

Gateway Greens Community Association, Inc.

A Corporation Not-For-Profit

Board of Directors Meeting Special Workshop July 26, 2006

Board of Directors:

Vince Sardo, President
Paul Lorenz, Vice President
Adrian Pfeffer, Secretary
George Wader, Treasurer
John Kostycz, Director

Management:

Jim Walker, Kramer-Triad

Others:

Peggi Sheehan, Stenographer
Ken Kenniker, Homeowner
Tommy Johnson, Homeowner
Rod & Sue Senior, Homeowners
Robert H. Shine, Homeowner

Call to Order

The meeting was called to order at 9:35 a.m. on July 26, 2006 at the Gateway Golf Club, as set forth in the Notice of Meeting attached to these minutes. Notice of the meeting was posted at all Gateway Greens entry and exit gates in excess of 48 hours prior to the meeting.

Establish a Quorum

A quorum was established with all members of the Board of Directors present.
Note: John Kostycz participated via telephone.

Approval of the Minutes of 7/14/06

Motion (M38): Vince Sardo opened the meeting and made a Motion to approve the July 14, 2006 Board of Directors meeting minutes. Paul Lorenz moved to correct a spelling error for the word Nut Sedge. The Motion was amended to include the spelling correction. George Wader seconded the Motion. All were in favor and the Motion was unanimously approved.

Motion (M39): Paul Lorenz made a Motion to approve the minutes of 7/14/06 with the following change: *Motion (M30): President Sardo stated that he couldn't sign the Gardner contract once submitted because it didn't conform to the Motion directing the President to sign in the Board of Directors minutes of 6/13/06 requiring a 30-day cancellation clause of either party, with and without cause.* Vince Sardo seconded the Motion. All were in favor and the Motion was unanimously approved.

Manager's Report

Jim Walker briefed the Board on the issues contained in the 7/14/06 and 7/26/06 Manager's Report. Two issues in Jim's report:

Mowing of empty lots is at \$40.00 per mow for those owners who wish the Association to have the lots mowed. Lee County Ordinance enforcement for lots untended is at \$250.00.

Capitol Fees due from each owner or condo owner at the time of occupancy are being collected. Jim stated that US Homes was notified and they responded that they were unaware of the charge. 11 closings were to take place shortly at Summerwind, which will be additional funds for the association. We will be notified of Championship Greens closings. Kingdom Homes stated that they had purchased 10 lots from WCI in 2002, and that he paid the Capitol Assessment at the time the lots were purchased.

Jim suggested that lighting be installed at Walden Lakes in order to enhance camera image for the guards. WCI did not hook up the lighting at the gate. Lighting at all the entrances have been corrected.

Motion (M40): Paul Lorenz made a Motion to file the 7/14/06 and 7/26/06 Manager's Reports. Adrian Pfeffer seconded, and the Motion was unanimously passed.

New Business: Proposal to adopt a resolution for collection procedures

George Wader made a Motion to change 40 days to 30 days and strike the sentence "...plus any other..." and Paul Lorenz seconded.

Motion (M41): Vince Sardo stated the Motion that Board accept the Resolution to adopt a collection policy for Gateway Greens Community Association as all have modified with the changes to all modifications to change 40 days to 30 days and strike the sentence "...plus any other pertinent information like, is the property a rental, or do the owners live out-of-state, or overseas, etc." Paul Lorenz seconded. All were in favor Motion was unanimously passed. **Resolution #2 was adopted.**

The Board agreed to direct the Secretary to work with the Property Manager to come up with a letter to advise the owners of the new policy.

Correction 8/23: Motion 45 to accept the Resolution Process (Resolution #1). The Resolution should be added and attached to the minutes. (attached herewith) Vince made the motion, Paul seconded, unanimously approved.

Old Business: Landscaping Contract (Workshop: Develop Bid Specifications for landscaping services including Irrigation Contract)

Due to the time factor and the items needed to be discussed on the Agenda, Adrian Pfeffer suggested a Motion to postpone Item 5 (C) Develop committees. All were in agreement.

Old Business: Landscaping Contract

Request for sealed bids prepared by Jim Walker. A proposal to go out for bids returned by August 18th, and will use USF standards.

Adrian Pfeffer suggested seeing line items broken down by price for each landscaping task.

