smally reported that Mariotti is now repairing the low spot at Heron Way and Landings Boulevard.

Don Smally also reported that he had contacted Minder about doing a study and a sketch for the proposed drainage swale at the preserve. He said that the cost would be around \$3,000.00; he further reported that this would need to be done so that contractors would know how and what to bid on. He reported that there is \$20,000.00 in the 2007 Budget for this project. After a discussion the Board gave their approval for the study and sketch to be commenced after January 1, 2007.

Lakes Committee:

Jerry McFadden reported that Lake 1 is now looking much better however there is still some debris at the West end which will be taken care of in the near future. He also reported that all of the fountains and lights are in working order.

Nature Trail:

There was no report except that the clean up will not be until next year.

Public Relations Committee:

The Public Relation report is attached as exhibit "A"

Old Business:

No old business discussed.

New Business:

A discussion then arose about the article in "The Landings Eagle" concerning the insurance problem of Irwin Starr, the Editor and Publisher of the "The Landings Eagle". A copy of that article is attached as Exhibit "B".

After a discussion on a motion by Dick Bayles seconded by Bill Whitman a letter written on behalf of the Association (copy of that letter is attached as Exhibit "C") by Bob Capo will be sent to Irwin Starr's insurance carrier.

A long discussion then arose about who should and shouldn't have access to the Eagles' Nest Area based on a comment at the October Board Meeting that the Area was open to all residents of The Landings.

It was brought to the Board's attention that the LMA Rules and Regulations only allow access to the Area:

1. When access is required for maintenance of adjacent properties; and
2. When a Director authorizes entry.

It was further noted that the LMA Board has the authority to modify access rights provided that other restrictions in the Maintenance Covenants are observed.

After further discussion the Board decided not to take any official action at this time.

Adjournment:

The meeting on a motion by Dick Bayles and seconded by Bill Whitman was adjourned at 8:23 PM. The next meeting is scheduled for December 7, 2006.

Respectfully submitted,

George Niel, Acting Secretary

George P. Niel, CAM

From: Ricapito [ricapito@comcast.net]
Sent: Thursday, November 02, 2006 11:49 PM
To: George Niel--Argus
Subject: LMA Meeting Minutes-----Public Relations

Hello George:
Public Relations Chair Minutes:

Wooden Eagle carving that sits at the first Circle on Landings Blvd. was reported missing, by its sculptor, Earl Morgoch. Requested Irwin Starr report it in the Landings Eagle, for neighbors to keep a lookout.

Green Book -- The new publication was distributed to our residents, and if additional copies are needed -- they can be purchased from Argus for \$5.00. (Rules & Regulations booklet, \$2.50 and Resident's Directory \$2.50. Additional copies will be set aside for New Comers Party if they haven't previously received one upon ownership.

We are proud of Irwin Starr's hard work on the Landings Eagle and the sense of community it provides. We would support his needs for letters indicating the value the Eagle Newsletter provides as our means of communication.

Dee Ricapito

The Eagle Needs Your Help

The Eagle has been edited and published by two local residents for the past five years. And by others for many years before us. We have grown the paper from the four-page document sponsored by the Landings Management Association to a 32 to 36 page community newsletter with the support of local advertising revenue.

Apparently our success is threatening us.

We recently heard from our insurance company of 10 years has told us they will cancel our insurance next year if we do not seek an Error and Omissions (E&O) policy for publishers because we publish the Landings Eagle. It insures our Landings home, our cars, a small investment property and an umbrella public liability policy.

E&O policies are held by media to insure against libel or slander suits.

We have requested bids from two sources both handling policies from a number of different companies. We've received only one bid with a premium \$2900 plus annually with a \$10,000 deductible. We queried why no other companies responded. We were told it is simply too small an operation.

That makes sense to us, but obviously not to our insurance company.

In fairness, the company requiring this insurance does not offer such coverage.

We offered to sign a waiver of liability for any matters relating to The Eagle. Offer unacceptable to them.

The Eagle is registered as an LLC providing a corporate shield of liability protection in the unlikely event we were to be sued.

We do not engage in investigative reporting, limiting ourselves to established facts rather than supposition and conjecture. All editorials are carefully marked as editorials.

As our readers know we have a policy of publishing corrections, editing letters to the editor for libel and slander, rejecting personal attacks in our "Rants and Raves" column. In addition media are generally protected from such suits if not maliciously intended. The editor also possesses 40 years of media management experience.

While \$2900 annual premium is an onerous amount for this small operation a greater concern is the precedent of requiring such insurance for community communications tools. I could put many out of business.

If you agree with us, we'd appreciate a letter of support to include a letter we are preparing to our insurance company.

You can help by sending us a letter indicating what value you think this paper is to the community; whether it would be messed if folded because of such added expense; and your concern for the existence of newsletters in general for communities, clubs, even churches. We will pass the letters onto our insurance company

THE LANDINGS MANAGEMENT ASSOCIATION, INC.
1724 STARLING DRIVE • SARASOTA, FL 34231

October 16, 2006

Cincinnati Insurance Co.
c/o Al Purmort Insurance

Gentlemen:

Five years ago The Landings Management Association, Inc. which governs the 700 residences in The Landings, Sarasota, Florida, was eager to restore a community newsletter providing a communication vehicle within our constituency.

We called on Irwin Starr, a retired television station executive with national, regional and global media experience, to propose a plan by which this critical service goal could be accomplished.

The LMA board voted unanimously to provide funding for production and mailing costs for a 4 page newsletter, 8 times a year. We also agreed that Mr. Starr could develop an advertising base to increase the substance and quality of the newsletter, and that he would maintain editorial freedom ensuring objective coverage of community government and our 22 individual associations.

We are very proud of our publication, *The Landings Eagle*. It is now 32-36 pages strong and publishes 10 issues annually. The additional 28 pages and additional issues are supported by Mr. Starr's development of local advertising revenues — his only real compensation for the work and hours he has committed to benefit our community. The newsletter's distribution to Landings residents, advertisers, political figures and interested parties in our immediate geographic area, including Siesta Key and a substantial off season paid subscription base, has greatly enhanced community communication and participation in local government and events.

It is our understanding that Mr. Starr's homeowners insurance company is demanding that he obtain Errors & Omissions coverage for the paper or risk losing his homeowners insurance policy.

Such a requirement clearly threatens the continued existence of *The Landings Eagle*, and likely similar newsletters in other communities, and would make it virtually impossible to create and distribute a timely, informative newsletter providing dialogue on community issues. What local resident in any small community would be willing to take on such a publication when faced with an almost \$3,000 annual insurance premium with a \$5-10,000 deductible?

We understand that Mr. Starr has offered to waive liability coverage for *The Landings Eagle* and respectfully request Cincinnati Insurance reconsider his offer and permit the continuance of our outstanding community newsletter providing vital communications within The Landings.

In its five year history, *The Landings Eagle* and its publisher have upheld the high standards of our community, its residents and advertisers. Its regular, reliable delivery has become a community voice unavailable and unheard of in similar gated communities.