

Siesta Shores Home Owners Board Meeting

Date: June 11, 2007

Time: 6:00PM

Location: South Park Site

Board Members Present:

Jenny Worthington, John Collins, Roy Casanova, Elaine Bargsley, Claude Garrett, Scott Jones and Elizabeth Blount.

Minutes of the Meeting

Jenny Worthington called the meeting to order asking for a volunteer to step in for the secretary to take notes. Roy volunteered to record the meeting and transcribe it into the minutes. John Collins suggested Roy become the secretary for the remainder of the term. Elizabeth Blount said he cannot be made secretary but can be volunteered to fill in until a secretary is appointed. Jenny Worthington nominated Roy to be secretary for the remainder of the term. Claude Garrett seconds the motion. Roy is secretary.

Jenny Worthington stated the board meeting is usually run by going through an agenda, which encompasses emails received from the community, concerns that are heard. Jenny then writes the agenda and at the end are the comments. Jenny asked that all of the comments be held until the end in order to get through the meeting. The board will address all the comments at the end of the meeting.

First item of concern:

John has a concern about Section 2 members being on the board. John read the By-laws of the board members. Article 3, Section I states that Authorized projects should be carried out by the board of directors. Homer makes the motion that these all be put in writing and mailed out because they cannot be understood and he is already being discriminated against. Elaine Bargsley reminded them they are being tape recorded.

John Collins states that Article 3, Section 1 said who can serve on the board. States that the authorized projects should be carried out by the board of directors consistent of 5 members elected by majority vote of Siesta Shores Property Owners Association in accordance or by proxy at the meeting. John Collins stated that shows that you have to be member of the association before you can serve on the board of directors. Bryan Crozier asked if Section 2 was a member. John Collins replied "not of our association, you're not". John Collins stated that it said the Board of Directors consists of 5 members of the association, not 5 members of the community.

John quoted the by-laws that state, "Authorized projects and services shall be carried out by the Board of Directors, consisting of (5) members, elected by the majority vote of the members of the Siesta Shores Property Owner's Association in attendance or by proxy at called meeting." Jenny Worthington took the by-laws over to Bryan Crozier and stated that the next sentence says, "The five (5) member Board of Directors shall consist of a President, Vice President, Secretary, Treasurer, and (1) resident member at large." Jenny Worthington stated that the word "members" in the first sentence was indicating the people that make up the board. This word could be replaced with "(5) people/positions" if you read it in context with the next sentence. Brian Crozier agreed that it could be read either way. Then Jenny Worthington took the by-laws back to John Collins and explained that the first statement is simply stating that there are (5) people/positions on the board that they don't have to be members. John Collins disagreed and stated that the word "members" indicates members of Siesta Shores.

John Collins stated that Tommy Regan has hired a lawyer and he has already sent some threats. The board meeting is for the Board only, not for the community. The meeting is so the Board can discuss this; 5-6 different residents are against people being on the board from Section 2. Elizabeth Blount asked John Collins to name them; John Collins stated they are not being represented right. John Collins stated he wasn't there to name names. Elizabeth Blount she is going to out him. She told John Collins that she wanted him to name the people that are complaining about this. Jenny Worthington stated that she could name the people that have emailed her telling her that she is glad she is on the board.

John Collins stated that we should do this legally. Legally, Section 2 members cannot be on the board. Elizabeth asked Bryan Cozier, who is a lawyer and since the rules are silent, that Section 2 members could be on the board to speak on this. Bryan Cozier stated that several years went by without enough people willing to serve on the board that a quorum couldn't even be made to have a meeting. Bryan Cozier did not think there was anything that excluded Section 2 members from serving on the board. John Collins tried to interrupt, citing Section 1. Bryan Cozier asked if he could finish; Bryan stated that based on what he was reading there was nothing stating that Section 2 members could not be on the Board of Directors. Bryan Cozier asked if the By-laws had any mention of Section 2 people. John Collins replied "not of being on the Board of Directors". Bryan Cozier said that the question seems to be "Are Section 2 Members,

members of the property owners Association"? Elizabeth stated that the Board Members at this meeting are [Jenny, Elaine](#), John, myself, Scott, Claude & Roy. Elizabeth Blount states that since this is a Board Meeting, these were the only people that need to be talking unless a Board Member calls on someone to speak or to give testimony for one reason or another.

The issue at hand is if Section 2 members are even allowed on the Board. Jenny Worthington asked John how he suggests this be resolved. Scott Jones stated that he; Jenny and Elizabeth were on the board because no one else wanted to be on the board. Elizabeth stated that she has never hired, paid or talked to a lawyer about the ballot. Bryan Cozier asked to speak. Elizabeth stated she would love for him to speak since he is an attorney. Brian stated that at the last board [annual](#) meeting he attended, it was discussed that Section 1 property owners voted to bring up the issue of Section 2 property owners could become voting members, should they hire a lawyer. It was decided that it was fine but they would have to pay for it. Bryan stated that he thought it was fine even if she had hired a lawyer since it was determined by Section 1 property owners vote. John Collins said he was told that Section 2 did hire a lawyer and Elizabeth was paying for it. Jenny stated that it actually said on the ballot that if there were lawyer fees incurred by all of this going on that Section 2 would gladly pay the fees. This would include getting all the paperwork done and then Section 1 would be notified. John Collins stated Section 2 lawyer was just a lawyer representing Section 2 and not a lawyer representing both Sections. Bryan stated that Section 1 cannot have it both ways. If Section 1 wants a lawyer representing them, they need to pay. John Collins wants a lawyer for Section 1. _____ asked who would be paying for that. _____ stated that he would ask the people in Section 1 to see what he could come up with.

[Jenny Worthington stated that this can be discussed at the September annual meeting.](#)

Second Item of Concern:

Roy voiced concerns over Home Owners in Section 1 not being informed because of the lack of e-mail address and people that just did not check e-mails on a regular basis; we come to the conclusion that we should spend the extra money to send out ballots and the minutes should be transcribed and put into e-mail form. All were in favor to mail out notices for the next community meeting.

Claude mentioned that we need to get an actual deed to the parks and all voted for us to follow up on this issue.

Conclusion of Meeting:

Next meeting is being scheduled for [August 4, 2007](#) at South Park Site at 6:00 P.M.

Motion to conclude the meeting was set by Jenny Worthington and the motion was second by Elizabeth Blount. Meeting ended at 7:45 P.M.

Notes provided by Roy Casanova

This meeting was recorded and then transcribe. The recording was hard to hear so only a small portion of the meeting is noted in this document.