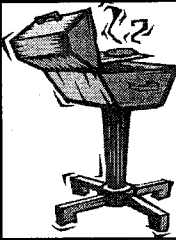


# Countryside Living...

A PERIODIC PUBLICATION OF THE DONALD ROSS LANDOWNERS ASSOCIATION, INC.



## COMMUNITY PARK

The Park Committee has set up January 21, 2006, as Design Day for the community. The plan is to have residents, especially children, bring their ideas on what they want to see in the park. Leathers Associates has been hired by the Landowners Association to run the program. Free food will be available for all attendees, both at lunch time and dinner. Bob Berman of Berman Realty is sponsoring lunch, and the Landowners Association will be sponsoring dinner. Hardey Gaynes of Hardy's Parties will be doing the

cooking.

As many of you know the Berman Family is donating the land at the end of 69<sup>th</sup> for the park in Memory of Margaret Berman for the children of PBCE. That is why it is very important to have children from the community involved in the initial planning. This will be a very planned out busy day, so block out your calendar, tell your neighbors and get ready for a great event. At the end of the day at 5:30PM, the engineers from Leathers will present the project design, based on the feedback received during the input period of about 9:00AM to 11:00AM. Watch the website: [www.pbce.org](http://www.pbce.org) for more detailed information or call the park committee.

We will also have a car/motorcycle show from 4:00PM to 5:30PM, so bring all your great rides and let your neighbors see your toys.

## County Staff Agrees to Recommend Return to 25' Setbacks

After extensive meetings between County Zoning Staff and Commissioner Marcus's Staff with Michael Danchuk, the Zoning Director for Palm Beach County has agreed to return to implementing a 25 foot setback requirement for accessory dwellings.

Originally PBCE fell under a regulation that stated the set backs would be based on a percentage, unless the property was under 1 ½ acres. If the property was 1 ½ acre or less then the setbacks would be 25' on each side, for buildings and additions. Since most properties in PBCE were under 1 ½ acres the 25' setback applied to most home owners. Then new set back rules that took effect last year took out the 1 ½ acre exemption. The set backs became: front - 30% of depth, side(corner)-20% of width, side (interior)- 15% of width, and rear- 20% of depth.

The new change would once again allow accessory dwellings to have a 25 foot setback, as long as there is a 5 foot opaque screen along any 25 foot property lines. This could be a hedge or a fence. Also ingress/egress would be allowed on all sides other than towards the adjoining property line if the property owner uses the 25 foot setback allowance.

This change would not apply to the principal dwelling on a property but only applies to accessory dwellings. Accessory dwellings are living structures with independent kitchen and sanitary facilities, such as "granny quarters".

A special thanks to the County staff for acting so promptly on this matter. It is anticipated that there will be two readings in front of the county commission on this matter, and barring any unforeseen problems it will be implemented by March 2006.

## What Is My Tax Bill For?

Recently residents in PBCE got their 2005 tax bill and there were some questions as to what some of the charges were for under the non-ad valorem taxes by SIRWCD. Residents in the Z section that recently had their roads paved had an assessment of \$550.00 for the road paving bond. Everyone then had an assessment of \$610.00 for the city water that is coming in, to start paying for expenses incurred and future debt. Everyone also had a payment of \$228.76 for road maintenance, and then everyone had an assessment of \$119.21 per acre for water/drainage control. In comparing the 2005 bill to 2004 bill residents will note that two prior bonds totaling about \$350 to \$400, depending on lot size, were no longer on the bill as they had been retired.

## Officers and Committee Members

### Officers:

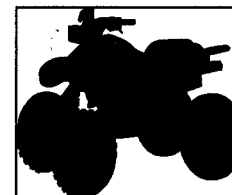
President - Michael Danchuk	626-2530
1st Vice President - Kevin Baker	748-3376
2nd Vice President - Bob Berman	627-1118
Treasure - Daniela Russell	575-5189
Secretary - Stephanie Duncan	575-7956

### Committees:

COP Patrol & Disaster Assistance- Bill Bolds	626-7638
Entrance - Kirk Humphreys	748-4595
Beautification - Valerie Rozzo	743-3290
Fall Festival - Scott Rice	723-5552
Helping Hands - Pam Malone	743-9912
Newsletter Editor/Advert. - Nicole Campbell	626-2530
Welcoming - Arie Strobel	748-6784
Sidewalks - Mike Danchuk	626-2530
Parks - Bill Meyers	745-6632
Bob Berman	627-1118
Kirk Humphreys	748-4595
Mike Ryan	747-3233

### Information:

Equestrian - Beverly Bean	575-4411
RV/Camping Club - Connie McCormick	744-2938
SIRWCD - <a href="http://www.sirwcd.org">www.sirwcd.org</a>	747-0550
Landowners Association - <a href="http://www.pbce.org">www.pbce.org</a>	
Car/Motorcycle Show - Scott Rice	723-5552
Mike Danchuk	626-2530



## ATV's

Once again, because of a few inconsiderate riders, we have been getting complaints about ATV and dirt bike use in PBCE. It was requested at a recent meeting that we remind parents that even though we are a rural area, motorized vehicles are not allowed on the roads unless they are licensed for use on the road. Canal banks in PBCE, are only for SIRWCD use and access, except for the South Florida Management C-18 canal, which allows equestrian and pedestrian use. Also if a motorized vehicle is used outside of ones property and an accident occurs causing damages, it is unlikely that liability insurance will protect the owner. Please check with your agent to confirm what you are covered for.



