

Citrus Cove Home Owners Association
13432 Suburban Terrace
Winter Garden , Florida 34787
Telephone (407) 656-5397

RECEIVED
FLORIDA PUBLIC
SERVICE COMMISSION
96 MAR 28 AM 9:27
MAIL ROOM

March 23, 1996

Director , Division of Records and
Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL32399-0850

Attention; Mr. John D. Williams Chief ,
Bureau of Policy Development and Industry
Structure

960393-W4

RE: Application for Exemption

Dear Mr. Williams:

Please find enclosed the Application for exemption from regulation by the Public Service Commission for Citrus Cove Home Owners Association located in the South Eastern part of Lake County Florida..

Citrus Cove Home Owners Association was chartered as a none profit corporation by the developer in 1982. An exemption may have been obtained by the developer at that time, however, this documentation can not be located in the CCHOA files.

CCHOA only has only the authority to operate the water system. The only person that is paid is the licensed water plant operator. All offices are filled by elected volunteers for a 4 year term.

There is no documentation available showing that the control has been passed to the homeowners. In 1986 when I purchased my home in the Citrus Cove Subdivision, the real-estate broker did not give me the details of the status of the water system or I would probably not have purchased a home in the subdivision. Twelve of the homeowners at that time continued to pay the power bills for electrical power to operate the deep well pump to have water in their homes. The Lake county health department was contacted by several of the homeowners but the only assistance that was offered was to direct the homeowners to boil their water or put in a private well. With the help of the twelve tenants and myself the state charter was revitalized and the a licensed operator was hired. I being a registered engineer with many years of experience in the design and operation of domestic potable water systems was able to initiate and direct the corrective action for the many deficiencies required to bring the water system up to state standards. The undeveloped lots were not marketable at the time because building permits were denied for new residential construction due to the status of the water system. Since the system has been brought up to State minimum standards, all but three of the lots have been developed.

DOCUMENT NUMBER-DATE

03660 MAR 28 96

FPSC-RECORDS/REPORTING

Please contact me at my business number (I am an environmental engineer with Lockheed Martin) 407 656-5397 if you have additional questions.

Sincerely,



O. F. Bennett P. E.

President, Citrus Cove Home Owners
Association

cc:

Horald Underwood VP CCHOA

Sara M. Garrett, P. G. State of Florida Dept of Resource Management

Attachments:

1. Application for nonprofit Corporation Exemption
2. Copies of the articles of incorporation
3. a copy of the guidelines for operating the water system.

APPLICATION FOR NONPROFIT CORPORATION EXEMPTION
(FORMED PURSUANT TO CHAPTER 617, FLORIDA STATUTES)
SECTION 367.022(7), FLORIDA STATUTES
RULE 25-30.060(3)(g), FLORIDA ADMINISTRATIVE CODE

The application must be signed by an officer
of the corporation.

NAME OF SYSTEM: CITRUS COVE HOME OWNERS ASSOCIATION

PHYSICAL ADDRESS OF SYSTEM: CITRUS COVE S/D
LAKE COUNTY, FLA

COUNTY WHERE SYSTEM IS LOCATED: LAKE

NAME OF CORPORATE OWNER(S): LOT OWNERS (50) IN CITRUS

COVE S/D 37 LOTS BEING SERVED BY SYSTEM THE
REMAINING LOTS ARE VACANT OR ON PRIVATE WELLS
MAILING ADDRESS (IF DIFFERENT): _____

PRIMARY CONTACT PERSON:

NAME: O. F. BENNETT

ADDRESS: 13432 SUBURBAN TERRACE
WINTER GARDEN, FLA 34787

PHONE NO.: HOME (407) 656 5397 BUS (407) 356 9924

I believe this system to be exempt from the regulation of the
Florida Public Service Commission pursuant to Section 367.022(7),
Florida Statutes, for the following reasons:

1. Service will be provided solely to members who own and control the non-profit corporation.
2. The utility services provided are:
Water Wastewater _____
or Septic _____
For service not provided, please state who provides:

ALL LOTS ARE ON SEPTIC TANKS

CITRUS COVE

HOME OWNER'S ASSOCIATION

OPERATION GUIDELINES

**17610 Mandarin Circle
Winter Garden, Florida 34787
Telephone (407)656-3696/656-5397**

APPLICATION FOR NONPROFIT CORPORATION EXEMPTION
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APPLICATION FOR NONPROFIT CORPORATION EXEMPTION
(FORMED PURSUANT TO CHAPTER 617, F.S.)

3. Attached is a copy of the articles of incorporation as filed with the Secretary of State and the bylaws which clearly demonstrate that the corporation provides service solely to members who own the corporation.
4. Attached is a description of the voting rights and their location in the articles of incorporation and the bylaws.

When the nonprofit corporation was formed by a developer pursuant to Chapter 617, Florida Statutes:

5. Attached is a documentation showing that control has passed or, if not, the circumstances under which control of the corporation will pass to the nondeveloper members.

I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, F.S.

