

Minutes
CARIBBEAN BEACH CLUB ASSOCIATION, INC.
Board of Directors Board Meeting
Ft. Myers Beach, FL

November 7, 2008

I. CALL TO ORDER/ROLL CALL

President Dick Garrett called the meeting to order at 9:35 a.m. in the Clubhouse at the Caribbean Beach Club, Ft. Myers Beach, Florida. The following persons were in attendance:

Board of Directors:

Dick Garrett, President
Dave Zibolski, Vice President
Tom Andres, Treasurer
John Thomson, Secretary
Ed O'Connor, Director
John Vary, Director
Tony Annunziato, Director

Vacation Resorts International (VRI):

Alex Fogel, Sr. Vice President of Resort Operations, VRI
Jeff Wharton, Director of Resorts, VRI

Becker & Poliakoff

Ellen de Haan, Association Attorney

Owners:

65 Owners were present.

Other:

Joseph Takacs, TheMVPSERVICE

II. NOTICE CERTIFICATION/QUORUM

Ed O'Connor stated that meeting notice was posted in the Board approved location and mailed to all owners at their current known address in accordance with the condominium documents and Florida Statutes. Also, an affidavit is on file in the minute book stating that notice was mailed in accordance with Florida Statutes and the condominium documents.

QUORUM

A quorum was established with seven of seven Board members available in person.

Dick Garrett asked for any amendments to the agenda. The Board Members had additions to the following categories.

Financials:

Tom Andres review of VRI & Auditor to conform to the FASB standards
Special Assessment Billing

Unfinished Business:

Schroeder Letter
RCI Recognition Report
Reserve Study Update Status

Tom Andres requested to have a statement added to today's minutes that is related to the August 25-26 minutes.

III. MINUTES

MOTION: Tom Andres moved to accept the September 23, 2008 Board Meeting minutes as submitted. The motion was seconded by Dave Zibolski.

MOTION: Ed O'Connor moved to table the approval of the minutes until the extraneous language is removed from the amendment to the August 25-26 minutes, referencing Page 9, Item VII E. The motion was seconded by Tony Annunziato. Ed withdrew his motion.

MOTION: Ed O'Connor moved to request the Secretary, the President and Jeff Wharton resolve the language on the September 23, 2008 minutes, Page 2 of 5 of the amendment to the August 25-26 minutes referencing Page 9, Item VII E. The motion was seconded by Tony Annunziato. Voting Yes: Ed O'Connor. Voting No: Dick Garrett, Dave Zibolski, Tom Andres, John Vary, John Thomson and Tony Annunziato. The motion failed.

A vote was taken on the first motion to approve the minutes: Voting Yes: Dick Garrett, Dave Zibolski, Tom Andres, John Vary, John Thomson and Tony Annunziato. Voting No: Ed O'Connor.

A request from Board Member, Tom Andres, to be entered into the November 7, 2008 minutes.

This comment is to explain the purpose of two motions I made at the August 24 and 25, 2008 Board of Directors meeting. I made two motions asking for a vote of confidence for our management company, Vacation Resorts International, and our on-site manager, Mr. Ed O'Connor. If both motions were passed, a yes vote or a vote of confidence for both, the Board

would simply move to the next agenda item. If the motions did not pass, it would provide a forum for the Board of Directors, Mr. O'Connor and VRI to discuss certain deficiencies and/or problems that they felt existed at CBC. It was NOT my intention to be critical of either Mr. O'Connor or VRI. If a serious problem or deficiency was brought up for discussion, I was hopeful that a solution or remedy would be provided which all could live with. The motion did not pass. A discussion ensued. Numerous items were discussed by all present, including Mr. O'Connor and VRI, but none appeared to be of a serious nature and, therefore, no motions were made. The Board moved on to the next agenda item.

IV. FINANCIALS

A. Monthly Financials

Tom Andres reported the Financials and Audit were approved, and we will see the changes in the next couple of months.

John Thomson reported that as of July we are 1.2% over budget, and as of September we are 6.1% over budget. Ed O'Connor reviewed the operating expense variances for September.

B. Delinquency Report

Jeff Wharton presented a delinquency report as follows:

Bankruptcy	13	46,625
Collections (CCCI)	31	39,823
2 nd Collections	00	
Uncollectable	119	289,950
Deed-back	40	82,664
Payment Plan	00	
Association	137	106,577
Active Accounts	<u>210</u>	<u>92,850</u>
Total	550	\$658,489

This reflects a 25% delinquency.

C. Special Assessment Report

MOTION: Ed O'Connor moved to table discussion of the special assessment until the 3rd meeting of the day. The motion was seconded by Tony Annunziato and approved unanimously

D. Colebrook Loan Report

Tom Andres provided the most recent status of the line of credit provided by Colebrook. The October 28, 2008 statement reflects a balance of \$1,857,622.41, recently reduced by a payment of \$618,898.52, with a remaining balance of \$2,476,520.93.