### Message from the President

It's been a very busy year, a lot has happened and even more is on the horizon. One of my big concerns this year was the zoning change that came into effect about a year ago. I am happy to say after a lot of work the County seems to have agreed to a compromise and will allow us to go back to the 25 foot setbacks, at least with accessory dwellings "granny/guest homes." Many of our residents had run into problems with their permitting, because of the prior change, and now it seems, barring any unforeseen problems, that we will return at least partially to the 25 foot setback rules. I would like to publically thank the County staff for their quick attention and response to this issue.

Another issue I have been recently quite involved in is the Scripps location debate. Please note that the opinion I express in this section is solely my own and does not represent the position of the community or the Landowners Board. The Board had attempted to come up with a statement, but no unanimous position could be reached. Due to the emotional politics that have become part of the Scripps project the Board will not be taking a position.

My personal position is that I feel if Palm Beach County is to have Scripps, the best location is currently at the FAU/Brigger location. When I look at a project, I look at how it will affect PBCE not just over the next year or two but what impact it will have over the next 10 or 20 years. It is very evident to me that at some point the area east of I-95 on Donald Ross Road will be developed. Therefore, I look at what would be the best type of development for the area as it will impact PBCE. Over a decade ago, there was an attempt to heavily develop the area west of us and put FAU and other developments there. I formed community interest groups and with the help of many people we were able to move what is now ABACOA to the area east of I-95. One of our concerns back then was the large traffic impact there would be on PBCE if the development was west of us. I have the same concerns about the land east of I-95, on the south side of Donald Ross Road. If large residential communities are built there, then I feel Donald Ross Road will become another Northlake Blvd. By having Scripps build there we will have greater control over what is done, and at the same time there will be less traffic congestion, than if all residential is built. The infrastructure is already there and as a taxpayer in Palm Beach County it is evident to me that we will also save tax dollars by using the FAU site over the Mecca site. Also the close proximity to PBCE would be beneficial for PBCE, for potential jobs, and property values.

For these and many other reasons, I have been active as an individual in trying to get Scripps away from the Mecca site and over to the FAU site. But again I mention that is purely my position, and that our Board is not taking any position, so as too, not get involved in the political war that has become the Scripps project.

On another positive point we have designated January 21, 2006 as our design day for the park project. It is very important for many parents and children to attend this function to help with the planning. Please see the article describing this event in more detail, and we hope to see you there.

And of course the water and possible road improvements are moving along and we should see quite a bit of activity on these projects in the coming year.

I hope you all had a great holiday and we all wish you a healthy and happy New Year.

*Michael Danchuk*

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*It's Hard To Stop A Trane*

## PBCE Playground Design Day

We need your ideas for our new community, volunteer built, playground!

Bounce House • Face Painting • Food & Drinks • Car Show

**Saturday, January 21st**

at the Living Oaks Ministry Church located on 64th Dr.

Children's Design Time from 9:00-11:00am

Car Show from 4:00-5:30pm

Community Celebration, Design Unveiling from 5:30-6:00pm

### New Logo for Association

Several residents have submitted suggestions for a new logo to be used by the Landowners Association. The Board had voted to see if the great ideas could be incorporated together to make for a distinctive look. Watch the website [www.pbce.org](http://www.pbce.org) for the results.

### "City" Water/Fire Hydrant Update

You may be aware that the South Indian River Water Control District (SIRWCD) went out to bid several months ago for the water system. The bid specifications were written to best benefit SIRWCD and give the most control and flexibility for the construction process. Previously I had written about the possibility of having multiple contractors and/or multiple phases for the construction. That was how the original bid was composed.

Apparently, none of the very interested contractors looked favorably upon a construction project with those limitations or possibilities. Out of nine contractors who were pre-qualified to bid, one submitted a bid. And that bid was significantly higher than the budgeted amount for the project. SIRWCD could not accept the bid both because it was too high and because there was only one bid.

So the staff of SIRWCD got comments and suggestions from all the contractors as to how they could best bid the project and it was re-bid. Three good bids were received based upon there being one single contractor for the entire job and there not being any phases. (The entire project will be built at once.)

The great news in doing this is that the lowest bidding contractor was able to come in with a bid that is within budget. Additional great news is that the estimated time for completion is now approximately one year from the start of the construction which could be as early as January 2006. The previous estimate for construction time was from 18 to 30 months.

There is a rumor that somehow this project in PBCE was delayed because of the construction of the Toll Brothers golf course community project being built on the west side of the C-18 canal and south of Indiantown Road. Nothing could be farther from the truth. In fact, because that project will need to use a portion of the piping being installed in PBCE (they are paying for it), this will actually help accelerate construction in PBCE. They need the water lines sooner than we do because water for their project is mandatory unlike PBCE where homeowners have the option of hooking up.

If you have questions about the "city" water project or anything else in Palm Beach Country Estates, please feel free to call me or a Board member, or stop by. You will get the most complete accurate information available.  
*Bob Berman*

### SIRWCD Road Update

It is expected that the SIRWCD Board at the January meeting will get an update from the engineers on the status of the ballot. Once the Board is able to approve the ballot it will be sent out to the streets that have petitioned to get an estimate. At that point PBCE residents, who have petitioned for road paving on their streets, will have the opportunity to vote on whether they want their particular road paved or not. There were many reasons for the delays in getting the proposed ballots in front of the Board for approval, which included road alignment and surface questions.

