

BEAR ISLAND NEWSLETTER

March 2009

President's Report

The purpose of this issue of the NEWSLETTER is a sort of "State of Bear Island" report.

Members's annual meeting

Enclosed with the NEWSLETTER are: a notice of the 2009 annual meeting of the members, an agenda of the meeting, "candidate's information sheets" for members volunteering to serve as Directors, proposed amendments to the Declaration of Covenants and Restrictions, proposed amendment to the By-Laws, and proxies and ballots so you can cast your votes (in person or by ballots mailed or delivered prior to the meeting) for Directors, for or against these changes and on any other issues to be placed before the members.

Two directors will be up for election at the meeting. Some time ago you received a letter asking you to complete and return a candidate's information sheet if you intend to run for office. You may also announce your intention at the annual meeting, but waiting until then may prevent members voting by proxy from voting for you.

Your participation in this meeting is crucial, whether in person or by proxy and ballot.

We need 20% of the members (46) of our 227 members present in person or by proxy to hold a valid election. The two candidates receiving the highest total of votes will be elected.

In addition, we need at least one-third (76) members present in person or by proxy to establish a quorum for the meeting to decide other issues on the agenda. We will need a majority of the members present in person or by proxy to pass the proposed amendment to the By-Laws.

Finally, we need the affirmative vote of 51% of the members (114) to pass the proposed amendment and restatement of the Declaration.

Since March 2006 when four of the now serving Directors were elected to their terms, your Board and its officers, the ACC and its members, committees appointed for special projects, and our Property Manager have spent substantial time and effort on projects to maintain and improve our community.

On each project, the Board (and often the ACC) has considered and reached decisions only after consulting experts and holding one or more meetings. All meetings are open to all members of the Association, who were (and will be) given a reasonable opportunity to speak. Briefly, the projects completed or still in process include:

Improving our entry security

We replaced the old security company with Allied Barton. We have received numerous favorable reviews about its services. As part of the change, we installed a computer system and updated the "Post Rules." Our goal is to assure our community that persons seeking to enter Bear Island are authorized to do so by an Owner.

As our "original equipment" gate system deteriorated over the years, prior Boards "cannibalized" parts to keep it operating. By 2006, the manual "card" system had become obsolete, replacement cards could no longer be obtained and our "reserve" supply was nearly exhausted. There was not enough money in the 2006 budget to solve the problems completely. The Board therefore adopted a two-step process: (1) in 2006 we (a) replaced the wooden gates (that broke every time a car hit them) with unbreakable plastic gates and (b) replaced the gate mechanism with an updated mechanism computer and (2) put sufficient funds in the 2007 budget to replace the obsolete manual "card" system with a "remote reader" system (think of Sunpass) that would not require drivers to lower their windows and physically insert cards into slots. The new system has been in place for several months.

The vast majority of owners have had their new transponders installed or will have them installed when they return to Bear Island. Some cars that cannot use the window system have been or will be provided at an extra charge with transponders attached elsewhere. Only a few members have failed to sign up (even though the first transponder is free).

Without a transponder, you must enter by the visitor's gate and show your driver's license to the gate attendant. A few owners initially objected to showing their driver's license, but most owners seem to understand and enjoy the benefits of our new system.

Making our entry more attractive

The first thing owners and visitors see when they enter Bear Island is its entrance. We have upgraded the appearance of our signage, landscaping, lighting and gatehouse. We have patched and repainted the front entryway walls and the two entry signs with colors recommended by the ACC. The front entry lighting has been repaired and uniform lights and fixtures installed. The gatehouse and the curbing at the entry has been patched and repainted.

New street and stop signs

The replacement of street signs and stop signs damaged or destroyed by hurricanes is complete. The new cement street signs were designed and procured after extensive research. Lou Stevens chaired the signage project and deserves our thanks for his hard work. We believe that our new street and stop signs will withstand future hurricanes without damage or need of replacement.

Repairing sidewalks and driveway aprons

Many of our sidewalks and driveway aprons have been damaged (and will continue to be damaged) by tree roots, creating potential for "trip and fall" claims. The traditional method of replacing broken or heaved cement with new cement is expensive. After extensive research, the Board concluded that replacing the most hazardous locations with cement pavers would facilitate future repair at a more reasonable cost since a raised or damaged paver can

simply be lifted out and then, after the offending roots are removed, be replaced.

