

# SUNSET INC.

Board of Directors Meeting  
Condo Documents  
January 30, 2018 9:00 a.m.

Todd Dawson called the meeting to order for the purpose of the review of Sunset's Condominium Documents. Todd Dawson, Diane Linton and Wayne Porter were on the phone, Steve Walz attended by phone. Craig D'Angelo was absent. Owners Jack McGuirk, Marilyn Henkel and Dave & Donna Veceli were in the office.

President Todd Dawson reported that the meeting was pursuant to notice and a quorum existed with 4 of the 5 Board members present. Todd thanked everyone for their attendance and asked the Board to focus on the proposed changes to the Articles of Incorporation, Bi-Laws, Declaration and Rules of Sunset Inc. Todd stated that before the Condo Doc discussions that he would ask for a Treasurer's Report.

## Treasurers Report:

Treasurer Steve Walz allowed past Treasurer Marilyn Henkel to report on the Financial Statements for December 31, 2017. Marilyn asked the Board if they had received the December 2017 Statements. All Board members confirmed receiving the documents. Marilyn wished to point out the Replacement Fund balance and the excess under budget amount. Marilyn became Treasurer in 2009 and in every year but two the expenses were less than the budgeted amount. \$13,074.91 was not spent during the 2017 calendar year. Marilyn pointed out the Irma expense of \$63,359.34 thus far and anticipates another \$2,500.00 yet to come in. The final amount will mirror the \$66,000.00 Irma Assessment that will be sent out to owners on January 31, 2018. BB&T will send out the \$1,000.00 per unit assessment and record all payments from owners. Sunset has also submitted a claim under its 3 Wind & Flood policies for the 3 buildings. Any claim proceeds will be reported in a future meeting. After financial discussions Todd Dawson moved and Steve Walz seconded to approve the Financial Statements of December 31, 2017. Motion carried.

## Condo Documents:

Todd Dawson and the Board discussed the following elements of the four Condo Documents:

- Articles of Incorporation: The Articles of Incorporation is a document which sets up the legal entity of Sunset Inc. There were no questions or comments raised regarding this document and it is ready to be presented to owners for review.
- By-Laws: The 01-23-18 red-line document was discussed without additional proposed edits and is ready to be presented to owners for review.
- Rules: All Board members had a red-line document to review the proposed changes to language. The discussion also was in regards to which rules would also be covered in the Declaration. Diane wanted to make sure that language was evident that owners,

while their units are rented out, do not have access or privilege to the common grounds or recreation facilities of Sunset. No other Board comments were suggested. Owner Dave Vieceli wanted to question 2B regarding parking. He found no problem with omitting the section. The Board agreed to delete 2B. Dave also questioned floats in the pool. His document shows that floats are OK while other versions had not allowed the use. Todd said the language will be adjust to prevent floats. Marilyn Henkel confirmed that a state law prohibits floats. Sunset will comply with state rules governing pools. Dave Vieceli also questioned the Tiki Hut times. The current Tiki Hut times are daytime only. Wayne Porter asked that the Tiki times mirror the Shuffle Board times which ends at 10:00 p.m. The Board agreed to make both Tiki Huts and Shuffle Board time to be the same. No other suggestions were given.

- Pet Policy: The Pet Policy of the Rules were carved out to give greater thought and attention to its discussion. The current Pet Policy of 2010 is the governing guidelines of today. The Board discussed the continued Grandfathering of two unit owners. One had multiple pets and one has a pet over the current weight limit of 25 pounds. Discussions regarding whether guests and renters can have pets were discussed. DeBoest, Sunset's Attorney, suggested we leave that out and discuss at the annual meeting. Wayne Porter and Diane Linton stressed to write the rule in where no guest or renter may bring a pet. Should this language be too strong for unit owners then it may be removed.
- Diane asked about the complaint process mentioned at the end of the rules document. Todd said he believes that Sunset needs a formal complaint process to review and enforce potential violations. Todd has a simple complaint form borrowed from another Florida association and will provide it to the Board later. The Board had no other changes to add to the 2010 policy.
- Smoking: Dave Vieceli asked the Board where they stood with a no smoking policy. The Board is in favor of a smoke free building with designated areas outside. DeBoest said that this is a policy that should not be grandfathered. Final direction will be determined at the annual meeting.

Jack McGuirk asked regarding the procedure of the documents. Todd informed Jack that the red-line documents will be reviewed then mailed to unit owner approximately two weeks before the annual meeting. At that meeting DeBoest will be there to present the documents and then inform the owners of the approval process, which will not happen until final versions are developed and sent out for a vote.

President Todd Dawson asked the Board if they are comfortable with the Condo Documents and proposed verbiage changes. All agreed.

- Declaration: Todd also discussed the Declaration and the Rules which would be included. Rules can be changed by the Board. However, any Rule repeated in the Declaration would be protected and only changed if a simple majority vote from the owners were in favor.

Dave Vieceli questioned the renovation time as it is written in the Declaration. Renovations may not be made from December 1 – April 30. The question is to whether keep the same, reduce or eliminate. The concern is for noise, odors, and inconvenience to those in the other units. Jack McGuirk and Marilyn Henkel wished to eliminate the time restriction. The Board members shared their opinion as well. All members were in favor to keep the Dec – April language. However, if the unit owners want to adjust the time or eliminate restrictions then the Board will agree. The unit owners at the annual meeting will be the pulse for change.

Dave Vieceli questioned 10.2 insurance and repair responsibility. Todd explained that the state law throws the responsibility on the Association for repairs whether unit owner negligence or not. Dave wanted to try and subrogate for association expenses caused by unit owners. The Board agreed that the association cannot bear the ultimate expense if the owner is the cause. Todd said there is no incentive for unit owner to maintain their water heater, AC unit or water connections with the law as it is. Todd will consult with DeBoest to find out Sunset's legal rights to charging unit owners. Todd has asked Bob and Dave to make a list of potential leak points in any one unit and make suggestions for maintenance and preventative measures.

Dave Vieceli questioned the enforcement of structural wall changes in Sunset. Todd said structural wall and exterior appearance will prevent major renovations without Board approval. Several Reno's have been done in the far past that the Board does not want repeated. Rules and Declaration will also prevent the extension of the living area into the Lanai. While it happened in the past, this will not be allowed.

Todd asked for additional comments and questions from the Board and Owners. Todd will make changes to the docs regarding 2B, pets, Tiki times and other suggestions made in today's meeting.

In closing, The Board Members, with no objection, unanimously endorsed moving forward in the process with the four Sunset Condo Documents for eventual presentation at the Annual Meeting. Todd will contact DeBoest for final versions and preparations for email delivery to the unit owners of Sunset Inc. The documents should be out to owners hopefully by February 7, 2018.

Todd Dawson asked for owner comments. None were presented to the Board.

With no further topics to be brought before the Board, Wayne Porter moved and Steve Walz seconded to adjourn the meeting. Motion Carried.

Respectfully Submitted,

*Wayne M. Porter*

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Recording Secretary

The Annual Meeting will be held February 21, 2018 at Charley's Boat House at 10:00 p.m.

The next scheduled Board Meeting of Sunset will be held on February 15, 2018 at 9:00 a.m.