However now that the water construction may be done within the year, it is likely that it will be recommended that the paving of roads, for those streets that vote for the paving, be done in conjunction with the water project. This will delay the paving but will result in eventual savings as the roads will not have to be cut for the water lines. Discussions are also still continuing with the water contractor, as there is still the possibility that the water contractor may be able to save costs by doing both projects, so a final estimated price has not yet been determined.

### *Living Oaks Ministries Church of God*

14156 64<sup>th</sup> Drive North  
Palm Beach Gardens, FL 33418

Pastor Larry Richardson

561-627-9288

Sunday 9:45 – Bible Study for all Ages



Peter Muirhead

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### Ocean to Lake Greenway Equestrian Event 2006

Saturday, February 18, 2006 ride your horse from PBCE along our bordering State designed Greenway as we carry the Ring of Unity from PBCE to J.W. Corbett Wildlife Management Area ending with a camp out and campfire stories by Swamp Owl, A Seminole Representative. On Sunday, ride from camp into DuPuis Management Area Equestrian Center for a Greenway Celebration and BBQ.

All riders must be preregistered and can ride whatever distance they are comfortable.

To participate contact Lynne Smith Feyk 561-744-2552 - Email: feyks@adelphia.net

*Beverly Bean*

**15th Annual SIRWCD Landowners/Family Day**  
**at SIRWCD on Jupiter Farms Road**  
**Saturday, March 4, 2006 - 11:00 am - 3:00 PM**

### Car - Motorcycle Show

On January 21, 2006 4:30 to 5:30 at the Living Oaks Ministries Church of God- 14156 64<sup>th</sup> Drive in conjunction with Design Day Refreshments will be served. Call Scott Rice 723-5552 or Michael Danchuk 626-2530 for information.

## Donald Ross Landowners Association Meeting

**Minutes of Meeting**—November 15, 2005

Meeting started 7:30 p.m.

**Officers in Attendance** - Mike Danchuk, President, Kevin Baker, 1st Vice-President, Daniela Russell, Treasurer, Stephanie Duncan, Secretary Absent was; Bob Berman, 2nd Vice President. **Treasurer's Report**-Operating account \$3586.27, Legal Defense fund-\$1875.59. Motion was made to approve and seconded, no discussion. By verbal response all were in favor to approve as reported. **Secretary's Report** - No additions or corrections were presented for the minutes of the September 13<sup>th</sup> meeting published in the October Association Newsletter. A motion was made and seconded to accept the minutes. By verbal response all were in favor to approve as reported.

**OLD BUSINESS -Bylaw Changes** - The Board will present in the December newsletter recommendations for changes to the By-Laws. Everyone should review the recommended changes and be ready to discuss at the January Association meeting. Bylaws will then be finalized and published after the January meeting. **Water** - Project had to go out for a re-bid as explained in the minutes of the September meeting. New bids have been received and one of the contractors came in with an acceptable bid. The company has a local office in the county. The bid included a one year completion date. South Indian River Water Control District (SIRWCD) will make a decision at November 28<sup>th</sup> meeting whether to accept any of the bids. One of the cost savings for this project will be for the SIRWCD to buy all the pipe needed for the project as they are exempt from sales tax. Discussion from the floor on why SIRWCD did not advise the community that the first assessment would be included in this year's tax bill. While everyone will be assessed for the installation of water in the community, individual households must make the decision whether to hook up to the system. Most people in attendance indicated they are for the water however, felt that SIRWCD needs to do better in keeping the community updated on the various projects impacting the community. **Roads** - SIRWCD moving forward with bid package for the roads. Some of the companies that were bidding on the water were the same ones bidding on the roads. **Sidewalks** - These have not been included in the bid package for the roads. We are still on track for the County to install at their expense a sidewalk on the east side of 69<sup>th</sup>. This will be done after the water has been installed on this road. The pathway for Donald Ross has been approved and is scheduled to be built within two years with State and Federal funding. **Setbacks** - Mike has a meeting scheduled with County Commissioner Marcus and staff to discuss this issue and its impact on "granny" flats and other construction on our properties. The County staff stated they felt that the change was only a clarification of an already existing regulation. However it was pointed out that this was not the case prior to the change last year. **Association Logo** - Resident Joan Bolds submitted a design that included Sand Hill cranes, trees and owl. All entries will be posted on the website for landowners to review and comment. **Sound Barriers** - Nothing to report. We have a volunteer to take the lead on this project. She has done a lot of research and there are viable solutions that do not require the building of expensive concrete walls. **75<sup>th</sup> & 155<sup>th</sup>** - The Board wrote a letter to BellSouth including pictures regarding the visibility problem. Discussion from the floor included looking into rumble strips or making the intersection a four-way stop. This discussion lead to concerns that once more roads are paved in the community we will incur more speeding that will result in more accidents. A request was made for more presence by the Sheriff's department. Landowners were encouraged to write letters to BellSouth about their concerns on the visibility. **Community Park** - January 21<sup>st</sup> has been selected as the tentative date for the Design Planning Day. We need to have a lot of involvement from the children in the community. More information will be sent out once the date and location has been confirmed. **NEW BUSINESS - New Homeowners** - New residents were asked to stand and introduce themselves. **Electricity** - Discussion took place on approaching FPL about burying the lines. While a possibility there are downsides with the amount of trees in the development that could fall over and pull the conduit out of the ground. Also to find breaks is more labor intensive and could result in more delays in getting power restored. No further action will be taken to pursue this suggestion. **Vandalism & ATV** - Residents on 75<sup>th</sup> expressed concerns with the "caravans" of ATVs & dirt bikes that are riding on the roadway, speeding and cutting across private property and destroying hedges. Association will again publish in the newsletter that these vehicles are not legally allowed on the roadways. **Committee Reports** - **Disaster Committee** - Bill Bolds has agreed to chair this committee. The committee will look into establishing lists of those who can assist in preparation as well as recovery in the event of a hurricane or other disasters. Meeting adjourned at 8:45p.m. Respectfully submitted, *Stephanie Duncan*, Secretary

