



Newsletter

Spring 2010

By Louis Vilardo

The President's Message

(More Than) A Few Words About Juno Beach's annexation of Donald Ross road

As you were previously notified, Juno Beach recently proposed an ordinance to annex the southern half (eastbound lanes) of Donald Ross road. Their stated objective was to unify traffic enforcement and police jurisdiction on the roadway since the westbound lanes were already within their boundaries. This was a voluntary annexation wherein the owner of the property, Palm Beach County, agreed to cede jurisdiction of the land to the town.

In numerous discussions with the town and the County, we raised certain objections to this action. These concerns are fully explained in a letter to Commissioner Marcus that we posted on our website and I will discuss them again below. Because our discussions did not resolve these concerns, I attended the second and final reading of the ordinance before Juno Beach Town Council in January and formally requested that the town delay a vote on adoption of the ordinance for 30 days to allow us more time to seek resolution. The town council heard our request and promptly adopted the ordinance without comment.

Why we cared

In order to understand our concerns, it is helpful to understand how unincorporated county property is annexed by a municipality. Florida Statue 171 allows three types of annexation:

Voluntary Annexation: In a voluntary annexation ALL owners of the unincorporated property must agree to the annexation. As noted, the Donald Ross annexation was voluntary since Palm Beach County was the sole owner of the property. Voluntary annexations are fairly simple and straight forward except that FS171 specifically prohibits voluntary annexations that create an enclave (more about that later).

Annexation by referendum: In an annexation by referendum a vote is held among owners of the unincorporated property with the outcome determined by a simple majority.

Annexation by inter-local agreement: This type of annexation occurs when the County and a municipality agree that annexation is desirable because it promotes more efficient provision of municipal services. *This is the only type of involuntary annexation allowed by state law.* Importantly, the law requires two conditions be met before an area can be annexed involuntarily: the area must be an enclave and it cannot exceed ten acres. That's why we wished to prevent any action that might make us an enclave.

What's an enclave?

Our objection to the Donald Ross annexation was that it would create an enclave of the unincorporated area including Juno Isles and, as previously noted, such an annexation is prohibited under state law.

In our discussions with the County and town we received responses to this objection that seemed to suggest this issue was moot because we *already were* an enclave. Palm Beach County counsel referred to us as an "unincorporated pocket" because, even before the annexation of Donald Ross, we were surrounded by two different municipalities. Juno Beach counsel referenced the town's ownership of the northbound lane along most of Ellison Wilson road as the reason.

Neither explanation satisfied us. We felt the County's interpretation was incorrect because the statute clearly refers to a single municipality. As for the town's explanation, this was the first time we were hearing that Juno Beach's boundaries included to the centerline of Ellison Wilson road. The town claimed this occurred in the 2004 annexation of certain preserve land on the east side of Ellison Wilson road. Our subsequent review of that annexation did not support their contention.

(Continued on Next Page)

CONTENTS:

- 1... The President's Message
- 3... Karen Marcus Letter
- 5... Covenants Committee
Architectural Committee
- 6... Social Committee
Communications
- 7... Crime Watch
- 8... The Treasurer's Report
- 9... Budget

The President's Message

Continued

What happened next

After the adoption of the ordinance despite our request for a postponement, we expressed our dissatisfaction to Commissioner Marcus' office and she agreed to host a meeting with us, our counsel, and Juno Beach and Palm Beach County counsel. That meeting was held in Commissioner Marcus' office on February 3rd.

When we asked why the County deemed the Donald Ross annexation permissible, County counsel stated that the County has long maintained the position that, when determining if an annexation creates an enclave, "roads don't matter". In other words, the mere inclusion of a road in a town's boundaries does not create an enclave. He went on to explain that this had to do with the special nature of roads which are often owned by one entity while located within the corporate boundaries of another (e.g., US1, a state road, located in part within Juno Beach boundaries).

We then asked if the County agreed with Juno Beach's contention that its boundaries extended to the centerline of Ellison Wilson road. County counsel clearly stated that his interpretation of the 2004 annexation does NOT support the town's contention.

