

# Cayman at Tarpon Cove

Board of Directors Meeting

## Unapproved Minutes

Thursday, July 20, 2017, at 10:00 am.

**Call to Order:** The Board of Directors Meeting was called to order at 10:06am, in The Tarpon Cove Community Center, 970 Tarpon Cove Drive, Naples, FL 34110 by President Wood.

**Present:**

Joe Wood	President
Rick Forrester	Treasurer
Brendan Kennedy	Secretary
David Blouir	and Larry Meek of Towne Properties, and two (2) residents.

**Proof of Posting:** Notice of this meeting was posted according to Florida State Statutes.

**Approval of Prior Meeting Minutes:** Director Kennedy made a motion to waive the reading of the prior meeting's minutes and approve them as written, Director Forrester seconded, and the motion passed unanimously.

**Treasurer's Report:** Director Forrester summarized the neighborhood's finances, noting that "we have plenty of money and the bills are paid". He also noted that we have excess funds in the operating account due to a transfer early in the year from the painting reserves, to pay for the document rewrite project and new mailboxes. It was also stated that approximately 90% of the fees collected go to the master association, and only about 10% to Cayman's local budget.

**President's Report:** President Wood gave his President's report, touching on several topics.

- President Wood has been pushing the lawyers along, trying to speed up the document rewrite process.
- Once the new documents are approved, we will move right into mailbox replacements as soon as possible.
- President Wood attended the two recent meetings with the county commissioner on behalf of the local communities, asking for more oversight on the construction projects and asking that the commissioners vote on the side of the communities in the area, not the developer.
- The bridge construction on Vanderbilt Drive is running ahead of schedule, and may reopen this winter, not spring or summer of 2018.

**New Business:**

**BOD Approval of Revised Proposed Governing Documents:** The only material change to these documents presented at the Town Hall meeting is:

*Amended and Restated Articles: Section 4.2.9 regarding borrowing money. The new requirement is "2/3 of the entire voting interests" instead of the lower voting threshold of "2/3 of those who vote, in person or via proxy, at a membership meeting where a quorum is attained." - This change aligns the new governing documents with the requirement established in our current governing documents.*

Director Forrester made a motion to approve the revised Proposed Governing Document draft for distribution and member voting, Director Kennedy seconded, and the motion passed unanimously.

**Establish Date of Special Member's Meeting to Vote on Proposed Governing Documents:** After brief discussion amongst the board and property manager, Director Forrester made a motion to hold the Special Member's Meeting and Governing Document Vote on Wednesday, September 6<sup>th</sup>, 2017, at 1pm, Director Kennedy seconded, and the motion passed unanimously.

**BOD Resolution on Estoppel Certificates:** Becker and Poliakoff prepared a resolution to keep Cayman's estoppel procedures in line with the July 1, 2017 law changes. (attached) Director Kennedy made a motion to approve the resolution as written, Director Forrester seconded, and the motion passed unanimously. Towne Properties is currently updating their procedures in accordance with these changes, and will meet all regulations established in this resolution.

**Adjournment:** With no further business to discuss, the meeting was adjourned at 1:43pm.

Respectfully Submitted  
David J Blouir, LCAM

**RESOLUTION OF BOARD OF DIRECTORS  
OF  
THE CAYMAN AT TARPON COVE NEIGHBORHOOD ASSOCIATION, INC.**

**APPROVAL OF FORM ESTOPPEL CERTIFICATE AND  
FEE FOR PREPARATION OF ESTOPPEL CERTIFICATE**

WHEREAS, Section 720.30851, Florida Statutes (2017), requires that the Board of Directors of Condominium Associations adopt a Resolution in order to charge a fee for the preparation of Estoppel Certificates requested by a Lot Owner, a Lot mortgagee or their respective designee, unless such charges are set forth in a contract with a manager or management company; and

WHEREAS, the Management Agreement calls for all or a portion of the estoppel fee collected by the Association to be paid to the Management Company in such agreed upon amounts, which are subject to change, but which shall not exceed the amount permitted by Florida law; and

WHEREAS, the Association desires to adopt a standard form of Estoppel Certificate and authorize a fee in connection with the preparation of Estoppel Certificates, as provided by the statute.

NOW, THEREFORE, the Board of Directors adopts and approves the following Resolution:

BE IT RESOLVED, that the Board President or Treasurer, the Association's Manager or Management Company, or any authorized designee, is hereby authorized to complete and charge a fee for the completion of an Estoppel Certificate.

Provided that the Estoppel Certificate is delivered within ten (10) business days from receipt of a written or electronic request for an Estoppel Certificate from a Lot Owner or the Owner's designee, or a Lot mortgagee or the Lot mortgagee's designee, the established fee is:

- \$250.00 if the Lot is not delinquent in any monies owed to the Association.
- An additional \$150.00 if there are delinquent monies owed to the Association.
- An additional \$100.00 if the requestor asks for the Estoppel Certificate within three (3) business days.

Simultaneous requests for Estoppel Certificates for multiple Lots owned by the same Owner can be completed and delivered in one or more Estoppel Certificates with a fee computed for each Lot as set forth above.

A request will not be deemed received by the Association until the fee is received by the Association or its designee. The Association shall have no obligation to respond to requests on an expedited basis, but may do so in its discretion. Attorneys' fees incurred by the Association

in connection with delinquent Lots, including but not limited to attorneys' fees incurred to prepare "Payoff Letters," are not included in the above-stated fees.

The maximum fee the Association will charge if it receives simultaneous requests for Estoppel Certificates for multiple Lots owned by the same person or entity and where there are no past due monetary obligations owed to the Association shall be \$750.00.

BE IT FURTHER RESOLVED, that the Association adopts the form Estoppel Certificate attached hereto, which may be completed by the persons or entities referenced above. Ministerial changes to the form may be authorized by the person authorized to complete said form without need for Board action.

BE IT FURTHER RESOLVED, that requests for Estoppel Certificates shall be sent as follows:

Cayman at Tarpon Cove Neighborhood Association, Inc.  
Towne Properties Asset Management Company (239)596-1031  
www.HomeWiseDocs.com ; or  
IreneHarring@TowneProperties.com

BE IT FURTHER RESOLVED, that the attached Estoppel Certificate shall be posted on the Association's website, <http://tarponcove.info/cayman.htm>.

THIS RESOLUTION was considered at a meeting held the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, at which a quorum of Directors was present. There are \_\_\_\_\_ total Board members. The number of Board members who voted in favor of this Resolution is \_\_\_\_\_. The number of Board members who voted against this Resolution is \_\_\_\_\_. The vote of each Director is reflected in the minutes of the meeting at which this Resolution was adopted.

THE CAYMAN AT TARPON COVE  
NEIGHBORHOOD ASSOCIATION, INC.

BY: \_\_\_\_\_  
Joe Wood, President

Date: \_\_\_\_\_

(CORPORATE SEAL)