2,476,520.93 JMT ECR

1,857,622.41 JMT ECR
DBZ

Caribbean Beach Club

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E. Financial & Auditor Review

Tom Andres reported that he reviewed and approved the financials and audit as presented by VRI and the Auditor.

Tom Andres suggested that the 2006 Reserve study was in place for 2007, and recommends completing one for 2008. Ed O'Connor stated bids are forthcoming.

V. SALES REPORT

Joe Takacs, representing TheMVPSservice, reported and the Board reviewed a sales report. Currently there are 210 weeks for sale, 80 are owner listings, and 130 Association weeks. There are 7 pending closings, 5 are Association weeks. Sales has sold 27 weeks, 12 were Association weeks.

Joe Takacs requested approval to contact all Owners currently in an uncollectable status. Mr. Takacs suggested there may be an opportunity with this group of owners.

MOTION: Ed O'Connor moved to submit all uncollectible accounts returned from CCCI, or the first collection agency to be given to TheMVPSservice who will in turn make an effort to collect and resolve the accounts. The motion was seconded by John Vary. Voting Yes: Dick Garrett, Tom Andres, John Thomson, Ed O'Connor, Tony Annunziato. Voting No: Dave Zibolski. The motion was approved.

Dick Garrett suggested appointing a committee to address TheMVPSservice's negotiation of uncollectable accounts at the next Board Meeting.

VI. MANAGER'S REPORT

Ed O'Connor provided a list of completed and pending projects through November 2008.

MOTION: Dick Garrett moved to approve the purchase of 29 sleeper sofas from Stanley Chair Company, item 3092CM, at a cost of \$530.00 each, expensed from reserve category; furniture and equipment. The motion was seconded by Tony Annunziato and approved unanimously.

MOTION: John Thomson moved to approve a proposal from Penguin Pools to complete repairs to the pool and spa to comply with the Virginia Graham Baker Act. The quoted amount of \$1950.00 is to be expensed from the Pool Reserve category. The motion was seconded by Ed O'Connor and approved unanimously.

VII. 2009 BUDGET

MOTION: Tom Andres moved to approve the 2009 budget as presented.

Operating	\$411.94
Reserves	<u>\$31.98</u>
Total	\$443.91

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Plus property tax.

The motion was seconded by John Thomson and approved unanimously.

VIII. UNFINISHED BUSINESS

A. Collection of Delinquent Accounts

Previously discussed.

B. Schroeder Letter

Dick Garrett reviewed a recent owner rental situation. The occurrence caused management to create an action list for the management and staff to follow.

IX. NEW BUSINESS

A. Ratification of Contracts

Ed O'Connor and VRI confirmed that two contracts have been entered into on behalf of the Association since the last regularly scheduled Board meeting. A list of ongoing vendor contracts and insurance certificate confirmation was submitted.

MOTION: Dick Garrett moved to ratify two contracts as presented. The motion was seconded by Dave Zibolski and approved unanimously.

1. Southern Tradition Landscaping Contracting Inc. – to replace a submersible pump, electrical box and pressure valve - \$1,950.00
2. Driveway Maintenance Inc. – Sealcoating and re-striping parking lot - \$3,477.00

B. Committee Reports

a. Web Site (John Vary & Dick Garrett)

John Vary reported on recent issues with the web site. The site was turned over to Dave Siktberg to begin updating and improving the site.

Mr. Siktberg's proposal for maintaining the CBC web site, as per his e-mail of November 3, 2008, offers to take care of the CBC web site, make updates, post agendas and board meeting minutes, etc., in exchange for ten days at CBC for every twelve months of web support.

MOTION: John Vary moved to accept Mr. Dave Siktberg's proposal to complete the major parts of the work and to maintain and update. The motion was seconded by Tony Annunziato and approved unanimously.

b. Governing Documents (Dave Zibolski & John Thomson)

Dave Zibolski reviewed a list of proposed amendments to the Condominium Documents.

MOTION: Dave Zibolski moved to accept the amendments as presented by the Association attorney. The motion was seconded by John Thomson and approved unanimously.

MOTION: Dave Zibolski moved to request that the Association attorney prepare the Declaration, Articles and Bylaws related to how we amend them, and require the amendments will go out in a mailing in a newsletter for owner approval. The motion was seconded by John Vary and approved unanimously.

Association attorney Ellen de Haan suggested she will prepare a notice of meeting, limited proxy, affidavit of mailing and the hard copy of the amendments. Ms. de Haan suggested allowing plenty of time to secure enough votes to pass the amendments.

c. Lawsuit (John Vary & Ed O'Connor)

John Vary provided a status report of the lawsuit against Axis Insurance Co., and recent visit with our counsel. As most of the depositions are completed, Mr. O'Connor is scheduled for his depositions in November for two days. Discoveries may end early spring.

d. Board Rules & Regulations (Tony Annunziato & Ed O'Connor)

MOTION: Ed O'Connor moved to approve a resolution to enforce a communication policy regarding matters of the Association. The motion was seconded by Tony Annunziato.