We asked if the County would provide us with a letter reiterating its position that, even after the Donald Ross annexation, we are not an enclave. Commissioner Marcus agreed and her letter is reprinted in this newsletter.

Finally we asked if Juno Beach would redraw its boundaries in light of the County's lack of recognition of its claim on Ellison Wilson road. Commissioner Marcus asked Juno Beach Counsel to provide additional information justifying their contention.

We recently received the town's explanation and found it lacking. In a letter to Commissioner Marcus, copied herein, we are asking the County to require the town to relinquish its claim on Ellison Wilson road. As of this writing, the issue remains unresolved.

* * * * *

While recognizing it may not be a perfect solution, we are satisfied that the letter from Commissioner Marcus provides us a certain measure of protection should someone later contend we are an enclave. More importantly, even if we are later deemed an enclave, under current law **we cannot be annexed against our will since we are well over ten acres**. While this experience has shown that parties can debate the definition of an enclave, we remain confident that the definition of ten acres is not open to interpretation.

For these reasons, as well as the cost of an appeal that we believe would have a very low probability of success, the Board has decided to take no further action regarding the Donald Ross annexation..

We are grateful to Commissioner Marcus for her support in this matter.

Finally, I feel it is important to point out that our actions regarding this matter were not motivated by any particular point of view regarding the desirability of being annexed by Juno Beach. We recognize that opinions within our community differ on this point. Rather, our goal was simply to do all we can to preserve our right of self-determination and insure that, if annexation were ever to occur, it would do so only as a result of the fully informed consent of our community.

Trivia - Local History

1. What was the nickname of the railroad that commenced operation in 1889, and ran in the area now known as Palm Beach County?
2. How did the Engineer of the train greet the passengers?
3. What direction did the locomotive always face?
4. What was the fare?

Every neighborhood has a real estate specialist. In Juno Isles, it's Joan and David



Joan & David Thiemann
RE/MAX
Ocean Properties
 Joan's Cell: 346-4996
 David's Cell: 371-7400
 homes1000@comcast.net

Juno Isles Civic Association

P. O. Box 14421, North Palm Beach, FL 33408

February 18, 2010

Commissioner Karen Marcus
301 Olive Ave, ste. 1201
West Palm Beach, FL 33401

Dear Commissioner Marcus:

Thank you for forwarding the email from Damien Peduto regarding Juno Beach's justification in taking to the centerline of Ellison Wilson road in the course of the 2004 preserve land annexation.

Mr. Peduto claims the maps provided with the 2004 proposal included to the centerline while admitting the legal description did not. In fact, not only did the legal description fail to include to the centerline of Ellison Wilson, it very clearly and specifically *excluded* the roadway from annexation.

Secondly, Mr. Peduto claims annexing to the centerline of Ellison Wilson was required in order to "address public serviceability and access, adequate public facilities inventory, as well as uniform safety controls." In fact, didn't this action create the very same public safety issue, i.e., split jurisdiction on opposing sides of the same roadway, that Juno Beach argued was the primary justification for the more recent annexation of the south side of Donald Ross? Am I the only one who sees the obvious contradiction here?

Throughout this entire process I have accepted all of Juno Beach's stated rationales and have resisted any temptation to question their motives or characterize their actions as predatory. However, now, I can't help but wonder how long it will be before they ask for the other half of Ellison Wilson using the same arguments they used for Donald Ross. And, let us not forget how Juno Beach used their supposed ownership of the east side of Ellison Wilson to support their argument for annexing Donald Ross.

We believe Juno Beach's 2004 annexation to the centerline side of Ellison Wilson road was improper. The County appears to agree. At our February 3rd meeting in your office Bob Banks, Palm Beach County counsel, clearly stated that the 2004 annexation did not include any portion of Ellison Wilson road. Therefore, it seems the only appropriate action is for the County to insist that Juno Beach relinquish its claim on the east side of Ellison Wilson road and redraw its town boundaries to exclude same.

