

**Punta Rassa Condominium Association
Minutes of Regular Board Meeting
June 5, 2008**

1. **Call to Order:** Linda Deason called the meeting to order at 9:35AM.
2. **Roll Call of Directors:** Linda Deason, Marylin Hansen, Elliot Williams, Eve Heffernan, Jim Baldwin and Jim Simantel were present. Reid Potter was present via speakerphone. Also present, James J. Walker, Property Manager and Debra Newell, Branch Manager of Orion Bank.
3. **Approval of Minutes:**
Eve Heffernan made a motion to approve the minutes of April 16, 2008 Regular Board Meeting and April 21, 2008 Special Board Meeting. Second by Jim Baldwin. Motion passed unanimously.

Ratify New Property Management and Accounting Contract:

A motion was made by Jim Baldwin to ratify the contract of the New Property Manager, James J. Walker and the Accounting Contract with Spires & Associates. Second by Jim Simantel. Motion passed unanimously.

4. **Introduction of Debra Newell, Branch Manager of Orion Bank, Resolution to Establish a Line of Credit.** A motion was made by Elliot Williams to establish a Line of Credit with Orion Bank in the amount of \$100, 00.00, with a rate of interest at 6-1/2% payable over a maximum of five (5) years, in addition, a quorum of the Board must approve a draw and have a recommendation from the Property Manager, Jim Walker. Second by Marylin Hansen. Passed unanimously.

Managers Recommendation to Remove Fire Hoses to Reduce Liability and Cost Savings. A motion was made by Elliot Williams to get a letter from the Ft. Myers Fire Department (Iona-McGregor District) that it is within the law to extract the fire hoses from the Buildings and replace with larger fire extinguishers. Second by Reid Potter. Passed unanimously

Managers Request for Reimbursement for Office Help: Elliot Williams made a motion that the Association reimburses Jim Walker \$1,250.0 for out of pocket expenses for Office Help. Second by Marylin Hansen. Passed unanimously.

Managers Letter Requesting Hiring of Part time Office Help: Jim Baldwin made a motion that the Association hires an individual on a part time basis for 21 hours a week at a rate of \$12.00 per hour. Second by Marylin Hansen. Passed unanimously.

Adoption of Standards for: Placement of Railings, Glass Door Walls, and Front Entry Screen Doors. Jim Simental made a motion that the Association adopts a set of drawings by Arnold/Sanders as standards for railings that can be updated or modified as needed... Second by Eve Heffernan. Vote: Yea, Linda Deason, Reid Potter, and Jim Simental, Nays, Jim Baldwin, Marilyn Hansen, Eve Heffernan and Elliot Williams. Motion did not pass.

Reid Potter made a new motion to instruct the property manager, Jim Walker, to solicit bids from several architectural and engineering firms to set standards on railings and screens. Second by Eve Heffernan. Motion withdrawn.

New motion by Reid Potter. Request that Jim Walker take the plans, (for railings and screens) made by Arnold/Sanders to another architectural /engineering firm to see if the plans are acceptable. Second by Jim Simental. Yeas, Linda Deason. Marylin Hansen, Eve Heffernan, Reid Potter, Jim Simental and Elliot Williams. Nays, Jim Baldwin. Motion Passed.

Glass Door Walls. Eve Heffernan made a motion to have Arnold/Sanders provide a master set of drawings for all three buildings that require knee wall support, not to exceed a cost of \$4,500.00. Second by Elliot Williams Passed unanimously.

Front Entry Screen Doors. Eve Heffernan made a motion to adopt a standard for entry screen door, similar to the Larson Design Door, (sold at Lowe's). The door may contain glass, and the color should be black or dark brown. Second by Jim Baldwin. Passed Unanimously.

Adoption of Code of Ethics for Board Members. Elliot Williams made a motion that the Board of Directors adopts the Code of Ethics and Conduct Rules. Second by Eve Heffernan. Yeas, Linda Deason, Jim Baldwin, Eve Heffernan, Marylin Hansen, Jim Simental, Elliot Williams. Nays, Reid Potter. The motion passes.

Code of Ethics:

We, the member of the Punta Rassa Board of Directors acknowledge and subscribe to the following Code of Ethics and Conduct:

1. Always exercise our fiduciary responsibility for the operation of the million-dollar business the association represents.
2. Never solicit or accept, directly or indirectly, any gives, gratuity, favor or any other thing of Monetary value from any person or firm seeking business from the association or any individual whose intent is to influence any decision of action on any official matter.
3. Any Potential conflict of interest will be disclosed to the board.
4. No promise of anything not approved by the board as a whole will be made to any supplier or contractor during negotiations.
5. Difference of opinion about policy and procedures among board members. Or between the board and the association members, will be discussed rationally, on the merits, in a timely and courteous manner, with emphasis on resolving difference.
6. The board will treat each member of the association fairly and without favoritism.
7. Each board member will respect and maintain the confidentiality of a property owner's file and the personnel records of any employee.
8. No board member will interfere with the duties of any employee or attempt to take any directive action with any employee or encourage or require any employee to communicate directly to them.

Adoption of Rules Governing the Board of Director Board Meetings. Jim Baldwin made a motion to adopt the Resolution governing the Punta Rassa Board of Directors. Second by Eve Heffernan. Yeas, Linda Deason, Jim Baldwin, Eve Heffernan, Marylin Hansen, Jim Simental, Elliot Williams. Nays, Reid Potter. The motion passes.

**RESOLUTION TO ADOPT RULES GOVERNING THE
PUNTA RASSA BOARD OF DIRECTORS.**

WHEREAS, THE Board of Directors of Punta Rassa is desirous of conducting itself in an orderly manner and to facilitate the smooth Board operation of the Association.

WHEREAS, the members of the Association have the right to be informed as to how the Board governs itself.

**BE IT THEREFORE RESOLVED THAT BOARD ADOPTS THE FOLLOWING
POLICY AND PROCEDURE:**

1. The President or in the absence of the President, the Vice President shall sign all contract that are presented to the Board for approval;
2. Any member of the Association shall be allowed to speak on any agenda item when recognized by the chair for a period not to exceed three (3) minutes;
3. Any member of the Association may address the Board regarding their individual issues at the conclusion of the Agenda;
4. No meeting shall exceed 90 minutes unless extended by the majority of the Board;
5. All invoices after approval by the Manager will be approved by the President and another officer of the Association prior to payment. In the event another officer is not available then any member of the Board of Directors may approve.
6. Enforcement of the rules or Covenants will be the responsibility of the Property Manager;
7. Meeting notices will be posted on the Bulletin Board in each building and the website 48 hours in advance of the meeting;
8. All contact with vendors will be through the Property Manager;
9. The Board shall be governed by the Robert's Rules of Order, as modified, as necessary;

10. All no votes or abstentions shall be recorded in the minutes;
11. The minutes of all the Board Meeting, resolutions, rules and regulations and various committees shall be posted on the website immediately after approval as well as Balance sheet and Income Statement when issued.
12. The agenda shall be prepared by the Association Manager and all items will be submitted three day prior to meeting.

RESOLUTION PASSED AND ADOPTED BY THE BOARD OF DIRECTORS ON JUNE 5,2008. THESE POLICIEAS MAY BE AMENDED FROM TIME TO TIME BY A MAJORITY VOTE.

Adoption of Resolution for Collection of Delinquencies. Jim Simental made a motion to adopt the Resolution to adopt a collection policy for the Punta Rassa Condominium Association, Inc. Second by Elliot Williams. Passed Unanimously.

RESOLUTION TO ADOPT A COLLECTION POLICY FOR
THE PUNTA RASSA CONDOMINIUM ASSOCIATION, INC.

WHEREAS Section VI article 1 of the covenants gives the association the power to make and collect assessments.

WHEREAS Section (B) (i) of the covenants gives the association the power to charge interest as allowed by State Statute and gives the Board the authority to record a notice of lien for unpaid Assessments, and when delinquent the lien may be enforced by suit, judgment and foreclosure; and

WHEREAS the Protective Covenants for Punta Rassa Condominium Association, Inc. Section C of the Declarations gives the Board the right to impose costs, interest and reasonable attorney fees; and

BE IT THEREFORE RESOLVED THAT the Board adopts the following Policy and Procedures.

AT LEAST TWO WEEKS BEEORE THE START OF A NEW QUARTER, an invoice will be sent to each homeowner showing the current amount due and any past due

amounts. The invoice shall contain a warning about the penalties for late payments and legal cost.

(10) DAYS AFTER THE FIRST WORKING DAY OF A NEW QUARTER, a delinquency notice will be sent to the owner by the accounting firm with added interest at a rate of 9% or as provided by law, of the unpaid balance. The notice shall read as follows: If payment is not received in full by the end of the Due Month it shall be turned over to the Association Attorney for collection and if necessary lien and foreclosure of the property. This notice will be sent via registered or certified mail, returned receipt request to the owner at **TEN** his or her last address as reflected in the records of the Association.

RESOLUTION PASSED AND ADOPTED BY THE BOARD OF DIRECTORS ON THE 5TH DAY OF JUNE 2008.

Recommendation as to Association Attorney

Motion: Elliot Williams made a motion that the Board of Directors hire Pavese Law Firm to handle all new delinquent accounts, filing liens and foreclosures effective June 5, 2008. Second by Eve Heffernan. Passed Unanimously.

It was the consensus to retain Quarles and Brady as the Association Attorney.

Policy to use Maintenance Personnel for Private Interior Unit Maintenance Work

Reid Potter made the following motion. As provided for in the covenants, maintenance personnel are not allowed to enter any unit for individual unit maintenance other than what is related to common area improvements. If the repair is questionable, call the manager's office. The maintenance personnel may do work after daily work hours at the owner's expense. Second by Eve Heffernan. Passed unanimously.

Approval of Taylor Elevator Corporation Work Order – Height of Walls in Building

I, II, III Jim Baldwin made a motion to increase the height of the elevator cabs, in building I (only elevator) in building III the A cab elevator and in building II the A cab elevator to the maximum height that Taylor Elevator can raise them to at a cost of \$1,400.00 per elevator.

Second by Eve Heffernan. Passed unanimously.

Motion to adjourn at 1:30pm passed unanimously.

Respectively Submitted

**Elliot Williams
Secretary**