MOTION: Dave Zibolski moved to table the motion until the third meeting of the day. The motion was seconded by John Vary and approved unanimously.

e. RCI Recognition Report

MOTION: John Vary moved that the RCI recognition report become a standing agenda item for each meeting, and that the manager of our resort explain the RCI recognition report in front of the owners. The motion was seconded by Ed O'Connor and approved unanimously.

Ed O'Connor reviewed the report for the Board and Owners present.

C. Owner Communication

Ed O'Connor presented an owner deed back request.

Owner: Zukowski 315/24

MOTION: Dave Zibolski moved to take the unit back at no cost to the Owner. The motion was seconded by John Thomson and approved unanimously.

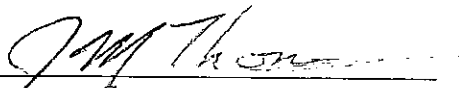
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Owners present at the meeting presented questions and comments.

X. FUTURE MEETING DATES

XI. ADJOURNMENT

There being no further business, the meeting was adjourned at 12:30 p.m.

BY: 
John Thomson, Secretary

DATE: March 26 / 09

Minutes
CARIBBEAN BEACH CLUB ASSOCIATION, INC.
Board of Directors Organizational Meeting
Ft. Myers Beach, FL

November 7, 2008

I. CALL TO ORDER/ROLL CALL

Dick Garrett called the meeting to order at 2:10 p.m. in the Clubhouse at the Caribbean Beach Club, Ft. Myers Beach, Florida. The following persons were in attendance or on conference call:

Board of Directors:

Dave Zibolski
Dick Garrett
Tom Andres
John Thomson
Ed O'Connor
John Vary
Tony Annunziato

Vacation Resorts International (VRI):

Alex Fogel, Sr. V.P. of Resort Operations, VRI
Jeff Wharton, Director of Resorts, VRI

Owners:

6 Owners were present.

II. NOTICE CERTIFICATION/QUORUM

Ed O'Connor stated that meeting notice was posted in the Board approved location in accordance with the condominium documents and Florida Statutes.

QUORUM

A quorum was established with seven of seven Board members present.

The Board of Directors and the Association attorney adjourned for an Executive Session.

III. APPOINTMENT OF OFFICERS

MOTION: Ed O'Connor moved to appoint Dick Garrett as President. The motion was seconded by John Vary. The motion failed.

MOTION: John Thomson moved to appoint Dave Zibolski as President. The motion was seconded by John Vary. Mr. Zibolski respectively declined the appointment.

MOTION: Tony Annunziato moved to have the same slate of officers as in 2008. The motion was seconded by Ed O'Connor and approved unanimously.

IV. OWNER COMMENTS

Owners made comments regarding Association and property matters.

V. NEW BUSINESS

A. VRI Report

Alex Fogel commented on VRI's pro-active action to mitigate the economic impact on the company. The action will only affect the VRI employees that are not funded by Owners Associations.

John Thomson asked for a comment on the Merrill Lynch investments. Mr. Fogel stated that VRI is very comfortable with the current investment program and underlying insurance of the certificates of deposit. Mr. Thomson stated VRI is being proactive in the investment program.

B. Assistant Secretary/Qualifying Broker

MOTION: Ed O'Connor moved to appoint an Assistant Secretary to the Board of Directors. The motion was seconded by Tom Andres and approved unanimously.

MOTION: John Vary moved to appoint Richard Schwartz as a non-voting Assistant Secretary to the Board of Directors. The motion was seconded by Ed O'Connor and approved unanimously.

MOTION: John Vary moved to appoint Richard Schwartz as the Qualifying Broker. The motion was seconded by Dave Zibolski and approved unanimously.

C. Resolution

MOTION: Ed O'Connor moved to adopt the resolution. The motion was seconded by Tony Annunziato.

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MOTION: Dick Garrett moved to table the decision of the resolution. The motion was seconded by Dave Zibolski and approved unanimously.

D. Uncollectable Assistance by TheMVPSERVICE

Alex Fogel requested a decision from the Board of Directors to authorize TheMVPSERVICE to negotiate with the uncollectable accounts. Mr. Fogel explained the objective in communicating with owners in this position. No further discussion.

VI. FUTURE MEETING DATES

Future meeting dates are as follows:

February 23, 2009 – 9:30 a.m. – Board Meeting

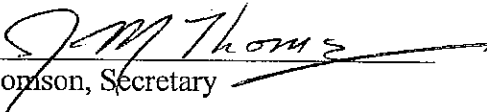
August 17-18, 2009 – 9:30 a.m. – Budget Workshop

November 6, 2009 – 9:30 a.m. Board Meeting, 11:00 a.m. Annual Meeting

VII. ADJOURNMENT

There being no further business, the meeting was adjourned at 3:08 p.m.

BY:


John Thomson, Secretary

DATE:

