

**Walden Shores  
Property Owner's Association, Inc Meeting  
Minutes of the Board of Directors**

**Date:** April 3rd 2007  
**Time:** 7:00 p.m.  
**Location:** Walden Oak Clubhouse, Naples, Florida

**Directors present:** Bruce McLaren (President), Arlys Anderson (Secretary), Joe LaRochelle (Treasurer) and Irene Bretzlaff.

**Director absent:** Herb Diabo (Vice President); Herb is still in the Hospital recovering. **Also Present:** Tom Krieser (Acting Secretary and Property Manager) with Ability Management, and 2 owners.

**Call to order:** The President called the meeting to order at 7:03 p.m.

**Certifying Quorum for Directors.** A Quorum of Directors (4 out of 5) was present and so noted by the President.

**Proof of Notice:** Notice of the meeting was posted in accordance with Florida Statutes. The President requested that Meeting Notices should also be distributed to Owners to encourage better attendance. Joe agreed to make the distribution on the property.

**Recording Secretary:** The minutes of the previous meeting (February 28, 2007) were read and on a motion by Irene, seconded by Joe, the motion to accept the Minutes as read (and previously distributed to all Directors) was approved by all Directors present.

**Financial Report:** Tom presented the financial situation of the Association as of February 28 2007, which was also mailed, to all Directors. Cash in the operating account was healthy and we had about \$135,000 in the reserve account. Expenses compared to budget look to be under control, including the month of March. The Financial report for the first quarter will be available in about 2 weeks. Tom commented that the reserves are currently in a Business Investors Money Market account earning 4% annual rate of interest at Orion. If the Board felt comfortable to "freeze" the funds in a CD, Orion has a 5-month rate of 5.2%, and of course the Board could also "shop" around if they thought that would be worthwhile effort. The Orion "special" is competitive and 5 months is not unreasonable. Tom recommends that the Board consider this. Joe made a motion to accept this short report, seconded by Arlys. The other Directors present approved this motion.

**Document revision:** The President indicated that as there are only 4 currently active Directors, he thought the full Board should consider revisions and when such revisions are agreed consult with Samouce, Murrell & Gal for legality. Only after the Board approves the revisions can a Member's meeting be held. Any amendment to the Declaration will require a 75% plus votes of the Membership. There followed a short discussion about the rights of the Master Association to impose rules, which are in conflict with Walden Shores. The President was of the opinion that a Master Association rule (which can be passed by a Board) cannot take precedence over the Declaration of Walden Shores. Refer to Section 9.05 of the Declaration, which states that no entity (for example the Master) can have rights, which are in conflict with the Association's Declaration.

Some of the issues, which are to be discussed, include roof replacement/repairs, signs, hurricane shutters and walkways. It would be prudent to also add something about mailboxes being the responsibility of Homeowners. This is currently an understanding but nothing formal exists in the Documents.

The Board agreed to start deliberations on these, and other revisions at the next Board meeting, scheduled

for April 12<sup>th</sup> 2007, 7 p.m. at the Clubhouse. Tom was instructed to prepare the Notice, post it, and to provide 86 copies for distribution to Joe.

**New Business:**

- Arlys gave a short report about trees. Some 23 are in need of replacement and Arlys has organized a horticultural expert to come and talk to all interested homeowners at a meeting, to be held April 23<sup>rd</sup>, 2007 at the Clubhouse, at 2:20 p.m.
- There was a discussion about trash disposal and other violations against County Code (for example speeders, parking etc.). The President referred to a summary of Ordinances from the County that Joe obtained about a year ago. He asked that Owners and Directors observing violations call Code-Enforcement at 403-2440.
- Irene suggested the Association should inform Owners who are leaving for the season, what the policy is regarding shutters. The President said the policy is in our Documents: "shutters may be used on a temporary basis" only. And while the word "only" is subject to interpretation it is not meant to allow seasonal residents to keep shutters up for many months. In case of complaints, the Association really has no choice but to enforce the Documents as they are, until they are amended.
- One of the Owners asked what could be done about torn screens on lanais. Aesthetic issues (other than harmonious colors) are not addressed in the Documents of the Association. They are however addressed in the Master Documents. Violations are subject to corrective action by the A.R.C. of the Master.
- Mr. Myers requested one of the Owners to ask whether the Board would reimburse his costs for tree replacements that he paid for after Hurricane Wilma. Bruce made a motion to reject this request. The motion was seconded by Arlys and unanimously approved by all Directors present.

**Motion to adjourn** by Joe, seconded by Bruce, with all Directors in favor. The meeting was adjourned at 8:25 p.m.

Tom Krieser, Ability Management