Sincerely,

Louis Vilardo
President

Karen T. Marcus

County Commissioner

District 1

Board of County Commissioners

County Administrator

Robert Weisman



February 4, 2010

Mr. Louis Vilardo
President, Juno Isles Civic Association
P.O. Box 14421
North Palm Beach, FL 33408

Dear Mr. Vilardo:

I'd like to acknowledge and thank you for your letter of January 12, 2010 regarding the Town of Juno's annexation of Donald Ross Road west of Ellison Wilson Road.

Enclosed for your review and information is a copy of an email from Robert Banks, Assistant County Attorney, clarifying the County's position on the annexation. Mr. Banks states that the annexation of Donald Ross Road does not create an enclave as defined in Chapter 171.

Thank you again for writing and if I can be of further assistance in any other way, please don't hesitate to contact my office.

Sincerely,

A handwritten signature in black ink, appearing to be "KTM", with a long horizontal flourish extending to the right.

Karen T. Marcus
County Commissioner

KTM/pw

Enclosure

"An Equal Opportunity Affirmative Action Employer"

P.O. Box 1989 West Palm Beach, Florida 33402-1989 (561) 355-2201 FAX: (561) 355-6094

kmarcus@pbcgov.org



printed on recycled paper

The Covenants Committee



The beautiful neighborhood may have been your attraction to Juno Isles when you chose this as your home. In an effort to maintain the attraction of our area and uphold the Covenants we all agreed to, the Covenants Committee has sent approximately 28 violation notices and 20 second notices to residents since the first of the year. Around 22 violations have been corrected. Thank you! Many of you have made improvements or are in the process of improving your property. We applaud you! Keep up the good work. Unfortunately, despite numerous notices, a few homeowners continue to ignore the Covenants. Therefore, three violations have been reported to Palm Beach County Code Enforcement and two violations have been forwarded to the Association's attorney for further action. Please remember to keep water craft and outdoor storage out of sight from the street using fencing and/or foliage.

Please do your part to maintain Juno Isles curb appeal!

ARCHITECTURAL COMMITTEE

By Wayne Hatten



The Architectural Committee met only once since I became Chairman in November. At that meeting we approved a fence at 12908 Barrow Road. If anyone has a request for the Architectural Committee; we may be contacted through the website [www. Junoisles.org](http://www.junoisles.org).



561-626-8230

JEFF YOUNG, Owner

**GREENLEAF
LAWN MAINTENANCE**

PALM BEACH COUNTY LIC# 1987 - 10711



561-741-1980

PB COUNTY LIC # 2005 - 05467



Cathy's Beach Connection Restaurant
12850 US Hwy. 1, Juno Beach
(561) 626-2262



State Licensed Building Contractor # CBC1255650

(561) 718-6459 or
ericmeister@meisterconsultants.com

Social Committee

By Wayne Hatten, Chairman

The Christmas lighting contest was a success!

This year there were more houses decorated than in years past.

Thank you for all of your hard work. The neighborhood really looked festive.

The Social Committee had the difficult task of picking three homes to receive a prize.

The winners are:

First place - Colleen Christman-Graver at 2095 Radnor Ct,

Second place - Doug and Beth Carptnerter 2093 Radnor Ct. and

Third place - Robert Malfatti Jr. a 12904 Packwood Road.

Congratulations to you all!

I wish to once again thank everyone who devoted their time and expertise in the decorating of the front island. You did your neighborhood proud!



Photo Identification:

On the ladders are Lou Vilardo and Wayne Hatten.

In the foursome, from left to right are Jack Topalian, David Murray, Wayne Hatten and Tom Mondik.

The volunteer in the cherry picker is Warren Spurge

Communications

By Linda Lindquist, Chair

Sign-up to receive important Juno Isle News delivered to your email.