## PBCE Landowners Association Proposed

### Bylaw Changes

As discussed the Board is considering making some changes to the current bylaws of the association to help clarify some issues, and address some concerns that have been raised. The current bylaws are listed below and then we have put on bold the area that may be changed, followed in bold italics the proposed change. Any questions will be answered at the January Association meeting, and the Board will be deciding on any changes in the following months.

BYLAWS OF "DONALD ROSS LANDOWNERS" ASSOCIATION, INC., A Florida Corporation Not for Profit

### **ARTICLE ONE**

#### **Organization**

**Section 1.** The name of this organization shall be DONALD ROSS LANDOWNERS' ASSOCIATION, INC. (hereinafter referred to as the "Association" or "Organization").

**Section 2:** The name "Donald Ross Landowners' Association, Inc." is a/k/a and d/b/a "Palm Beach Country Estates Landowners' Association" sm and "Palm Beach Country Estates" sm by Florida fictitious name and Florida State SM (service mark) protections. The abbreviation "PBCE" is a reference to the registered name of "Palm Beach Country Estates" sm ***Change to read: The name "Donald Ross Landowners' Association, Inc." is a/k/a and d/b/a "Palm Beach Country Estates Landowners' Association" sm by Florida fictitious name and Florida State SM (service mark) protections.***

**Section 3.** The Organization may, by a majority vote of all voting voluntary members, change its name.

### **ARTICLE TWO**

#### **Purposes**

The following are the purposes for which this Organization have been established:

**Section 1.** For providing an entity to represent landowners of property located in Palm Beach Country Estates.

***Change to read: For providing an entity to represent " the interests of its members" owning property located in Palm Beach Country Estates.***

**Section 2.** For the purposes set forth in the Articles of Incorporation of this Organization.

**Section 3.** For such other purposes as the voluntary Membership may, from time to time deem necessary, contingent upon Membership receiving adequate notice.

**Section 4.** This voluntary landowners' Association shall have no enforcement capacity or mandatory assessment ability over its members.

**Section 5.** Inform the landowners about matters which may affect the community.

### **ARTICLE THREE**

#### **Definitions**

**Section 1. Landowners:** Those persons or entities whose name holds Title to land located in Palm Beach Country Estates.

**Section 2. Members / membership:** All of those persons or entities that are current voluntary dues paying landowners in Palm Beach Country Estates. The Association is and shall remain a voluntary organization requiring no mandatory restrictions. Membership is counted as 1 vote per parcel, regardless of acreage.

**Section 3. Palm Beach Country Estates:** Property lying west of the Florida Turnpike, south and east of the C-18 Canal, and north of Donald Ross Road, less the bordering natural areas, parks and preserves including the Loxahatchee Slough, the C-18 Triangle Area, Riverbend Park and County properties.

***Change to read: Palm Beach Country Estates: Property lying west of the Florida Turnpike, south and east of the C-18 Canal, and north of Donald Ross Road.***

**Section 4. Proxy Votes:** Votes cast by written & signed proxy in accordance with the Articles of Incorporation, Bylaws, or other applicable documents of this Organization.

**Section 5. Quorum of the Board:** A majority of the Board of Directors present at a duly called meeting, including the President or as per request by the President, a Vice President acting in capacity of the President and the Secretary.

In the event of an absence of the Secretary, an alternate Board member may be appointed for that meeting. **Change to read :** *Quorum of the Board: Must consist of 3 of the 5 Board members with one of those being the President or as per the request by the President, a Vice President acting in capacity of the President.*

**Section 6. Parcel:** Land described in a single Title, regardless of acreage, counts as 1 parcel.

**Section 7. Dues:** Annual voluntary dues shall be due in January of each year in an amount to be determined by the Board of Directors.

#### ARTICLE FOUR Meetings of Membership

**Section 1. Place:** All meetings of the Association membership shall be held at a place that may be designated in the Notice of the Meeting.

**Section 2. Annual Meeting:** (A) **DATE:** The Annual Meeting shall be held on the third Tuesday in May of each year at a time determined by the Board of Directors.

(B) **NOTICE:** At least fourteen (14) days prior to the Annual Meeting the Notice of the Annual Meeting shall be provided to landowners via the Association's periodic Newsletter and/or website. Signs, notifying the landowners of the Association meeting, shall be placed at the entrance(s) to Palm Beach Country Estates.