After a thorough survey on foot of our sidewalks, driveway aprons, gutters and driveways, the Board set up a "triage" system, based primarily upon risk of injury to pedestrians, ranking cracked or heaved sidewalks and aprons (1) that should be repaired immediately or (2) whose repair could be deferred. Our criterion was "safety" not "aesthetics." The first contractor we hired went out of business before finishing the job. We then retained Apex Pavers, Inc., who completed the planned repairs and replacements. After the project was completed, we discovered and fixed one apron that should have been replaced but had been overlooked.

The survey also revealed several driveways that needed repairs. The homeowners responsible for maintaining these driveways were offered a chance to have pavers installed in their driveways by the same contractor at a cost less than an individual contract.

Some owners tell us their sidewalks and aprons need replacement. At the end of 2008, we conducted a second survey by foot of our sidewalks and noted some places that will need attention in the future. Steve Seftenberg chaired the paver project and deserves our thanks for his diligence on a difficult project that began over 3 years ago.

Maintaining our landscape

In the past year, the Board has also had all our trees trimmed and the sidewalks and gutters pressure cleaned. Landscape replacement in the common areas and in our front yards continues as required and as funds are available. In addition, the Board has had the overgrown back yards of foreclosed homes cleaned up and sent the bills to the new owners. The Board, after consulting with an expert arborist, has removed (and will remove) ailing or dying trees in the common areas, including between the sidewalk and street. Some of these trees will be replaced and some will not, depending upon expert advice.

Finally, both sides of the rear wall along Brandywine have been patched and repainted.

Maintaining community standards

The Board and the ACC continue to survey and monitor the appearance of our homes and when necessary to send polite letters requesting corrective action be taken. The response to these requests has been positive for the most part, although some owners have needed more than one polite request.

Cleaning and painting our roofs

Some of our roofs are still awaiting repair or replacement due to hurricane damage. Some of our roofs have become unsightly. As amended in 1997, the Declaration makes the Owners responsible for maintaining, repairing and replacing their roofs at their own expense, while cleaning and painting their roofs remain an obligation of the Association. However, many owners do not want contractors they have not selected clambering about on their roofs, possibly causing damage while cleaning or painting their roofs and would prefer to take care of these tasks under their own control and at their own expense.

Your Board strongly feels that it is appropriate and timely to complete the transfer of responsibility for maintaining our homes (including the roofs) to the Owners by amending the Declaration.

Updating our governing documents

The Board is submitting a completely amended and restated Declaration and amendments to the By-Laws to the members for vote at the upcoming annual meeting in March. Copies of the documents are enclosed with this NEWSLETTER, along with proxies and ballots. The proposed overhaul of our Governing Documents has involved countless hours of research, drafting and editing over several years by volunteers, whose sole motive is to make them more understandable and workable and to enhance efficient administration of our community.

The proposed amendments to the By-Laws puts all the provisions for electing Directors in one document (the By-Laws) as prescribed by our Articles of Incorporation.

Steve Seftenberg, the chief draftsman, discusses the reasons for the changes in detail below. He has spent countless hours on this project and deserves everyone's thanks.

The Board urges you, after reviewing the proposed changes, to vote for them in person or by proxy.

Encouraging participation

Board and ACC members are volunteers, each with our own lives to lead in addition to volunteering many hours to the common good. The Board welcomes the assistance of all members in working on projects, responding to suggestions and solving problems. Currently, the ACC is in need of more members. If the proposed amendment to the Declaration is approved, a Fines Committee will be created and will require members. The President is authorized to appoint *ad hoc* committees to assist the Association with specific problems or projects. **If you believe that our community can be improved, join us and become a part of the process!**

Your Board certainly does not "know it all" and welcomes "citizen participation," especially when members make constructive comments and suggestions, and ask intelligent questions. Please note, however, that the Board can only act (1) within its authority as provided in our governing documents and Florida law, (2) with the funds on hand as budgeted, and (3) as directed by resolutions adopted by the Board.

If you have a suggestion requiring formal action, please present it in writing to the Board by mail, FAX or e-mail prior to a meeting so we can respond more promptly.