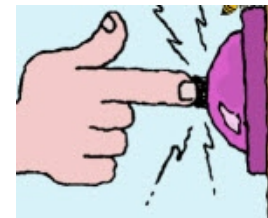


REMINDER - Please visit our website, www.junoisles.org, to register your email address. Simply click on the blue "Subscribe Now" button on the website. We wish to use this as a way to quickly notify our residents of important issues. Using e-mail will also help to control costs and keep assessments in check, as well assist in the efforts to go "green." Please know we are committed to keeping your e-mail address confidential. We do not sell, rent, or lease our subscription list to third parties, and we will not provide your e-mail address to any third party individual, government agency, or company at any time. We will use your e-mail address solely to communicate *Juno Isles Civic Association* information.

Chris Cox has graciously offered to assist in personally gathering email addresses from Juno Isles residents. She could use YOUR help to gather addresses on your street. Please call Chris at 630-5214, and volunteer. This is a great way to get to know your neighbors!

Volunteers may come to your door and ask for your e-mail address, and only your e-mail address. Again, please read our privacy policy above.

Thank you for your help with this!





CRIME WATCH REPORT

By Bob Bittenbinder, Crime Watch Chairman

I'm sure most of the residents are aware we have contracted with the Palm Beach County Sheriffs Department to monitor our Community on an ongoing basis during the hours of 8AM to 5pm in 3 hour increments. twice a month. These time slots are randomly changed as to not form a pattern. You will also note all of the monitoring is being done within the boundaries of the community and no longer as a speed trap on Ellison Wilson.

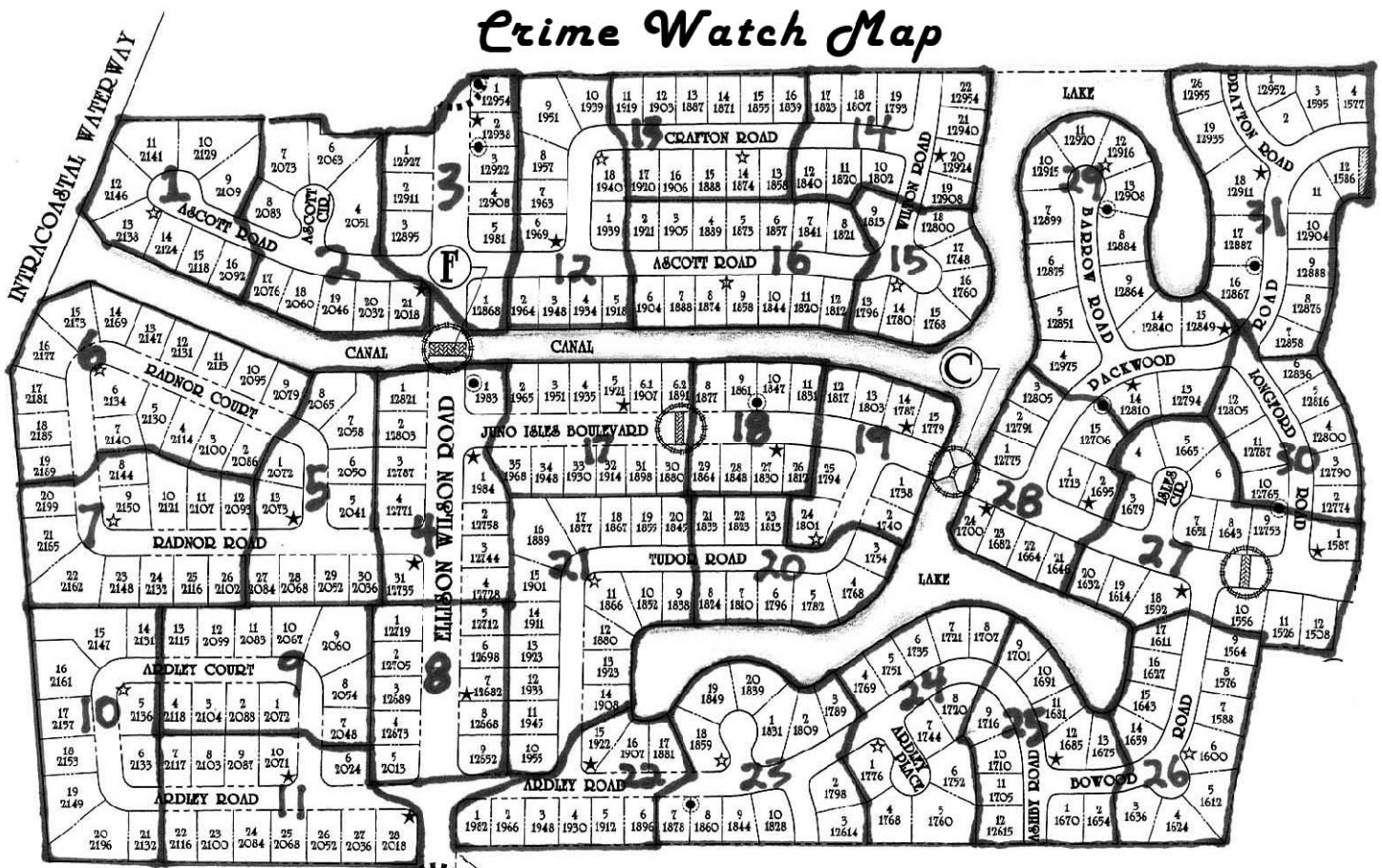
A second responsibility of the Crime Watch Committee is the developing of a network of neighbors, in concert with the Palm Beach County Sheriffs Office, for the purpose recommending, coordinating and dispensing safety measures. Although this program was established some time ago, its effectiveness has fallen through the cracks. It is now time to re-institute this program for the Safety of the Community.