Jim Walker mulching, pesticide & irrigation should be separate.

Paul Lorenz stated that we add fertilization for palms, shrubs & groundcover and to check sprinklers/irrigation 4-6 times per year.

Motion (M42): Paul Lorenz made a Motion to accept the specifications for the bid proposal as offered by Property Manager, Jim Walker, as attached, to include fertilization of trees and ground cover per the Gardner contract" and add the schedule of plants, shrubs and trees fertilization to the Proposal. Put the proposal out for 1 year to up to, but no more than, 2 years with a 30-day out with cause. George Wader seconded.

Amended Motion (AM42A): Vince Sardo requested to amend the Motion to include a 30-day termination clause, by either party, *without* cause as per our attorney's recommendation. Adrian Pfeffer seconded. Vince Sardo withdrew his Amended Motion. Vince Sardo & Adrian Pfeffer, Aye. John Kostycz, Paul Lorenz & George Wader, Nay. Amended Motion was not passed. Attorney's Letter attached.

Restated Motion (M42B): Paul Lorenz stated the Motion to accept the sealed bids for GGCA scope of work & specifications for landscaping bidding. Exhibit 5A – change granular fertilization from 80% to 50% and add plants, trees & shrub fertilization schedule that is currently in the contract to be sent to a minimum of 3 landscapers within 2 weeks, and including a 1 to 2 year contract, 30-day out *with cause* and a break-outs per year. John Kostycz, Paul Lorenz & George Wader, Aye. Vince Sardo & Adrian Pfeffer, Nay. The Motion was passed. Vince Sardo stated that "the Board has just decided to go against the attorney's recommendation."

The balance of the agenda will be continued to the next meeting.

Miscellaneous

Comments from homeowners:

Homeowner offered to be part of the design review committee; however we have yet to process our legal documents with WCI giving us the assignment of rights. At that point we will welcome members of the committee.

Motion (M46): Vince Sardo moved to adjourn the meeting. All were in favor and the meeting was adjourned at 12:23 p.m.

Respectfully submitted for approval:

_____signed
Adrian Pfeffer, Secretary

Minutes Approved: August 23, 2006

Attachments:

Meeting Notice/Agenda
Manager Landscaping Specification

Attorney Letter
Resolution #1 & #2

Gateway Greens Community Association

A Not For Profit Corporation

Board of Directors Meeting

TO: Members of the Board of Directors

NOTICE IS HEREBY GIVEN that a meeting of the Board of Directors of Gateway Greens Community Association, Inc., will be held at the following date, time and place:

Date: July 22, 2006

Time: 10:00 AM

**Place: Gateway Country Club
Fort Myers**

Agenda

1. Call to order.
2. Establish a Quorum – Roll Call.
3. Approval of Minutes of July 26, 2006 meeting.
4. Manager's report
5. Old Business.
 - A. Review bids and select vendor for Landscaping Services
 - B. Develop committees for the following:
 - Landscape & Grounds
 - Finance / Audit (as per GGCA By-Laws)
 - Maintenance (as per GGCA By-Laws)
 - Code Enforcement (GGCA Covenants)
 - C. Board member responsibilities
 - D. Homeowner Reporting – Urgent Call Process
 - E. Resolution Process
6. New Business
 - A. Information regarding Gateway Blvd. Traffic
7. Adjournment.

**Adrian Pfeffer
Secretary**

Posted August 16, 2006 FINAL

Type: Policy
Resolution: No.1
Title: Resolution Process

**Resolution to adopt a policy for a Resolution Process
for Gateway Greens Community Association, Inc.**

WHEREAS Article VI, Section 1, of the Association By-Laws grants the Board of Directors the power to conduct Association business. To effectively exercise that power, a process is needed to administer the more complex aspects of that business. The resolution process is a responsible way to identify, define and administrate those aspects.

LET IT BE RESOLVED; That the Board of Directors establishes the Resolution Process as follows:

1. As appropriate, the Board of Directors shall adopt Resolutions in one of two forms:

POLICY RESOLUTIONS relate to governing the Association, including but not limited to, actions affecting the members' rights of enjoyment and obligations, and the protection of Association and members' equity.

ADMINISTRATIVE RESOLUTIONS deal with Association's operation, including but not limited to, committee responsibilities, financial procedures, and administration of policy's and rules.