(C) **ELECTIONS:** At the Annual Meetings the voting membership of the Association shall elect by Ballot, a Board of Directors and transact such other business as may properly come before the meeting. The Directors so elected at the Annual Meeting shall constitute the Board of Directors until the next Annual Meeting of the voting members of the Association and the subsequent election and qualifications of their successors. **Changed to read:** *At the Annual Meetings the voting membership of the Association shall elect by Ballot, the Officers and transact such other business as may properly come before the meeting. The Officers so elected at the Annual Meeting will become members of the Board of Directors until their term of office expires.*

(D) **MEMBERSHIP LIST:** Approximately (30) days before every election of the Directors, a complete list of members entitled to vote at said election, shall be produced and kept by the Secretary of the Association and shall be made available upon request to any member or posted on the Association website. Non-current members or new landowners may have the opportunity to become current members by paying the Annual Dues no later than seven (7) days in advance of the Annual Meeting at which time a final list will be prepared by the Secretary. **Changes to read:** *Approximately (30) days before every election of the Officers, a complete list of members entitled to vote at said election, shall be produced and kept by the Secretary of the Association and shall be made available upon request to any member or posted on the Association website. Non-current members or new landowners may have the opportunity to become current members by paying the Annual Dues no later than seven (7) days in advance of the Annual Meeting at which time a final list will be prepared by the Secretary*

**Section 3. Special Meetings:** (A) Any Special Meeting(s) of voluntary dues paying members must be noticed by the Board stating the time, place and object thereof, advertised in the Association's periodic publication, which shall be provided 7 days in advance to landowners, via written notice and/or website and signage posted at the entrance(s) of Palm Beach Country Estates. (B) The business transactions at all Special Meetings shall be confined to the agenda items stated in the Notice thereof.

**Section 4. Regular Meetings:** A regular membership meeting can be held providing a quorum of the Board is present and the meeting was previously noticed by signage placed at the entrance(s) of Palm Beach Country Estates and optionally website notification or publication. All landowners are welcome to attend. Meetings are generally held the second Tuesday of every other month, unless noted.

#### ARTICLE FIVE Voting

**Section 1. Voting Members:** Although all of the landowners in the above described Palm Beach Country Estates are eligible to become voluntary members of the Association and are welcome to attend all Association meetings, only those landowners who have paid their annual voluntary dues to the Association shall be entitled to vote on noticed agenda items, elections, policies or any other matters affecting the community.

**Section 2. Proxies:** Votes may be cast in person or by proxy. A proxy may be made by any landowner entitled to vote and shall be valid only for the particular noticed meeting and agenda item designated in the proxy. Proxy votes must be filed with the Secretary before the appointed time of the meeting or any adjournment of the meeting.

**Section 3. Right to Vote and Designation of Voting Member:** Any record title holder

of land in Palm Beach Country Estates shall be eligible to be a voting member upon payment of the voluntary dues. Any record title holder of property owned by more than one person may vote as long as the voluntary dues are currently paid to date. If the Lot is jointly owned, the first recorded vote shall be considered the vote of record. If a lot in Palm Beach Country Estates is owned by a corporation or other entity, the appointed Officer thereof shall be entitled to cast the vote of the Lot for the corporation or other entity as designated in a certificate for this purpose, filed with the Secretary of the Association.

**Section 4: Vote Counts:** Votes are counted 1 vote per paid parcel, regardless of acreage. It is at the discretion of the Board whether to request whether written ballots or a show of hands by a current member representative of each parcel constitutes a valid vote. This may be in person or other, as decided by the Board for the particular matter. **Change to read:** *Votes are counted 1 vote per paid parcel, regardless of acreage. It is at the discretion of the Board whether to require written ballots or ... ..*

**Section 5: Multiple Parcel Owners:** Members who hold title of ownership in Palm Beach Country Estates for more than one (1) parcel, who have paid the voluntary Annual Membership Dues to become a member, are required to pay for additional Memberships to have additional parcels of which they hold title, count as votes.

**Section 6. For the election of Directors,** when more than one member is running for a specific position, voting shall be by secret ballot. Results shall be counted and announced at the meeting. **Change should read:** *For the election of Officers, .....*

**Section 7:** Vote required to transact business of routine items in a regular meeting is by a majority vote of the Board of Directors. For policy issues, or issues affecting the community, the vote is determined by a majority vote by members present with a count of 1 vote per paid parcel.

**Section 8. Members Quorum at a meeting:** A members quorum at a duly called meeting shall consist of members accounted for in person or by proxy in response to an agenda item at that noticed meeting. Any acts approved by a majority of votes present at a meeting at which a quorum is present shall constitute the acts of the membership except when approval by a greater number of members is required by the Articles of Incorporation or these Bylaws.

#### ARTICLE SIX Board of Directors

**Section 1.** The business of this Association shall be governed by a Board of Directors, as specified in the Articles of Incorporation with inclusion of an Officer with the title of 2nd Vice President, thus consisting of five (5) persons. All Directors shall be voting members of the Association. No Board member may hold more than one position concurrently.