To make information available to our members, we maintain a web-site, www.bearisland.us, at which forms can be downloaded and our governing documents, minutes of Board and ACC meetings and archives, etc., can be reviewed. Board and ACC meeting dates, times agendas and locations are posted on the Bear Island web-site and at the gate

Maintaining our financial health

As I have written before, Bear Island is over 21 years old. Over time our infrastructure (pumps, irrigation pipes, waster mains, etc.) faces continual wear and tear. We are in difficult economic times. Foreclosures and delayed payment of assessments have resulted in at least \$45,000 in uncollected funds. Your Board feels a fiduciary obligation to continue to build up our reserves. **Despite all this, your Board has been able to accomplish all this work without increasing the budget, a most difficult task.** Our Treasurer, Laura Fedor, will discuss budget and financial matters below. If you believe that the budget process can be improved, please attend our budget meetings and provide your constructive input.

Conclusion

In closing, I wish to express the appreciation of the Board, the ACC and the residents of Bear Island for the excellent services of our Property Manager, Bryan Welch, LCAM, and his compatriots at MMI of the Palm Beaches, Inc.

Howard Berman, President

Treasurer's Report

As spelled out below in our Manager's report, the prevailing economic conditions have taken their toll on some Bear Island residents. We are witnessing the impact of this downturn in the form of delinquencies that stretch our operating cash funds, or worse, foreclosure actions that threaten loss of assessment income in 2008 and thereafter needed to run our association and fund reserves. If not managed or otherwise remedied through appropriate legal and collection actions as well as expense management (where possible), these events will take a financial toll on our community.

Thanks to the assiduous efforts of our management team and counsel, we have had success in stemming our losses thus far, and have recovered some \$5,800 in past due assessments. We expect further erosion, however, before the page is turned.

As you are aware, Bear Island's annual expenses are largely concentrated in three key areas accounting for nearly two-thirds of our annual budget: utilities (water and sewer), gatehouse service, and grounds maintenance including landscape, irrigation, pest control and tree trimming. This leaves little for important projects.

While bound to remain within the approved 2009 budget, your Board is looking to not only limit loss through continued diligence, but also where possible, uncover savings which could be applied to offset potential write offs, cover unplanned expenses, or replenish reserves. For example, we are bidding out a new contract for hardwood and palm tree trimming, which based on some preliminary proposals could result in a substantial savings over the approved 2009 budget allocation.

Preliminarily, our financials for the fiscal year ending December 31, 2008 reflect earnings of \$21,200 (rounded) on revenues of \$876,600 (rounded). Accrued revenues indicate a positive \$18,600 (rounded) variance to budget, the preponderance of which stemmed from recovered legal fees, collected late fees and interest income. These items are not included in the annual budget process but are nonetheless worthy of mention as these found dollars served to help offset the bad debt allowance for the year.

From a cash standpoint, our operating account balances at year end exceeded \$322,700 (unrestricted) and our reserve funds are just north of \$46,000. These figures are not final - we will be working with our CPA firm to bring closure to the 2008 accounts and with their guidance, potentially rebalance the reserve accounts.

Our short term objective is to maintain our operating fund at appropriate levels, ideally equal to three months' expenses minimum and to build our reserves while keeping a lid on our quarterly dues. While we have no major capital expenditures planned for 2009, future planning efforts will necessitate striking a balance between the priorities of continued expense and dues management and the realities of an aging infrastructure that will require increased capital outlay.

The financial statements are available to all our members. Please attend our meetings with any questions you may have on these matters and participate in the budgeting process if you are able!

Laura Fedor, Treasurer

Secretary's Report **Amending the Declaration**

The Declaration of Covenants and Restrictions, adopted in 1987 (and since twice amended) is essentially our "constitution." The By Laws, Rules and Regulations and resolutions adopted from time to time by the Board, are the "legislation" by which our community is administered for our mutual benefit.

In 1997, the Owners approved amendments to the Declaration shifting to the Owners the maintenance (which necessarily included repair and replacement, but not the cleaning or painting of their roofs, including the fascias and soffits) and empowering the Association to make needed maintenance and repairs and assess a homeowner for the costs of such work when the homeowner fails to keep his roof in good condition.

In 1999, the homeowners approved a second amendment to the Declaration (1) authorizing mail-in ballots in elections, (2) tightening the rules restricting the parking of "unregistered, unsightly . . . and . . . commercial vehicles;" (3) authorizing the Association to levy fines for violations of the governing documents; (4) authorizing the Architectural Control Committee ("ACC") to charge a filing fee of up to \$100 to accompany applications

for approval of work requiring prior ACC approval; (5) authorized the Association to enter into a bulk cable TV contract; (6) authorizing the Association to levy a late payment fee of up to \$25; and (7) authorizing the Association to charge a filing fee of up to \$100 to accompany an application to approve the sale or lease of a residence.