As you can see from the attached Crime Watch map of Juno Isles, the Community is divided into 31 sectors. Each sector has a Crime Watch Captain assigned to it. Over the past several years the list of Captains has become outdated and is greatly in need of updating.

Over the next several months we will be attempting to contact the entire Community to renew interest in the Crime Watch Program, update our records, such as e-mail addresses and phone numbers, and revitalize the goals of the Crime Watch Captains to afford a safer community.

If you are contacted by a Crime Watch Captain, please supply them with your e-mail address, or simply enter it on the Website. Doing so will enable us to increase the effective communications necessary to attain our goals. Additionally, if you have any interest in serving as a Captain, please contact the office at 561-354-9120.

Thank you





The Treasurer's Report

By Mary Ann Martin

To the homeowners
Of Juno Isles:

If you have not paid 2009 Dues, you have received a collection notice from the Juno Isles Civic Association's attorney. As you have no doubt noticed, this is a very expensive fulfillment of your responsibility to the community. Please make every effort to avoid this unfortunate circumstance in the future by letting us know about address changes and communicate, communicate, communicate. Your neighbors do not read minds.

The vast majority of homeowners are current with their dues now. We ended the year with \$67,004 on hand and we were under budget by \$3,667. These factors have been taken into account in setting the 2010 budget. For those who question our level of reserves, it is important to remember that you have emphasized the need for your volunteer board to monitor and act on covenant violations. Our only recourse for a lack of compliance is legal action. Our reserves keep us prudently ready to act on your behalf.

Feel free to review the 2010 Budget and last year's actual income and expenses. You will note the budgeted transfer of \$6,720.00 from the Surplus to Uncategorized Income-Community Lighting. This is a return of the special assessment originally collected for lighting. Your comments and perspective are welcomed at our next Board Meeting in April 4th.

Once again, thank you for the opportunity to be of service while getting to know the many charming folks in our midst.

Our balance as of February 28, 2010 was \$ 65,139.36.

Board of Directors Meetings

The next Board of Directors meeting is scheduled for 7:00 PM Monday April 5, at Holy Spirit Lutheran Church on Ellison Wilson Road. The Board will be determining assessments at this meeting. Juno Isles Residents are encouraged to attend!

Agenda and/or any changes to the meeting schedule will be posted on the Juno Isles web site and/or community signs.

