

# CROSS CREEK OF FORT MYERS ASSOCIATION, INC.

## DRAFT MINUTES

### MEETING OF CROSS CREEK OF BOARD OF DIRECTORS

**MARCH 11, 2026**

President Harvey LaPointe called the meeting to order at 9:02 a.m.

Present: Harvey Lapointe, Debbie Kelly, Frank Maranto, and Chance Chancellor. Al Jones, John Castaldo and Mary Peabody were unavailable. Also present were Eileen McGovern, 44 members and 24 members by Zoom.

Kelly verified that a quorum was present and the notice of the meeting was posted 48 hours in advance.

Motion was made by Maranto and seconded by Kelly to approve the minutes of February 27, 2026, Board of Directors meeting. Passed.

#### **President's Report: Harvey LaPointe**

LaPointe reported that two candidates for the Master Board, John Castaldo and Al Jones, placed signs in their windows promoting themselves and some of the other candidates. Last year, Al Jones posted a sign in his window as well, and was informed that the Cross Creek documents and Bylaws, plus the individual Associations had ordinances restricting signs to one (1) For Sale or For Rent sign not to exceed 36 X 24 inches. In 2025, the signs were eventually removed after several notifications by LaPointe. When asked why the signs were ultimately removed, the reply was "it served its purpose."

LaPointe contacted both candidates this year to notify them of the repeated infraction and requested that the signs be removed. This first communication occurred on February 10. Castaldo stated that his lawyer said the posting of the signs was legal, and that his Association board approved the signs. LaPointe contacted Cross Creek's legal counsel and was told the signs were a violation of the written restrictions. LaPointe requested a copy of the document stating that the local Association board had approved the signs, but no copy was provided as of today's meeting.

A lengthy discussion ensued about whether Master Board members should be considered exempt from rules violations. A show of hands in the audience indicated a majority favored disciplinary action.

LaPointe motioned and Maranto seconded that Alan Jones and John Castaldo be fined \$100 each and be suspended from Cross Creek privileges for 30 days. This would not exclude them from performing their Master Board duties and as liaisons to assigned areas of Cross Creek. It would also have no effect on them running as candidates in the election. LaPointe and Maranto voted in favor, Chancellor voted opposed, and Kelly abstained. Motion passed, and letters of notification to them and the Fining Committee will go through the proper channels and procedures. It was reiterated that the Fining Committee cannot change the penalty as stated but can determine whether the penalty is warranted. The defendants have the opportunity to appear before the Fining Committee to plea their cases.

LaPointe also held up a flyer that was posted on a few bulletin boards and inserted into mailboxes throughout Cross Creek. It was noted that it is a federal crime to place materials in individual mailboxes. The flyer is a characterization of four candidates and states "Master Board Elections: Meet Your Candidates." He pointed out that the flyer was misleading and inaccurate because Debbie Kelly is also a candidate for this election and is not pictured or mentioned on the flyer.

No further reports were given.

Maranto motioned, Kelly seconded to adjourn. Passed.

Meeting adjourned at 9:48 a.m.

Respectfully submitted,  
Debbie Kelly, Secretary