**Section 2.** The Directors to be chosen for the ensuing year shall be chosen at the Annual Meeting of this Association by a simple majority vote; and they shall serve for a term of one (1) year. **Change should read:** *The Officers to be chosen for the ensuing year shall be chosen at the Annual Meeting of this Association by a simple majority vote. Office of the President shall serve for a term of one (1) year. All other officers shall serve a two year term. The 1st Vice-President and the Secretary shall be up for election on even numbered years. The 2nd Vice-President and the Treasurer shall be up for election on odd numbered years and 2006 for a one (1) year term.*

**Section 3.** The Board of Directors shall manage the affairs and business of this Association and shall establish the amount of the annual voluntary membership dues, on a per parcel basis, for those who wish to become voting members of the Association.

**Section 4. All Landowners' meetings of the Board of Directors of the Association** shall be open to voting members of the Association and notices of such meetings, stating the place and time thereof, shall be posted conspicuously at the front entrance(s) to Palm Beach Country Estates at least forty-eight (48) hours prior to any such meeting. In the event of an emergency, said notice shall not be required. **Change to read:** *All meetings of the Board of Directors of the Association shall be open to voting members of the Association. Any voting member interested in attending should contact one of the officers for confirmation of the date, time and location.*

**Section 5.** The organizational meeting of a newly elected Board of Directors (at which meeting Officers for the coming year shall be elected) shall be held not later than 14 days after the election of the new Board. The meeting shall take place at such time and place as shall be fixed by the Chairman of the meeting at which they were elected. All corporate and legal documents, financial and banking records, keys, website names, hosts and controls, post office boxes or any related Association materials used in connection with the Association are to be voluntarily turned over or transferred to the appropriate, newly elected Board Officials by the previous Board Member(s) prior to the first Board Meeting after the Annual Elections. Personal or unrelated business use of any Association properties, documents, communication methods or financial transactions is prohibited. **Changed to read:** *The organizational meeting of a newly elected Officers with the rest of the Board of Directors shall be held not later than 14 days after the election of the new officers. The meeting shall take place at such time and place as shall be fixed by the incumbent President or newly elected President. All corporate and legal documents, financial and banking records, keys, website names, hosts and controls, post office boxes or any related Association materials used in connection with the Association are to be voluntarily turned over or transferred to the appropriate, newly elected Officer by the previous Officer prior to the first Board Meeting after the Annual*



**Elections. Personal or unrelated business use of any Association properties, documents, communication methods or financial transactions is prohibited.**

**Section 6.** A majority of the members which must include the President and Secretary (Vice President if President is not available) shall constitute a quorum, and the meetings of the Board of Directors shall be held regularly at such time and place as the Board of Directors shall designate. Conference call availability is acceptable with advanced notice where at such time, the absentee Board member may cast a vote. **Change to read: A majority of the members which must consist of 3 of the 5 Officers, one of which must be the President (Vice President if President is not available) shall constitute a quorum, and the meetings of the Board of Directors shall be held regularly at such time and place as the Board of Directors shall designate. Conference call availability is acceptable with advanced notice where at such time, the absentee Board member may cast a vote.**

**Section 7.** Each Director shall have one (1) vote. In case of a Board member's absence, the President or Secretary may record a vote in writing by the absentee Board member. Board action shall be determined by majority vote.

**Section 8.** The Board of Directors may make such rules and regulations covering its meeting as it may, in its discretion, determine necessary.

**Section 9.** The Board of Directors may establish a schedule of regular Board of Directors meetings to be held at such time and place as the Board of Directors may designate. Notice of such regular meetings shall, nevertheless, be given to each Director personally by telephone, email, fax or other current electronic media at least five (5) days prior to the day named for such meeting or in the case of urgency, Board members may agree on a meeting schedule with shorter notice.

**Section 10.** Special meetings of the Board of Directors may be called by the President, or, in his or her absence, by the majority of the remaining members of the Board of Directors, by giving five (5) days notice, in writing via mail, e-mail, fax or other current electronic media, to all of the members of the Board of Directors of the time and place of said meeting. All notices of Special Meetings shall state the purpose of the meeting.

**Section 11.** Before or at any meeting of the Board of Directors, any Director may waive notice of such meeting, and such waiver shall be deemed equivalent to the giving of notice. Attendance by a Director at any meeting of the Board, shall be a waiver of notice by him or her of the time and place thereof. If all the Directors are present at any meeting of the Board, no notice to Directors shall be required and any business may be transacted at such meeting.

**Section 12.** Any Board member unable to attend a special meeting may participate via conference call or any other real-time electronic means at their own expense. **Change to read: Board member unable to attend a special meeting may participate via conference call or any other real-time electronic means at their own expense.**

**Section 13.** The President of the Association by virtue of the position, shall be Chairperson of the Board of Directors and preside at meetings and of the membership.