3/22/96
(Date)

O. J. Bennett P.E.
Officer's Signature

OMAH FRAWIC BENNETT
Officer's Name (Typed or Printed)

PRESIDENT
Officer's Title

The original and four copies of the completed application and supporting documentation should be mailed to:

Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850.

CITRUS COVE

HOME OWNER'S ASSOCIATION

OPERATION GUIDELINES

**17610 Mandarin Circle
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CITRUS COVE HOME OWNER'S ASSOCIATION OPERATING GUIDELINES

1. GENERAL

The following management and operating procedures have been adopted by the Citrus Cove Home Owner's Associate (CCHOA) as guidelines for establishing rules to provide equality to all home owners that use the facilities or services of the CCHOA water system.

2. DEFINITION

CCHOA is a nonprofit organization registered in the state of Florida; organized to manage and operate the water system owned by the residents of Citrus Cove subdivision in Lake Count, Florida. The water system includes the lot where the water supply/treatment system is located and the large land area (pit) in the center of the subdivision. All well, pumping, treatment, and distribution systems are designed to serve all 53 lots in the subdivision.

3. CONNECTION FEE

A connection impact fee will be assessed to property owners as follows:

3.1 PROPERTY OWNERS WITH EXISTING WATER SERVICE

No connection fee will be required.

3.2 CITRUS COVE PROPERTY OWNERS WITH EXISTING RESIDENCES WITH PRIVATE WELLS IN OPERATION ON 1 JULY 1989

A connection impact fee of \$150 will be assessed to property owners with existing wells. If water service is provided by CCHOA, the well connecting to the household service must be disconnected to prevent a cross connection.

3.3 PROPERTY OWNERS WITH UNDEVELOPED LOTS

Property owners that are approved for connection to the CCHOA water system for undeveloped lots, or lots to be developed after 1 July 1989 will be assessed a \$500 impact fee to cover the cost to offset the expenses that have been paid by the fourteen charter customers of Citrus Cove Water System. The deposited funds will remain in the account for future repairs and/or operating expenses.

4. MONTHLY SERVICE FEE (NORMAL)

A monthly service fee to be paid by each customer quarterly in advance. The fee to be set by CCHOA Finance Committee as required to cover the operating expenses. The fee will not be based on consumption but a unit price per connection.

5. PAYMENT METHOD

Customers will be billed quarterly at least fourteen days in advance of the beginning of each quarter. Payments received after the 15th are considered delinquent. A list of honor customers (those without delinquent payments for the past 12 months) will be published in the Annual Association Newsletter.

6. SPECIAL ASSESSMENT

In case of a major repair and/or if funds are not available for normal operating expenses, each customer will be notified as required for a special meeting to resolve the funding issue. Assessment will be made as agreed by at least two thirds majority of the connected nondelinquent customers. Payment is to be made to CCHOA as agreed and passed in the special called meeting.

7. AUTHORIZATION OF PAYMENT

The officers of the CCHOA are authorized to pay the normal operating expenses (ie. electric power costs, treatment chemical costs, land taxes, corporation fees, stamps and office supplies, and system repairs up to \$250). Additional services or nonrecurring expenses in excess of \$250 that may be required must be approved by the Finance Committee.

8. CCHOA OFFICES

The CCHOA is to have three elected officers identified as President, Vice President, and Secretary/Treasurer. The term is two years but can be reelected to serve an indefinite number of two year terms.

9. FINANCE COMMITTEE

The CCHOA Finance Committee is to be made up of seven members; three members being the officers of the corporation and four members being water customers elected by the members of the CCHOA. The President of the CCHOA

will act as Chairman of the Finance Committee (or the Vice President in the absence of the President).

10. WATER SERVICE APPLICATION

New customers are to complete the service application as indicated. Upon payment of the required fee and signing of the application, the customer is authorized to make connection to the utility system. An officer, or a water customer, that has been properly trained to verify and approve that the correct service tap is being utilized, must inspect and approve the service connection prior to hook-up. CCHOA is not responsible for the physical hook-up or responsible for any appurtenances on the customer's property. If water connection for hook-up can not be located and a new tap is required CCHOA will pay 50% of the cost for a new tap. A minimum of two bids to be presented and approved prior to installing the tap.

10.1 TEMPORARY WATER SERVICE

A building contractor may obtain temporary service by submitting an application and paying a \$50 non-refundable service fee that covers all service costs during the house construction period. The temporary service is automatically canceled when the home owner or occupant applies for electrical service. All other provisions of Paragraph 10.0 are applicable and are unchanged.

11. ANNUAL NEWSLETTER

An annual newsletter will be published and signed by the officers of the corporation (CCHOA) and provided to each customer by the first day of April. As a minimum, the following will be provided in the newsletter or statement:

11.1 OFFICERS

The current names, addresses, and telephone numbers of the officers or the corporation including the names of each member of the finance committee.

11.1.1 OFFICERS TERM OF OFFICE

The expiration date of each term of each corporation officer to be stated in the newsletter. The following is the expiration dates of the terms of office:

First term - 1 July 1991
Second term - 1 July 1993
Third term - 1 July 1995
Fourth term - 1 July 1997
Fifth term - 1 July 1999

11.1.2 FINANCE COMMITTEE TERM OF OFFICE

The expiration date of each term of each finance committee to be stated in the newsletter.

