

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

Date: November 9, 2010
Time: 7:00 P.M.
Location: Walden Oaks Clubhouse, Naples, Florida

Directors present: Bruce McLaren, President; Arlys Anderson Secretary; Allan Butler, Treasurer; Paul Sweeney, Director. Herb sent his regrets.

Also Present: Tom Krieser, Acting Secretary and Property Manager with Ability Management; and about 10 other Owners.

Call to Order: The President called the meeting to order at 7:02 P.M.

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

Proof of Notice: Notice of the Meeting, and the Agenda, was mailed to all owners well in advance of the 14-day requirement, all according to Florida Statutes and our Documents.

Previous Meeting Minutes: The minutes of Board Meetings held October 12, 2010, were previously circulated to all Directors and read by Arlys. A motion was made by Paul, and seconded by Allen, to approve these minutes. Unanimous approval.

Officers' Reports: The Treasurer reported results for the first 10 months, until October 31, 2010. The Association has \$72,983 in the Operating Account and \$36,787 in Reserves. The Financial Statements thru the end of October have been distributed to all Directors. Our financial position is good, except that we have one serious delinquency problem totaling \$5,920 as of today. We expect to end the year with a small surplus of about \$4,000. The report is attached for reference.

Budget 2011: Two owners requested clarification about D&O insurance. The Property Manager stated that we are fully insured, including D&O coverage, but the Budget Sheet does not show this properly, as the policies are often bunched together in packages. As there were no further questions, from either the owners present, or the Directors, the President made a motion to adopt the 2011 Budget (assessments at \$675 per quarter per owner). This was seconded by Paul, and unanimously approved. Allen then gave a short explanation about Reserves and pointed out in earlier years of the Association, money was collected for resurfacing but, in fact, that responsibility lies with the Master. Therefore, Allen made a motion to ask the members to approve (at the next Annual Meeting) moving these reserves of almost \$13,000, into a General Reserve Fund. Paul seconded this motion and it passed unanimously.

Landscaping: Arlys stated that Cassia trees have been trimmed. Bruce asked Tom to contact the company because they forgot to do the four palm trees on Common property. Mulching was next, but first Pressure Washing of driveways, street gutters etc. is to be ordered. Tom presented three bids, and the lowest bidder was Supreme General at \$2,200. Allen made a motion, seconded by Bruce to go ahead with this proposal and the motion was approved unanimously.

Other business: Tom said that our new Attorney reviewed the Master Documents, our Documents and the Surveys. He said that although responsibility for maintenance is not clear, he would not

recommend a legal battle, with dubious outcome, but lots of Attorney fees. Rather, he thought we should try to negotiate a sensible compromise between maintenance of the lake and the wall. He is of a different opinion when it comes to the right of the Association (rather than individual owners) to maintain the wall. He sees the wall as having a common benefit to all owners, and therefore, sees it as a common expense. Our Attorney is preparing a Draft letter to the Master, addressing all of these issues, including Lake Erosion. Tom was authorized to send the two Draft letters- one to Mr. Rodriquez, requiring him to repaint the back of his lanai to the original color, and the other to Mrs. Myers explaining, one more time, that the Parking issue is for the Master to deal with. Tom explained that a recent case law in Florida, that adversely affects the amount of assessments an HOA can recover from Banks, requires an Amendment to our Declaration in order to ensure that we can maximize the potential recovery of assessments due from Banks. On a motion by Allen, seconded by Paul, and unanimously approved, Tom was instructed to include this Amendment Request in the proxies for the next Annual Meeting.

Owner issues: Owners requested clarification what would happen if there were not enough candidates to form a Board. In such situations, the State would appoint a trustee, normally an Attorney, who would act as the sole overseer for the Community. This would add Attorney charges at the "going rate" of \$300-\$400 per hour, and also significantly increase operational expenses, as much work is done by volunteers, which would have to be paid for. Perhaps this should be quantified with the mailing for the Annual Meeting. One Owner asked if the number of Board meetings could be reduced, and this will be considered as we have more meetings than any other Association in the neighborhood and in general.

Motion to Adjourn by Paul seconded by Bruce, with all Directors in favor. The meeting was adjourned at 8:12 P.M.

Tom Krieser, Ability Management (as Recording Secretary)

November11, 2010 (Rev. 01)