Going Greener & Saving Money

Follow-up

Well, there was a resounding lack of response to the call for ideas on using the website to increase communication and save money. The results are akin to the response we had for volunteers to serve as safety patrol deputies under the Sheriff's department. We want the least cost while giving the least participation. I'm as guilty as the next guy; but I'm learning we can't have it both ways folks.

On the topic of roofs, two brave souls got in touch not via website and shared their resources. That makes three of us who are willing to keep the thought of alternative material (tile look-a-like) roofing alive. For those who might care to explore, take a look at all the roofs in the first community South of St Patrick's Church on the West side of Prosperity Farms Road. I have been told that after extensive damage due to a hurricane fifteen years ago, the whole community purchased steel roofs. There are several styles including tile. No rust or other unsightly wear and tear is apparent. Just saying - Mary Ann Martin

2009

Juno Isles Civic Association Board of Directors

Officers

President

Louis Vilardo
775-2060

Vice President

Wayne Hatten
627-1413

Secretary

Bob Bittenbinder
818-0598

Treasurer

Mary Ann Martin
626-1131

Directors

Felice Beyer
626-3391

Linda Lindquist
626-1990

Jim Moore
622-2544

Mary Ann Martin
626-1131

Susan Czelustra
622-6710

Blas Contreras
625-9323

Jack Koch
622-6766

Dave Mastran
630-9940

Committees

Architectural

Wayne Hatten, Chair
Felice Beyer
Jim Moore
Blas Contreras
Louis Vilardo

Landscape

Louis Vilardo, Chair
Felice Beyer

Covenants

Blas Contreras, Chair
Rhonda Thomas
Bob Kildea

Crime Watch

Bob Bittenbinder, Chair
Jack Koch

Social

Wayne Hatten, Chair
Jim Moore
Linda Lindquist

Communication

Linda Lindquist, Chair
Mary Ann Martin
Susan Czelustra

Got a question?

Call us at 561-354-9120 or go to www.JunoIsles.org

JICA Proposed 2010 Budget (vs 2009 actual)		
	Jan - Dec 10	2009 Actuals
Income		
Assessment Income	\$26,880.00	\$33,568.48
Estoppel Income	\$450.00	\$650.00
Interest Income	\$500.00	\$810.87
Newsletter Income	\$220.00	\$330.00
Uncategorized Income		
Release of lighting funds to gen ops	\$6,720.00	\$0.00
Refunds	\$0.00	\$277.29
Uncategorized Income - Other	\$0.00	\$0.00
Total Uncategorized Income	\$6,720.00	\$277.29
Total Income	\$34,770.00	\$35,636.64
Expense		
Administrative		
Corporate State Filing Fee	\$62.00	\$61.25
Crime Watch	\$3,024.00	\$2,268.00
Secretarial Services Board	\$1,200.00	\$1,420.00
Secretarial Services Covenants	\$3,200.00	\$502.80
Secretarial Services Newsletter	\$800.00	\$600.00
Storage Rental	\$718.00	\$717.68
Tax Prep	\$300.00	\$275.00
Taxes	\$165.00	\$575.86
Technical Services Treasurer	\$100.00	\$127.50
Treasurer's Expenses		
Banking Supplies	\$0.00	\$251.60
Check Reversal	\$0.00	\$128.00
Dues over payment	\$0.00	\$156.00
Total Treasurer's Expenses	\$0.00	\$535.60
Web Enhancement	\$0.00	\$1,545.00
Web Phone	\$96.00	\$300.00
Website Maintenance	\$500.00	\$227.40
Total Administrative	\$10,165.00	\$9,156.09
Insurance		
D & O Liability Insurance	\$1,851.00	\$1,850.70
General Liability Insurance	\$2,711.00	\$2,710.94
Total Insurance	\$4,562.00	\$4,561.64
Legal Services		
Board Services	\$3,000.00	\$779.04
Covenants	\$4,000.00	\$3,403.15
Total Legal Services	\$7,000.00	\$4,182.19
Printing, Postage and Delivery		
Annual Meeting Notice	\$800.00	\$791.37
Covenants	\$210.00	\$207.52
Events	\$320.00	\$314.85
Newsletter Postage	\$500.00	\$441.90
P O Box	\$72.00	\$72.00
Quarterly Newsletters	\$1,100.00	\$929.40
Treasurer	\$1,000.00	\$236.06
Total Printing, Postage and Delivery	\$4,002.00	\$2,993.10
Repairs & Maintenance		
Community Event Signs	\$100.00	\$0.00
Entry Sign Lighting	\$400.00	\$0.00
Flag Replacement & Pole Mainten	\$140.00	\$71.21
FP&L Front Island	\$300.00	\$600.00
Front Island Lighting Repair	\$500.00	\$340.15
Landscape Maintenance	\$2,400.00	\$2,391.30
Total Repairs & Maintenance	\$3,840.00	\$3,402.66
Social Events		
4th of July Parade	\$160.00	\$162.71
Annual Meeting Refreshments	\$70.00	\$69.32
Christmas Contest/Decorations	\$2,850.00	\$965.54
Easter Egg Hunt	\$300.00	\$600.00
Garage sale	\$150.00	\$41.25
Meeting Hall Rental	\$250.00	\$250.00
Picnic (s)	\$3,500.00	\$5,317.32
Total Social Events	\$7,080.00	\$7,406.14
Total Expense	\$36,649.00	\$31,701.82
Net Income	-\$1,879.00	\$3,934.82

