

**Brookshire Bath and Tennis**  
**Board of Directors Meeting Notice and Agenda**  
**Tuesday, January 27, 2008 @ 7:00 pm**  
**Held in Clubhouse**

**Present:** Debbie Keller, Lee Redmond, Glenn Barger, Jayne Grant, Vince Hayes, Jeff Key, Lee Redmond, Eileen Mazur and Robert Hannon

Alliant Property Management: Doreen Falcone.

Absent: Michael Chase

**1. Call to Order & Establish a Quorum:**

- a) The meeting was called to order at 7:06 pm and a quorum was established

**2. Approval of Minutes:**

**Motion: Motion by Debbie Keller to approve the minutes from the meeting on 12-6-09 Seconded by Vince Hayes motion approved 7-0**

**3. President Update:**

a) Debbie Keller discussed the new access control system to date there have not been many issues. Debbie reminded everyone the annual meeting date is 2-24-09 at 7PM at the Safe Harbor Community Church and reminded everyone to send in their proxy and ballot if they do not plan on attending the meeting. Debbie reminded the residents about the meet the candidates on Monday 2-02-09 and that 3-positions are open and 7 candidates submitted information to run for the board.

**4. Treasures update:**

- a) Treasurer Vince Hayes gave his treasurers report as follows:  
Cash Position as of November 30, 2008

Operation:	\$ 24,161.00
Reserves:	<u>\$229,235.00</u>
Total	\$253,396.00

The operating funds decreased \$32,188.00 from Oct. 31<sup>s</sup> 2008, and the reserve increased \$170.00 The decrease in operating funds is a normal situation at this time in the budget cycle, with increased seasonal costs and very little receipts from the balance of the annual assessments due. Added to this were the many small maintenance, landscaping and facility upgrades carried out in October and early November. In spite of the difficult collections environment the operating accounts will maintain a satisfactory balance through year-end without deferring any normal maintenance or desirable capital projects. At month end there were \$77,702 in owner's past due assessments including late fees, interest and legal collection expenses. We are still tracking on the estimated collection target of \$30 to \$36 thousand of these past due accounts in the fourth quarter. As announced last month there was a marked upswing in the Association's formal legal collection efforts in December.

We still expect the year to end with a sizable amount and some of these will eventually translate into write-offs as bad debt expenses before closing the books for 2008. With more write-offs anticipated in a continuing difficult economic climate, we have provided for this contingency in the 2009 budget. This should not be construed to mean that the Association will not pursue every step that is economically practical to legally protect and preserve the Association's rights to the past due assessment. On a brighter note: Since May 31st following the change to Alliant Management,

implementing the staff , reorganization, service contract revisions, along with increased attention to all the expenditures necessary to property conduct the associations business, the operating budget variance has moved from an unfavorable balance to a favorable balance for a net improvement of \$64,328.00 over six months. This trend is favorable; however, we have a long way to go in uncertain time we are safely on solid financial footing. Now is not time to hear the old refrain. “Let’s spend we have some money!”

**b) Collection Update:**

Vince Hayes explained the position of the delinquent accounts and the current number of delinquencies currently outstanding. Vince also discussed the current foreclosure issues the impact on the community. Vince explained that Brookshire could foreclose on the delinquent properties and Brookshire would become the owner however Vince felt it would be better to allow the banks to foreclose Brookshire is last in line to be paid. Vince stated it is imperative the association update and publish a policy on past due assessments. Therefore, the membership is aware of the policy guidelines and the collections personnel at Alliant can be consistent and timely in managing the accounts of each member of the association. The basis for the policy is provided in the Master Declaration of Covenants, conditions and Restrictions in Article VI, and By-laws 4.1, 4.13.4.13.2, 7.3, 7.4, 7.6, 7.7, 7.8, 7.9 and the applicable Florida Statutes

**Motion:** Motion by Vince Hayes to implement a collection policy with the following steps:

An assessment not paid within ten (10) days after the due date will cause a reminder letter to be sent to the Lot/Unit owner by Alliant Management requesting full payment within twenty (20) days. Any assessment not paid within thirty (30) days after the due date shall bear interest from the due date at the maximum rate allowed by law. In addition, a late fee of ten dollars (\$10.00) will be imposed at this time.

An assessment not paid within sixty (60) days after the due date will be referred to the Associations' legal representatives for the issuance of an initial demand letter (intent to lien), which will entail legal fees being added to the members account. This demand allows forty five (45) days for full payment of the past due amount.

An assessment account not paid in full within this forty (45) day period will cause a lien to be recorded in the county records, on the lot/unit.

Accounts past due in excess of six months will be considered as candidates for foreclosure on a case-by-case basis.

Encumbrance reports will be complied prior to any decisions to proceed with foreclosures.

Co-ordination of collection efforts with the various Brookshire Condominium Association through assignment of liens and other initiatives should be utilized where economically advantageous.

Seconded by Jayne Grant All in favor motion approved 7-0

- c) Vince Hayes suggested that in addition to the collection policy the Board consider a motion to suspend the voting rights of Lot/unit owners for non-payment of the regular annual assessments that are delinquent in excess of 90 days.

The basis for this action is provided in FS 720.305.(3) which states; "if the governing documents so provide, an association may suspend the voting rights of a member for the non-payment of regular annual assessments that are delinquent in excess of ninety (90) days."

In By-laws 4.13.4, it states; "the association may suspend the voting rights of a member, as permitted by law"

**Motion:** Motion by Vince Hayes that according to the FS 720.305. (3) and the associations governing documents the board of directors will have the right to suspend voting rights of a member for non-payment of the regular assessment that are delinquent in excess of 90 days Seconded by Glenn Barger all in favor, motion approved 7-0

- d) Vince Hayes suggested the board consider a motion to suspend the rights to use the association Clubhouse and other common area amenities of Lot/Unit owners, their tenants, guests an invitees

For the non-payment of the regular annual assessments that are delinquent in excess of ninety (90) days. The basis for the action is provided in FS 720.305(2) (a) & (b) and By-law 4.13 suspend use rights and Levy fines.

**Motion:** Motion by Vince Hayes to suspend the use rights to the association clubhouse and common area amenities of a member and their tenants, guest, and invitees for the non-payment of regular annual assessments that are delinquent in excess of ninety (90) days. Seconded by Lee Redmond All in favor motion approved 7-0

#### 4. New Business:

- a) Debbie Keller discussed moving the Certificate of Deposits and submitted the following statement: According to By-Law 7.11 Association Depository, it is necessary for the Board to designate from Time to time the depositories in which the funds of the Association shall be deposited These depositories shall be banks or state or federal savings and loan associations with offices in Florida and shall be insured. Withdrawal of monies from such accounts shall be only by checks signed by such persons as are authorized by the Directors. This requires that we now consider two motions: 1. to designate depositories beyond our current arrangement with Colonial Bank and Merrill Lynch 2. To authorize check signers.

**Motion:** Motion by Debbie Keller Depositories for purchase of time limited Certificates of Deposit shall be expanded to include Regions Bank, Sun Trust, BB&T Bank, and Bank United. Seconded by Eileen. Motion approved 7-0

**Motion:** Motion by Debbie Keller Signers authorized to issue checks against Association accounts shall include Debbie Keller, Association President and John Spina, CFO of Alliant Property Management, as Agent for the Association. Seconded by Jayne Grant. Motion is approved. 7-0

#### b) Shuffleboard and playground financial update from Jeff Key:

In 2006-2008 – the Brookshire Board received requests for funding to provide shade covering the shuffleboard court by the small pool. At the time, estimates ranged around \$5,000 to do so and were turned down by the board for lack of funding. Likewise, in a process commencing in 2003, a Brookshire playground reserve was begun and utilized in 2007 to fund a phase 1 construction with phase 2 scheduled in 2008. However, a budget shortfall in 2008 eliminated funding and the phase 2 project currently priced at \$7,500 was shelved. In both cases of shuffleboard and the playground, present consideration in the 2009 economic outlook suggests concerns. Both projects are in fact covered in a collection reserve account in which the amount of funding now approaches \$17,000. This money by law as a reserve can only be spent on items pertaining to sports costs, fitness and the playground. However, it is advised at this time because of the current economic crisis, the board should only allocate money for necessary maintenance and should not fund new construction. Please check back in July as to the feasible within this year's budget and again when 2010 budget process has started in September.

#### c) 2009 CPA Audit

Discussion by Debbie Keller stated that money was placed in 2009 Budget to cover cost of Audit for 2008. Vince asked John Spina to obtain proposals from CPA firms familiar with association accounting.

#### d) Paint Chart

The BOD determined they need to update the paint chart due to the company they previously used is out of Business Debbie Keller said Michael Chase will check with Home Depot for new paint chart and will try to match colors

#### e) 2009 Maintenance Update:

Lee Redmond will be obtaining bids for the following items during 2009

Bids for painting Clubhouse

Appraisal of remainder roof life

Bids for resealing the clubhouse parking lot due

Bids to update the signage and walls at Entrance off Daniel and 6 mile entrance

Tennis court light installation completed

Spa Heater has recently been replaced

Jeff Key noted the two Blue Bird Boxes in front of clubhouse, the turtle platform and Osprey platform planned for mid February are being donated. No cost to association

**f) Website Update;**

Jeff Key stated the website now has a forum for discussion and the Breeze is online. Jeff printed hard copies of the Breeze to be distributed at the clubhouse. Jeff stated they are looking for input from the community. Jeff Key discussed the new forum at [www. Brookshireclub.com/forum](http://www.Brookshireclub.com/forum) . This is a place where anyone can set up topic for discussion and open it to the community.

**This is not an official forum approved by the board.**

Jeff Key also suggested the board allow candidate to add additional content to their candidate information in print or on the forum. Eileen Mazur wanted if it is necessary to have the additional candidate information sheet if they have candidate meet and greet night .

Lee Redmond questioned if candidates requested forum.

Jeff Key mentioned the 3 positions with 7 candidates and the forum might be another venue for candidates to express their views. Jeff feels this will give people more opportunity to learn more about candidates running for the board. Vince Hayes stated the forum discussion regarding meet the candidate could possibly become a discussion on how a candidate may have voted in the past.

Jeff Key feels the website forum will give the board a better opportunity to reach the members.

**Motion:** Motion by Debbie Keller to allow any candidate to distribute flyers at the meet and greet seconded by Glenn Barger Motion passed 7-0

**Motion:** Motion by Jeff Key to cover meet and greet candidate night and publish information online seconded by Robert Hannon Motion passed 7-0

**Adjournment:**

**Motion:** Motion by Debbie Keller to adjourn the meeting at 8:20 PM Seconded by Lee Redmond Motion passes 7-0

Respectfully submitted, Doreen Falcone Alliant Property Management, LLC