**Section 14.** A Director may be removed with written just cause by a 2/3 majority vote of the Association's voting membership present at any regular or special Association meeting provided that before any Director is removed from office, they shall be notified in writing, seven days prior to the meeting, that a motion to remove the Officer will be made prior to the meeting at which said motion is made, and such Director is given an opportunity to be heard at such meeting should they be present prior to the vote of this removal. Should the Officer choose to resign in advance of the membership meeting, he or she shall submit a written resignation to the Board and a membership vote would not be required. **Change to read: An Officer may be removed with written just cause by a majority vote of the Association's voting membership at any regular or special Association meeting provided that before any Officer is removed from office, they shall be notified in writing, seven days prior to the meeting. Should the Officer choose to resign in advance of the membership meeting, he or she shall submit a written resignation to the Board and a membership vote would not be required. Officer will be made prior to the meeting at which said motion is made, and such Director is given an opportunity to be heard at such meeting should they be present prior to the vote of this removal. Should the Officer choose to resign in advance of the membership meeting, he or she shall submit a written resignation to the Board and a membership vote would not be required. Change to read: An Officer may be removed with written just cause by a majority vote of the Association's voting membership at any regular or special Association meeting provided that before any Officer is removed from office, they shall be notified in writing, seven days prior to the meeting. Should the Officer choose to resign in advance of the membership meeting, he or she shall submit a written resignation to the Board and a membership vote would not be required.**

**Section 15.** The Board of Directors of the Association shall have the powers and duties necessary for the administration of the affairs of the Association as outlined by the Articles of Incorporation and these Bylaws and may do all such acts and things as are not prohibited by these Bylaws or by law. These powers shall specifically include, but shall not be limited to. (A) To employ, dismiss and control the personnel necessary for the maintenance and operation of the front entrance of Palm Beach Country Estates, or any other recreational, land or facility located therein of which are affiliated with or affect the Association, including the right and power to employ attorneys, accountants, contractors and other professionals as the need arises. (B) Budget for Betterments, which shall include the funds to be used for the capital expenditures for additional improvements to any common property, provided, however, that in the expenditures of those funds, no sum in excess of \$1,000.00 shall be expended for a single item or for a single purpose without approval of the voting voluntary members of the Association. (C) Present matters concerning the community to the landowners through meetings, website, and/or publication. Make available all Association business documents by request to current members in a reasonable time frame.

**Section 16.** The Board may, by duly adopted rules, designate a specific location at the entrance to Palm Beach Country Estates upon which all notices of Board meetings shall be posted.

**Section 17.** Should a Board member resign or no longer be capable of performing duties of his/her elected office, members will be informed and any members may volunteer for appointment be made by a majority of the Board. In the event of no volunteers present for appointment, the Board of Directors may fill the vacancy by appointment of a current member by a majority vote of the Board of Directors.

## ARTICLE SEVEN

### Officers

**Section 1.** The principal Officers of the Association shall be as follows:

**President, Vice President 1, Vice President 2, Secretary, Treasurer**

**Change to read: The principal Officers of the Association shall be as follows:**

**President, 1st Vice President, 2nd Vice President, Secretary, Treasurer**

**Section 2.** The President shall preside at all membership meetings. He or she shall be a Director and shall, by virtue of their office, be Chairman of the Board of Directors. He or she shall present at each Annual Meeting of the Association an Annual Report of the work of the Association. He or she shall appoint all committees, as approved by a majority vote by the Board. He or she shall see to it that all books, reports and certificates, as required by law, are properly kept and filed by the Board member whose position dictates this responsibility. He or she shall be one of the Officers who signs the checks or drafts of the Association along with the Treasurer. The Secretary may sign in place of the President if necessary. He or she shall have such duties as may be reasonably construed as belonging to the chief executive of any organization.

**Section 3.** The Vice President or Vice Presidents shall be a Director and shall, in the event of the absence or inability of the President to exercise his or her office, become acting President of the Association with all the rights, privileges and powers of said office.

**Section 4.** The Secretary shall be a Director and shall: (A) Keep the Minutes and records of the Association in appropriate books. (B) File any certificate required by any statute, Federal or State. (C) Give and serve all notices to members of this Association. (D) Be the official custodian of the records and seal, if any, of this Association. (E) Be one of the Officers required to sign the checks and drafts of the Association. (F) Present to the membership at any meetings any communications addressed to an Officer. (G) Submit to the Board of Directors any communications which shall be addressed to an Officer. (H) Attend to all correspondence of the Association and exercise all duties incident to the office of the Secretary.

**Section 5.** The Treasurer shall be a Director and shall: (A) Have the care and custody of all monies belonging to the Association and shall be solely responsible for such monies or securities of the Association. He or she shall cause to be withdrawn from a regular business bank or trust company a sum not exceeding an amount authorized by the Board of Directors and the balance of the funds of the Association shall be deposited in a savings bank, except that the Board of Directors may cause such funds to be invested in such investments as shall be legal for a savings bank in the State of Florida. **Change to read: Have the care and custody of all monies belonging to the Association and shall be responsible for such monies or securities of the Association.**

(B) Be one of the Officers who shall be authorized to sign checks or drafts of the Association jointly with the President or Secretary; no special fund may be set aside that shall make it unnecessary for the Treasurer to sign the checks issued upon it. **Change to add: Treasurer's signature must be one of the two signatures on the checks.**

(C) Render at stated periods as the Board of Directors shall determine a written account of the finances of the Association, and such report shall be physically affixed to the Minutes of the Board of Directors at such meeting.

**Section 6.** No Officer or Director shall, for reason of his or her office, be entitled to receive any salary or compensation, but nothing herein shall be construed to prevent an Officer or Director from receiving any compensation from the Association for duties other than as Director or Officer.

**ARTICLE EIGHT**  
**Salaries**

The Board of Directors shall hire and fix the compensation of any and all employees or services which they, in their discretion, may determine to be necessary in the conduct of the business of the Association. However, no member of the Board of Directors or an Officer their duties. The necessity of the expenditures must be approved by a majority vote of the Board of Directors.