The Board believes it is now time to further update the Declaration. Because the proposed changes are numerous, the entire Declaration would be amended and restated in a single document. Copies of the Declaration as amended and restated and of the Declaration showing the deletions and additions as required by Florida law are enclosed with this NEWSLETTER.

The proposed amendments, in chronological order, include:

- Inserts a single definition of a "Front Yard" (variously called the "front yard," the "landscape easement area," "the front yard lawn," and "that portion of the lot which is maintained by the Association" in the original Declaration). (Section 14 of Article I).
- Deletes a provision that attempts to preempt the authority of the Articles and By-Laws over election procedures (Section 3 of Article III). See my discussion of the proposed amendments to the By-Laws below.
- Clarifies the definitions of the walls and fences (a) between homes, (b) between homes and the common areas and (c) between homes and the golf course. The rights and obligations of homeowners differ substantially depending upon what kind of wall or fence we are talking about (definitions – Sections 19, 22 and 23 of Article I and rights and obligations – Sections 1(D) and 3 of Article V, and Sections 3-10 of Article VI).
- Requires a home office to obtain an appropriate occupational license from the City and County (Section 5 of Article IV).

- Updates regulation of the kinds and numbers of pets; enhances the Association's authority with respect to any pet (not just a dog) who creates a "nuisance;" and provides effective remedies for violations (Section 6 of Article IV).

- Moves regulation of parking and towing to the Rules and Regulations, which will permit a more flexible response to changed conditions and provides effective remedies for violations (Section 8 of Article IV). The present Declaration refers to automobiles that are no longer manufactured!

- Adds provisions in anticipation of the possible transfer of responsibility for the operation, maintenance and repair of the water distribution system to the City of West Palm Beach, which could involve separate water meters for each home and a concomitant reduction in our assessments. Any such change seems unlikely in the near future in light of the city's current financial woes (Section 9 of Article IV).

- Provides an effective remedy for violation of the trash removal rules (Section 10 of Article IV).

- Fleshes out the rules regarding hurricane shutters. This reflects the increased number of hurricanes we have been experiencing and can expect to experience in the future. Only certain kinds of shutters, approved in advance by the ACC, will be allowed in the future (Section 11 of Article IV).

- Provides more effective remedies for violations of the Governing Documents (Sections 12 and 13 of Section IV).

- Provides "due process" procedures for imposing fines, as required by Section 720.305, Florida Statutes (Section 14 of Article IV).

- Completes the transfer begun in 1997 of responsibility for an Owner's roof to the Owner (Section 1 of Article VI). Many, if not most, of our homeowners do not want someone doing work on

their roofs unless they have chosen them. For those who fail to keep their roofs in good condition, an effective remedy is set forth in Section 11 of Article VI.

- Clarifies who may serve on the ACC (Section 1 of Article VIII).

- Under recent changes to Section 720.3035, Florida Statutes, every Association must put into place specific guidelines for architectural control. Even before the passage of this legislation, the ACC had begun to spell out specific parameters such as house paint colors, driveway sealers, etc. We have borrowed generic language from other associations (Section 2 of Article VIII). There will be much work for the ACC!

- Codifies the current ACC requirement that an Owner file duplicate applications (Section 3E of Article VIII).

- Increases the time periods for action by the ACC and the Board, reflecting occasional difficulties in obtaining quorums (Section 5 of Article VIII).

- Requires an Owner who wants to undertake construction, alteration, repair or pressure cleaning of an improvement on the Owner's Lot, or who wants to change the paint color or stain of the house, driveway or walks to file an application with all required information and obtain the prior approval of the ACC. (Section 6A of Article VIII).

- Requires an Owner who wants to plant new plant material in the Owner's Front Yard to maintain and replace it thereafter as a condition of ACC approval (Section 6B of Article VIII).

- Recognizes Federal law voiding prohibition of satellite dishes (Section 6E of Article VIII).

- Implements procedures, including "hold harmless" agreements and adding the Association

to the owner's casualty insurance, for installing underground propane tanks and underground emergency generators, for moving HVAC units and for installing solar panels (Sections 6F and 6G of Article VIII).

- Codifies the authority of the ACC to impose fees for processing applications and to require a refundable security deposit. Provides for future increases in the cost of fees and deposits (Section 7 of Article VIII).

