

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

**Date:** July 8, 2008  
**Time:** 7:00 p.m.  
**Location:** Walden Oaks Clubhouse, Naples, Florida

**Directors present:** Bruce McLaren (President), Arlys Anderson (Secretary), Allen Butler (Treasurer) Irene Bretzlaff, (Vice-President) and Paul Sweeney.

**Also Present:** Rob Samouce (Association's Attorney and present for first half of Meeting); Tom Krieser (Acting Secretary and Property Manager) with Ability Management; and about 12 other Homeowners.

**Call to order:** The President called the meeting to order at 7:01 p.m.

**Certifying Quorum for Directors.** A full quorum of Directors was present and so noted by the President.

**Proof of Notice:** Notice of the Meeting and the Agenda were posted 48 hours in advance of the meeting and distributed by e-mail to those whose address is available.

**Previous Meeting Minutes:** The minutes of the previous meeting, held June 10th 2008, were previously circulated to all Directors. On a motion by Arlys, and seconded by Irene, the Minutes were approved by all Directors.

**Document Review:** This part of the meeting consisted of questions and answers concerning the latest Document draft. Mr. Samouce explained that the meaning of responsibility for party walls and roofs is that: 1) The Owners are fully responsible for all repair, replacement and maintenance. 2) The two adjoining Owners split the cost. 3) In case of dispute, one party can go ahead and fix the problem alone (for example replace the roof on the building covering the two homes), and send half the bill to the other party. 4) If he does not pay, the adjacent Owner can take him to Court, and if the matter was handled in an orderly fashion, the party who has not paid will be responsible for not only his share of the fix but also attorney fees and costs of the party that did the fix. The words "soffits, eaves, gutters and downspouts" will be added (5.2) as the Association's responsibility to pressure clean when the roofs are being done. Also, "or party roofs" will be inserted for Binding Arbitration (4.8 E). If any damage is caused by the Contractor who is pressure cleaning the roofs, he (and/or the Association, and not the Homeowner) would be responsible for taking care of the damage. A discussion ensued about when Christmas decorations may be installed. The Documents will be changed from December 1<sup>st</sup> to "the day after Thanksgiving".

Mr. Samouce indicated that the new laws regarding Condo and Homeowner Associations doesn't much affect HOA's, but that Owners should be comfortable that the proposed Documents are current and not in any conflict with Florida Law. On a question regarding "For Sale" signs, Rob explained that they (and not "For Rent" signs) are permitted, but their size, location, content, shape and duration of posting must first be approved by the Board, and the "house rules" governing the Board's position in these respects can be changed by the Board. On a question about parking in driveways, Mr. Samouce indicated that parking on the street and or grass is strictly prohibited, but parking in the f~\* driveway is perfectly okay and that is in conformity with the present Documents (no change). Let the record show that the majority of those present were content with this. Regarding Dryer Vents - these, as all other Homeowner issues - are the responsibility of the Homeowner. With regard to problems or

are able to lodge formal complaints against the Board through a legal process and/or may "recall" Directors if so voted on by the majority of the membership. Finally, if 20% of the voting interest of a HOA requests a Board to address an item of business, the Board must take up such item within 60 days of receipt of the petition, and must provide a 14-day notice of the meeting. Any kind of "appeal" process in disputes between Homeowners is an issue for the courts. One Homeowner wanted to know why meetings could not be "private" if there are problems. Florida law is very strict and prohibits meetings with Homeowners for Association business without proper posting and the right of other Homeowners to attend. As for leasing, the Association documents are quite clear regarding the procedure that must be followed by any Homeowner wishing to rent.

Bruce McLaren thanked Rob Samouce for his willingness to attend our meeting and for helping us move forward with the revisions.

### **Old Business:**

- Bruce reiterated that Samouce's opinion is that the Orange Blossom Wall and the landscape buffer next to the Wall, as well as the Lake maintenance, is the responsibility of the Master. There is some question whether we really want the Master to do landscaping maintenance, as that may be in conflict with the wishes of the Walden Shores residents. On the Lake maintenance issue, we have requested - but still haven't received - a Drainage Engineer's opinion. According to Bruce, both issues will be on the Agenda at the next Master meeting.
- Landscape issues were discussed and Lois gave a short report. Some homeowners have requested that the vendor (Flintstone) return to do additional pruning of the Cassia trees. Tom obtained two bids to do tree trimming in the back of buildings near Orange Blossom. Although this area has already been cleared by Juarez there remain a number of problems and the Board approved an expense of about \$600 to cut limbs and trees too close to buildings.

### **New Business:**

- A note was received from 6933 thanking the Association about trimming the trees. Lois suggested, the lady be reminded that trashcans need to be hidden. Also the arbor trellis and Bougainvillea bush must be removed from the area in front of windows facing street, so that our landscaper can finish the plantings that are to be in that area.

**Motion to adjourn** by Paul, seconded by Arlys, with all Directors in favor. The meeting was adjourned at 8:13 p.m.

Tom Krieser, Ability Management (as recording secretary)