11.2 FINANCIAL STATEMENT

A financial statement to be included in the newsletter to include at least the following information based on the past twelve months business ending on the 31st December:

11.2.1 Gross income for the twelve month period.

11.2.2 Total expenditure for the twelve month period.

11.2.3 Total value of accounts payable (unpaid bills) as of the 31st of December.

11.2.4 Account balance on the 31st of December.

11.3 HONOR CUSTOMERS

A list of all customers that have paid their quarterly service charges before the past due date for the past due date for the past twelve months.

11.4 CUSTOMERS LIST

A list of current active customers including their names and lot numbers.

12. CURRENT CUSTOMER SERVICE APPLICATION

In order for CCHOA to be up to compliance with the State of Florida Department of Environmental Regulations for operation of a Public Water Supply System, a copy of the service application has to be on file for each customer. This requirement is for legal proof that the customers have been instructed or have been given information on the Cross Connection Control Program and that the lead notification has been provided as required.

CROSS CONNECTION CONTROL PROGRAM

20 September 1992

Dear Homeowner/Tenant:

The greatest hazard in a water distribution system is the "CROSS CONNECTION". This is a physical connection from the water system to another unsafe or doubtful source of water that will allow other waters or materials to enter the potable water supply system, such as a back siphon, or under-pressure condition.

All potable water connections (ie. hose bibs, etc.) should be equipped with anti-siphon/backflow prevention devices. A home that has a domestic water system for irrigation cannot be connected to the irrigation system piping. A valve is not adequate protection to ensure a cross connection.

Sewer lines must be installed a safe distance from all water lines or septic tanks. If an underground sprinkler system is installed and connected to the water system anti-siphon vacuum breakers are to be installed on each zone.

Swimming pools must be equipped with an air gap and double check valves to ensure that water from the swimming pool is not siphoned back into the water system.

Please contact the association president if you have any questions pertaining to this program. An annual inspection of each residence by a registered engineer to audit for cross connections may become mandatory in the future.

CITRUS COVE HOME OWNER'S ASSOCIATION

CITRUS COVE SUBDIVISION

LAKE COUNTY FLORIDA

20 September 1992

Citrus Cove Home Owners/Water Customer
Citrus Cove Subdivision
Lake County, Florida

RE: LEAD NOTIFICATION

The Federal Environmental Protection Agency and the Florida State Department of Environmental Regulation require Community Public Water Systems to notify their consumers there may be lead in the water even though the system has been tested and found to contain less than the maximum containment levels (MCL). The water has been tested and no lead was found, however, if your house piping is constructed of copper pipe with leaded solder joints then each occupant should run the water for a few minutes after being away on vacation, etc. The analysis indicate the lead level to be less than 0.02mg/l which is well below the MCL.

Sincerely,

O. F. Bennett
President
Citrus Cove HOA

WATER SERVICE APPLICATION
CITRUS COVE HOME OWNERS ASSOCIATION

Date: _____ Application Number: _____ Temporary Service: _____

Lot N^o: _____ Permanent Home Owners Service: _____

Name and Address of Applicant:

NAME: _____ NICKNAME HUSBAND: _____ (optional)

NICKNAME WIFE: _____ (optional)

CURRENT ADDRESS:

CITRUS COVE ADDRESS:

TEMPORARY PHONE N^o: _____

PERMANENT PHONE N^o: _____

CATEGORY:

1. Home owner with well prior to July 1989 _____
2. Lot owner with construction start after July 1989 _____
3. Temporary construction service _____

CATEGORY FEE:

1. \$150 Impact Fee
2. \$500 Impact Fee
3. \$50 Impact Fee

ATTACHMENTS RECEIVED BY CUSTOMER:

1. Cross Connection Control Program _____
2. Lead Notification Statement _____
3. CCHOA Guidelines _____
4. List of current CCHOA Officers _____
5. The amount of the current quarterly service charge _____

CUSTOMERS SIGNATURE: _____ Date: _____

CCHOA OFFICERS SIGNATURE: _____ Date: _____

Original copy: CCHOA File

Carbon copy: Customer

CITRUS COVE HOMEOWNERS ASSOCIATION (TEL. 407-656-3969/407-656-5397)
17610 MANDARIN CIRCLE, WINTER GARDEN, FLORIDA 34787

State of Florida



Department of State

I certify from the records of this office that CITRUS COVE HOMEOWNERS ASSOCIATION, INC. is a corporation organized under the laws of the State of Florida, filed on August 21, 1981.

The document number of this corporation is 759737.

I further certify that said corporation has paid all fees and penalties due this office through December 31, 1992, and that its most recent annual report was filed on May 11, 1992, and its status is active.

I further certify that said corporation has not filed articles of Dissolution.

Given under my hand and the
Great Seal of the State of Florida,
at Tallahassee, the Capital, this the
13th day of May, 1992.



CR2EO22 (2-91)

A handwritten signature in cursive script that reads "Jim Smith".

Jim Smith
Secretary of State