

Casa Del Sol Association, Inc.
Board Meeting Minutes
Thursday, March 25, 2021

- Meeting called to order by President Leona Schultze at 6:15 PM

- Quorum was met: Leona Schultz, President; Lili Menendez, Vice President; George Winterling, Treasurer; Leslie Giannetto, Secretary; and Ellen Connolly, Director; as well as Jenny Kidd, Property Manager, were in attendance.

New Business

- Leona discussed that the State has investigated that in 2020, the Casa del Sol Association violated Florida Statutes in using \$13,000 of Reserve funds for other purposes without a proper unit owner vote.
- Leona explained to the owners that were present that the Association maintains two accounts. The first is the Master Operating Account which is used for operating expenses which consists of paying vendors, electricity, gas, insurance, garbage, property management, water, supplies, pool and spa, and other expenses that are needed to effectively operate the community. The second accounts are the Reserve Accounts which are for those items which are capital expenses and deferred maintenance. The Condominium Act requires a reserve account for any item for which the replacement cost is greater than \$10,000. Paying an insurance bill from the Reserve Deferred Maintenance Account is a violation of Florida statutes. If there is an emergency for any funds to be used which are not for their intended use, a meeting of the owners must be arranged and a majority vote taken by the owners for approval, be voted for approval by the board, and recorded in the meeting minutes. That was not done. Reserve money can only be used for that specific Reserve account and cannot be used for anything else unless there is majority owner approval since use of that money is restricted by the Condominium Act and Statutes.
- The only people on the Board that have Signatory powers and Fiduciary responsibilities are the President and Treasurer.

- The budget for 2020 was completed in the fall of 2019, but approximately \$27,000 was paid out in November of 2019 for an expensive PVC fence which depleted the budget and resulted in a shortfall. Some members of the Board made a decision to use \$13,000 from the Deferred Maintenance account to directly pay for insurance. Since insurance was not a Reserve Account, that was a violation of Florida Statutes.
- The current Board of 2021 was required to take a division education course on Budget & Reserves, which was done.
- The Association was required to pay a \$500 fine, which was done.
- The Association is responsible for legal fees incurred from this violation. The state holds the Association responsible, not the individual Board members involved. Therefore, the association is responsible for legal fees which are over \$2,000.
- The Consent has been posted on each bulletin board on the condominium property and will remain posted for 30 days.
- The Association will maintain a copy of the Consent Order in the Association's official records in accordance per Florida Statutes and Code.
- All owners were mailed a written explanation from the attorney in regard to the violation of \$13000 taken from the Deferred Maintenance account, a proxy to vote approval or disapproval of the \$13,000 taken, as well as a stamped envelope for the return of the proxy.
- The current Board has posted some of the financials on the bulletin board so there is transparency. The current Board recognizes that this is the owners' money and owners should be able to see some of the records.
- Proxies were counted and there for a total of 31: Nay votes were 16 votes, and Aye votes were 15.
- Leona made a motion that the Board accept the DBPR order and Leslie seconded the motion. The motion was accepted unanimously by the entire Board
- Leona made the motion that the Board will remit, provide and submit all required items to the Division.

OLD BUSINESS

- George discussed the roof and carports of Barcelona have been cleaned, downspouts of the drainage pipes at Madrid are now flowing past the

property to prevent further soil erosion. The back of Alhambra's lanais will be pressure washed for mold. The filters for the pool and spa have been replaced and the necessary parts for the sprinkler system have been replaced.

- The new automatic lock has been installed on the clubhouse door so the door no longer has to be unlocked every morning or locked every evening.
- The trapper for the raccoons at Madrid is relocating the raccoons. Again, feeding animals causes wildlife issues such as rabies and other diseases that can be carried by these animals in addition to fecal matter.
- The Fountains that own the fences may have financial issues since they do not have their reserves at 100% and have taken out a loan for \$200,000. Lily stated she did research regarding the last time the Fountains was required to replace the fence and requested Jenny to write a letter stating the stipulations from the county requiring the fence replacement.
- Discussed changing from a 75% vote to a 50% for changes

OPEN FORUM

- Car wash at Barcelona is for Barcelona use only. Discussed that meetings may be held every month or every month and a half. Board member information is on the bulletin boards and will be replaced when the Consent Order is removed. If there is an emergency, AmeriTech is available 24/7.
- Leona made a motion to adjourn the meeting, Leslie seconded the motion and the motion was accepted unanimously by the Board. Meeting was adjourned at 7:23 p.m.