Surplus Cash 1/1/09 \$63,069.47
 Surplus Cash 1/1/10 \$67,004.09

Carpet Cleaning & Floor Care

By Brian Barnes

"I grew up in Juno Isles and would now like to offer my new floor cleaning services to the great community where my friends and family live."

Call me today for professional carpet cleaning services!



We clean...
Carpets
Upholstery
Draperies
Tile/Grout & Marble

*Over 9 years in the floor care business
 and IICRC Certified CCT/FCT*

Brian & Sons Floor Care

9461 Bellewood Street
 Palm Beach Gardens, FL 33410

561-309-7074

Lic #010910

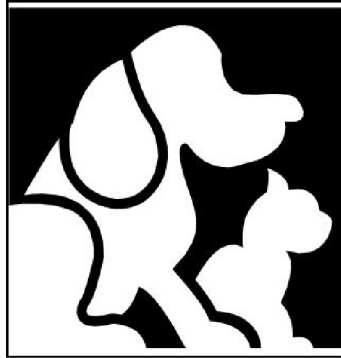
Town & Country



Animal Hospital

11788 US Hwy. One
P. Beach Gardens, FL 33408
Office 626-1233
Boarding 622-7431
Grooming 626-8475

Robert W. Bonitzer, D.V.M.
Mark D. Ruthenberg, D.V.M.
www.townandcountrypethospital.com



Juno Isles Pet Sitting



Responsible Sister and Brother team will walk, feed, love and play with your pet while you are away. \$8 per visit. Parental supervision included at no charge!

Pauline and Jake Thiemann
1665 Isles Circle, Juno Isles
775-7653 or 371-7400



CHRIS COX
REALTOR®

(561) 745-3504 BUSINESS
(800) 247-4191 TOLL FREE
(561) 744-1694 FAX
(561) 714-6815 CELL





RESIDENTIAL REAL ESTATE, INC.
902 South U.S. Highway 1
Jupiter, FL 33477

www.homesinthepalmbeaches.com

Owned And Operated
By NRT Incorporated.

- Trivia - Local History (Answers)
1. The Celestial Railroad; with its four stations named Jupiter, Venus, Mars and Juno.
 2. The Engineer, Blus Rice, who played the horn in a local band, would greet the passengers by playing "Dixie" on the whistle.
 3. There was no way to turn the locomotive around, so it always faced south.
 4. The fare was 10 cents a mile, 75 cents total. This was considered to be a high fare of that time.

Juno Isles Civic Association, Inc.
P.O. Box 14421
North Palm Beach, FL 33408