**ARTICLE NINE**  
**Committees**

All committees of this Association, as approved by a majority vote of the Board of Directors, shall be appointed by the President of the Board of Directors for whatever period of time is designated by said Board of Directors.

**ARTICLE TEN**  
**Finances**

Section 1. Depositories: The funds of the Association shall be deposited in such banks and depositories as may be determined by the Board of Directors, from time to time upon resolutions approved by the Board of Directors and shall be withdrawn only upon checks and demands for money signed by two (2) Officers of the Association as may be designated by the Board of Directors. Obligations of the Association shall be signed by at least two (2) Officers of the Association. *Change to read : The funds of the Association shall be deposited in such banks and depositories as may be determined by the Board of Directors, from time to time upon resolutions approved by the Board of Directors and shall be withdrawn only upon checks and demands for money signed by two (2) Officers of the Association, one of which must be the Treasurer. Obligations of the Association shall be signed by at least two (2) Officers of the Association, one of which muse be the Treasurer.*

Section 2. Fiscal Year: The fiscal year for the Association shall begin on the first day of June each year; provided, however, that the Board of Directors is expressly authorized to change to a different fiscal year in accordance with the provisions and regulations from time to time prescribed by the Internal Revenue Code of the United States of America at such time as the Board of Directors deems it advisable.

Section 3. Operating Budget: The Board of Directors shall adopt an operating budget for each fiscal year which may be posted on the official web-site or made available to members by request. The treasurer will be responsible for providing said budget to be published.

Section 4. Financial Approvals: Projects of the Association that exceed the general operating budget and require expenditures totally \$1,000.00 or more must be approved by a majority vote of the current voting membership present at a special meeting or as an agenda item of a regular meeting.

**ARTICLE ELEVEN**  
**Minutes**

Minutes of all meetings of the Association and the Board of Directors shall be kept in a businesslike manner and be made available for inspection by current Association Members and Board members in a reasonable time frame.

**ARTICLE TWELVE**  
**Indemnification**

The Association shall indemnify every Director and every Officer, their heirs, personal representatives and administrators, against all loss, cost and expense reasonably incurred by them in connection with any action, suit or proceedings to which they may be made a party by reason of their being or having been a Director and Officer of the Association, including reasonable counsel fees to be approved by the Association, except as to matters wherein they shall be finally adjudged in such action, suit or proceeding to be liable for a guilty of gross negligence or willful misconduct. The foregoing rights shall be in addition to, and not exclusive of, all other rights to which such Director and Officer may be entitled.

**ARTICLE THIRTEEN**  
**Amendments to the Bylaws**

The Bylaws may be altered, amended or added to at any duly called meeting of the Board of Directors by a majority vote of the Board of Directors. *Change to read: The Bylaws may be amended at any duly called meeting of the Board of Directors by a majority vote of the Board of Directors. Any Landowner has a right to submit, in writing, a specific request of change(s) to these Bylaws addressed to the Board of Directors.*

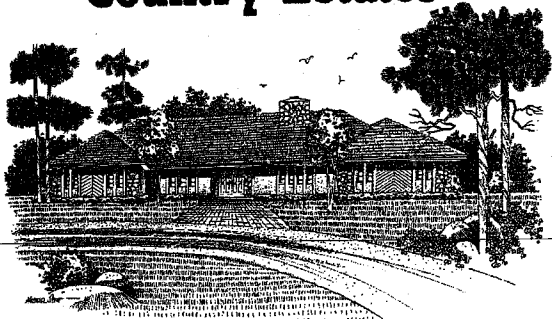
Copies of the Amendments must be made immediately available to landowners on the official website and/or publication and at next scheduled meeting. The Board reserves the right to call a Special Meeting for membership input regarding the revision as an agenda item. These Bylaws supersede and replace in their entirety those Bylaws dated December 2, 1980.

**ARTICLE FOURTEEN**  
**Construction**

Wherever the masculine singular form of the pronoun is used in these Bylaws, it shall be construed to mean the masculine, feminine or neuter, singular or plural, wherever the context so requires. Should any of the covenants herein imposed be void or become unenforceable at law or in equity, the remaining provisions (or portions thereof) of these instruments shall nevertheless be and remain in full force and effect. Headings are provided herein for convenience purposes only and shall not be construed for interpreting the meaning of any provisions of these Bylaws. The foregoing were adopted as the Bylaws of "DONALD ROSS LANDOWNERS" ASSOCIATION, INC., as approved by a majority of its Board of Directors on the \_\_\_\_ day of December, 2004.

EXCLUSIVELY REPRESENTING

P·A·L·M B·E·A·C·H  
**Country Estates**

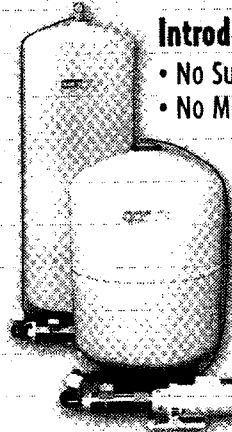


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## **\*\*Land Owners Meeting\*\***

January 17, 2006 at 7:30 PM at Living Oaks Ministries Church on 64<sup>th</sup> Drive