

# **AVALON OF NAPLES MASTER, CONDOMINIUM ASSOCIATION, INC. MEETING OF THE BOARD OF DIRECTORS**

## **MINUTES**

The meeting was held on September 30, 2021, at 5:00 p.m. at the Avalon of Naples Master Clubhouse, 6910 Avalon Circle, Naples FL 34112.

Listen-in for owners via conference call.

### **1. Call to Order:**

The meeting was called to order by William Ghauri at 5:01 p.m.

#### **Present:**

- William Ghauri
- Robert Carubia
- Dona Frusher

#### **Also present:**

- Philippe Gabart, CAM, Vesta Property Services.
- Several owners attended in person and by phone.

### **2. Proof of due notice of meeting:**

- Manager gave proof of notice.

### **3. Approval of the Minutes:**

**A motion entered by Robert Carubia to approve the draft minutes of 9/30/2021 was seconded by Dona Frusher and unanimously approved.**

### **4. President's Report:**

William Ghauri reporting:

- Introduction and orientation to new owners.
- Review of communication and inquiry procedures, including website access.
- Review of Condominium structure and Governing documents.

- Overview of agenda items.

## **5. Treasurer's Report:**

Robert Carubia reporting:

- Review of Master September financials.
- Liability and assets description for Master and sub-Associations.
- Review of line-item expenses vs. budget.
- Updates on 2022 proposed budget for Master.
- Budget will increase for 2022 by 10.16 %
- Increase related to insurance and other maintenance services.
- Robert Carubia provided a detailed explanations on the different type of Reserves, including Pooling. Owners will be asked to approve. Pooling method at the next Annual meeting for all Associations.
- The Association will also consider doing a reserves study at the beginning of 2022.

## **6. Manager's Report:**

- Review of pressure washing dates and instructions.
- Review of guests parking procedures

## **7. Committee Report:**

### **a. Landscaping:**

- Lake treatment and maintenance.
- Consideration to reduce volume of aquatic plants in the lake.
- Current conditions of retentions ponds.
- Review of proposals to replace existing plants within the ponds.
- Mulch application scheduled for mid-November.

### **b. Communication and website:**

#### **i. Newsletter:**

- Volunteers needed to help with the newsletter publication.

### **c. Turnover Committee:**

#### **i. Trees removal:**

- Two palm trees located on the pool deck will need to be removed to prevent further damages to the pool basin.
- Association is currently soliciting quote for removal and replacement.

**d. Turnover:**

- Ongoing negotiation with Neal Communities.
- Description of issues and demands

**8. Old Business:**

**a. Amendments Master Declaration Section 17.1:**

- Review of proposed amendment to Master and sub-Associations. To be presented for owners' consideration at the next annual meeting.
- Section 6.1 of the Master Declaration does not specify what percentage of the membership needs to approve an amendment, therefore, the statutory default states that you will need 2/3 of owners to amend the Master Declaration (see s. 718.110, Fla. Stat.).
- There is no provision currently in the documents, recommendation was made to add as section 17.1.

17. *Costs and Attorneys' Fees. Any Owner who fails or refuses to correct threatening, harassing or nuisance conduct, or such other violation of the Avalon of Naples Master Governing Documents, including any rules and regulations or guidelines adopted pursuant thereto, following written warning and a reasonable opportunity to comply, shall be responsible for legal fees and expenses incurred by the Association to compel compliance. Said fees and expenses shall include pre-litigation demands and notices sent by the Association's attorney and shall be an individual assessment and lien against the Owner's Unit if not paid upon demand. Further, the prevailing party in any action or proceeding arising because of an alleged failure of an Owner to comply with the terms of the Avalon of Naples Master Governing Documents, and any and all rules and regulations or guidelines adopted pursuant thereto, as they may be amended from time to time, shall be entitled to recover the attorneys', paralegals', expert witnesses', consultants', and other fees and all out-of-pocket costs actually incurred by that party at all arbitration, pretrial, trial and appellate levels, including those incurred in enforcing and excising such right of recover, in all cases, regardless of whether such costs are not specifically taxable, within the court's discretion to tax or generally considered to not be taxable.*

**b. Upcoming annual meeting update:**

- Annual meeting 2021 and procedure.

**9. New Business:**

**a. 2022 Proposed Budget Approval:**

**A motion entered by Robert Carubia to approve the 2022 proposed budget as presented for an annual assessment per unit of \$3,372.00, was seconded by Dona Frusher and unanimously approved.**

**b. Papson reserves study proposal:**

**A motion entered by Robert Carubia to approve Papson reserves study proposal in the amount of \$2,433.00 was seconded by and unanimously approved.**

**10. Adjournment:**

**With no further business to discuss, there was a motion by William Ghauri to adjourn the meeting at 6:30 p.m.**