2. All resolutions shall conform to this Model Resolution format:

<p>Gateway Greens Community Association, Inc [Type Policy or Administrative] Resolution Number _____ [Title of the Resolution]</p> <p>WHEREAS; (One or more paragraphs providing the authority for this Resolution)</p> <p>LET IT BE RESOLVED THAT (One or more paragraphs describing the Resolution)</p> <p>Recorded in the Book of Minutes: _____, 200__</p> <p>Signed: _____, 200__</p> <p>_____ Secretary – Board of Directors</p>

3. Once the Resolution is in a "final" form, the Board of Directors will vote to either approve or disapprove it. If it is approved, the Resolution will be enforceable by the Board of Directors within the mandate of its Association powers and duties
4. A Book of Resolutions adopted by the Association will be maintained by the secretary and copies made available to all Association members through the Property Manager, as well as through the Associations website.

RESOLUTION PASSED AND ADOPTED BY THE BOARD OF DIRECTORS ON JULY 26, 2006

Recorded in the Book of Minutes: July 26, 2006

Signed: July 26, 2006
Adrian Pfeffer
Secretary – Board of Directors

Gateway Greens Community Association, Inc.

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Type: Policy

Resolution: No.2

Title: Collection Policy

Resolution to adopt a Collection Policy for Gateway Greens Community Association, Inc.

WHEREAS the Protective Covenants for Gateway Greens Community Association Inc. in Article 6 Section 6.3 of the Declarations gives the Board the right to impose costs, interest and reasonable attorney fees; and

WHEREAS the above referenced Declaration in Section 6 (c) gives the Board the authority to record a notice of lien for unpaid Assessments, and when delinquent the lien may be enforced by suit, judgment and foreclosure; and

WHEREAS the Contract Agreement with our Property Management Firm. in Paragraph 4 Section (b) states our Property Management Firm will take all legal or other action in the name of the Association as may be necessary or appropriate to enforce any rights which the Association may have as a result of default as the Board may determine in accordance with the Documents and adopted policy procedures; and

WHEREAS a review of past Board minutes does not reveal the Board has adopted policy procedures for the collection of delinquent accounts; and

WHEREAS our Property Management Firm has provided the Board with a proposed Policy and Procedure titled Gateway Greens Community Association, Inc Collection Policy 2006, Draft for the Boards' consideration;

BE IT THEREFORE RESOLVED the Board adopts the attached Policy and Procedure with amendments included.

At least two weeks before the start of a new quarter, an invoice will be sent to each homeowner showing the current amount due and any past due amounts. The invoice shall contain a warning about the penalties for late payments.

Fifteen (15) days after the first working day of a new quarter. A delinquency letter is sent with invoicing for all past due amounts and interest on all outstanding Association Fees calculated from the original due date with a minimum of one month's interest, at the maximum rate allowed by law. An additional processing fee will be added to this invoice. This letter shall include another warning about the next action if not received within 10 days after receipt or return of non delivered certified mail at the last known address, that the matter will be turned over to the Association's legal council, and at that time, an additional interest charge with minimum of one month plus legal fees for sending the delinquent letter will be due. All default letters must be mailed Certified Return Receipt mail.

Forty days after the first working day of a new quarter with continued non-payment of full amount currently due, a request for lien legal action is submitted to the Board for approval. Under no circumstances will individual exceptions for non-payment be permitted with excused payment currently due, including interest, attorney's fees or any other added cost for collections.

Upon approval of the request for legal action, the account will be turned over to the Association's legal counsel with instruction to take all steps necessary in notifying intent to lien, followed by recording of a lien, and foreclosure of the property as necessary, for the assessed amount outstanding for the entire current calendar year, including applicable interest and all legal and court fees needed to collect, as provided by the laws of the State of Florida. Once any delinquent account has been turned over to the Association's Legal Council, all communication from that time on must go through Legal Council.

AMENDMENT TO THIS RESOLUTION PASSED AND ADOPTED BY THE BOARD OF DIRECTORS ON AUGUST 23, 2006

Recorded in the Book of Minutes: September 7, 2006

Signed: September 7, 2006

_____ signed _____
Adrian M. Pfeffer
Secretary – Board of Directors

Corporate Seal