- Specifically authorizes the Board to set up and maintain a web site (Section 2H of Article IX).

- Expands coverage of Public Liability insurance to employees and agents of the Association and officers and members of the Board, the ACC and the Fines Committee; increases coverage to \$5 million reflecting inflation in jury verdicts. (Section 3 of Article X).

- Updates the rules with respect to the liability of an acquiring Owner (other than a first mortgagee) for unpaid assessments as of the time title is transferred. Following successful lobbying by the lending industry, first mortgagee obligations are "capped," effective July 1, 2008, at the *lesser* of 1% of the original loan or 12 months of unpaid assessments (Section 2F of Article XI).

- Eliminates the requirement that an amendment to the Declaration be approved by the "institutional mortgagee with the highest aggregate mortgage on the lots." We are now a mature community serviced by a multitude of mortgagees (some of whom no longer exist, or "monetized" their loans and transferred them to transferees unknown to us) and this requirement imposes a nearly impossible burden on the Association. Nevertheless, your Board will make a good-faith effort to identify and obtain the consent of the appropriate mortgagee if the Amendment and Restatement of the Declaration is approved (Section 1 of Article XIII).

- Increases minimum lease term to six (6) months, to reduce tenant turnover, which can be destructive of community values (Section 2 of Article XIV).

- Eliminates the right of a single institutional mortgagee to veto termination of the homeowners association (Section 1 of Article XV) or the conveyance, encumbrance, abandonment, partition or subdivision of any common area (Section 5 of Article XVII) as an invitation to "greenmail."

- Eliminates the requirement of periodic renewal of homeowner association status, which has proven to be a "trap" for several associations! (Section 3 of Article XV).

- Nonsubstantive changes include eliminating references to the "Developer," increased use of defined terms, elimination of unnecessary verbiage, etc.

The proposed amendments require the affirmative vote of 51% (that is **114**) of the members and deserve your study and support. You may not be thrilled with this or that proposed change but if overall you think the changes are an improvement, you should vote for the whole package.

Amending the By-Laws

The 1999 amendment to the Declaration, reducing the quorum for election of officers to 20% of the membership, conflicts with the By Laws which specifies a quorum at a members' meeting as one-third of the membership. Upon the advice of Association counsel, we are including in this package an amendment to the By Laws covering this subject (and deleting the conflicting text in the Declaration). This change requires the approval of a simple majority of the members present or represented by a written proxy once a quorum (Owners of at least 76 Lots) has been established at the annual meeting as a separate vote.

The most significant change is to reduce the quorum requirement from one-third to 20%. Many associations have trouble establishing quorums so that important association business can be approved. Bear Island is not alone in this! Many, if not most, associations are moving to 20%.

We need the Owners of at least 76 Lots to attend the meeting in person or by proxy so we can have a quorum and vote on the proposed changes. The proposed changes should be noncontroversial and deserve the support of the entire community.

Conclusion

As Howard Berman notes above, this was a joint project with many people involved. I hope and trust that both the Amended and Restated Declaration and the amendment to the By Laws will be approved by the members.

Stephen L. Seftenberg, Secretary

Property Manager's Report

A lot has been accomplished by your Board of Directors in the past two years. It has been my pleasure to work for such a knowledgeable, energetic and dedicated Board of Directors.

Entrance. A new Entry System has been installed, replacing the aged card reader system. Several Board members contributed their Saturday mornings to help install over 100 transponders in owners vehicles. Almost all home owners have taken advantage of the system and the free first windshield transponder card. If you wish to order your transponder please contact my Administrative Assistant at 561-686-7818 extension 201. Forms are available on line at **www.Bearisland.us** or at the Gate House to order your transponder.

A new computer and property management software system is in place to better help the gate attendants manage the hundreds of owners and visitors and service people coming and going every day at Bear Island. Please remember to send your updated gate entry forms should you change service people or wish to add or delete permanent guests.

Selling or Leasing Your Home? There is a new form to fill out should you desire to sell or lease your home. It grants specific permission to your real estate agent to enter Bear Island when showing or managing your home.

Security. This begins the second year for Allied Barton Security Services. Reports from home owners are nearly unanimous in agreement with the new company's professional and courteous service towards Bear Island's owners. Did you know there was not one single report of a crime at Bear Island for 2008! There are not many Associations who can make that claim. Let's hope 2009 and beyond bode as well.

Finances. As good as things are there is also a negative area to report. As we all know the economy has taken a turn for the worse. Bear Island has been saddled with five Foreclosures. Although this is considerably less than other communities percentage wise, it still is a drain on the budget. We may have to write off up to \$16,000 in unrecoverable HOA dues because the foreclosed homes are worth less than is owed to the first mortgagee. It is remarkable that your Board of Directors have managed to effect all the upgrades in the Community yet keep HOA dues to the same level as 2006. The Board has authorized cleaning of driveways and clean-up of back yards to several of the unkempt units in foreclosure. The cost of maintaining the appearances will be charged to the units and ultimately we hope to recoup the funds when the lending institution takes possession or ultimately sells the home to a third party.

Landscaping. Despite mandatory County water restrictions and non-paying foreclosed units Bear Island has been able to replace nearly \$12,000 in plants and bushes throughout the Community. The damaged and broken sidewalk program, replacing up heaved sidewalks and driveway aprons with removable brick pavers is complete for the first two phases. The next phase or repair of currently damaged concrete will progress through 2009.

It Takes a Village. Please remember to abide by your Declaration and Rules and Regulations: Submit the appropriate forms should you wish to sell or lease your home, replace your roof, modify or paint your home (there are many new colors available to choose from). Please don't put trash out at the curb too early or on wrong days. Let's keep Bear Island the crown jewel it is.

Bryan Welch, L.C.A.M., Property Manager

Items of interest

Do you need a new recycling bin?

If your blue or yellow bin is in bad shape, call 1-866-NEW BINS (639-2467) to have one delivered to your door.

Cleaning your driveway and walks

By the time you read this, Jeff Manuel will have completed pressure cleaning of our sidewalks and driveway aprons. If you want your driveway (and sidewalk within your lot) pressure cleaned, call Jeff at 561 373-0241 for a bid.

Renewing your alarm permits

Each home in our community is equipped with a Group One intrusion alarm system which we pay for through our assessments *whether we use it or not*. If you have an active alarm system, you may be entitled to a reduction in your homeowner insurance premium. If you wish to activate your system, call Penny Bronson at 561-712-5429 or her cell 954-553-8848. The City of West Palm Beach requires each of us to apply for and pay for a \$25.00 Alarm Permit each year, *whether you use it or not*. Call the City at (561) 653-3507 or down-load the form at www.wpbpolice.org/alarms.php.

Trash removal schedule

Garbage only is scheduled to be picked up each MONDAY morning. According to our Rules, you should not put out your garbage can(s) until **sundown Sunday evening.** **Garbage, paper and cans and other trash is scheduled to be picked up each THURSDAY morning** and you should not put out your garbage can(s) or the blue and yellow bins and plant materials, etc. until **sundown**

Wednesday evening.

If you put things out too early or on any other day, things can get messy. The Association will attempt to contact you to put your garbage and bins back in your garage and plant material and other trash in your back yard until the appropriate time for pickup. If you ignore such notices, the Association has the right and obligation to have the mess cleaned up at your expense. No one wants to have to go through this procedure, which should be unnecessary.

Want to Contact Us?

Mail, phone, FAX or e-mail comments and suggestions to: Bear Island Homeowners Association, Inc., c/o MMI of the Palm Beaches, Attn Bryan Welch, 1201 U.S. Highway One, Suite 330, North Palm Beach, FL 33408 (Tel: (561) 686-7818 ext 203, FAX: (561) 686-7284, e-mail: BWelch@miamimanagement.com.)

Snailmail or e-mail?

Printing and mailing the NEWSLETTER and notices are costly, while e-mailing them is faster and cheaper. If you want to receive communications by e-mail, please drop a note with your e-mail address off at the gate or mail it to us.

Reducing phosphorous pollution

Our landscaper has eliminated phosphorous from the fertilizer used on the grass in our Front Yards and Common Areas. This action is based on scientific evidence that virtually all of the phosphorous put on grass is wasted and simply pollutes our environment. A pending change in state law would prohibit application of fertilizer containing phosphorous to "urban turf" anywhere in Florida. The Board is bringing this to your attention so that the next time you buy lawn fertilizer you can ask for **phosphorous-free fertilizers** (e.g.: 20-0-10) and can instruct your landscape contractor to use phosphorous-free lawn fertilizer. **"Green" lawn fertilizer is widely available and does not cost more.** If you agree that protecting our environment is important, your shopping decisions can make a real impact!