

The meeting scheduled for 3/13/14 with GAD attorneys and posted as No Owner Participation does not appear to be legal per the statutes I have copied for your review below. The justification provided for my not being notified of this meeting, that it was on the advice of Ms. Stiles does not absolve Directors from actions performed in violation of the existing laws. If there is an exception I am not aware of, please enlighten me on how this is legal.

The requirements for licensing to be a CAM in Florida are to be 18 years old, fingerprinted to ensure lack of criminal record and an 18 hour course and a multiple choice test. Reliance on advice from any CAM should be tested against governing documents and resumes should be verified. The Florida licensing website lists Ms. Stiles as an Independent Contractor as of today; not an employee of Sentry Management.

Regarding the advice by Mr. Himschoot on the Water Amendment legality which I have reattached for reference. His argument based upon our “condo docs” and 66 2/3 % needed, therefore 59 votes was not sufficient leaves out the following:

7.1 (a) Unit Owners owning in excess of 50% of the Units in the Condominium and by not less than 66 2/3% of the Board of Directors of the Association; or

And from Exhibit D

3.5 (c) Voting Member -If a unit is owned by a corporation, the person entitled to cast the vote for the Unit shall be designated by a certificate signed by an appropriate officer of the corporation and filed with the Secretary of the Association..... valid until revoked or until superceded ...change in ownership

The opinion provided to Paul Weber from Ms. Christina Schwin, regarding VLC’s adoption was also completely disregarded, as was any reference to legal advice provided during the process from GAD partner, Diane Burnside.

Regarding emails within the past few weeks and the overuse of the words “Positive” and “Negative”. These words are subjective in nature based upon the side of an issue one is on. From my standpoint, I consider myself as very Positive and taking Positive actions, to ensure the long-term financial stability of VLC as do others who appreciate my persistence in urging the BOD to operate under the laws and governing documents. Negative are actions which affect our dues, necessitate Special Assessments such as the management company’s assistance in preparation of the 2014 budget which did not include the 8-10% expected Allowance for Uncollectible. Positive is my having the knowledge of this and pointing this out since Nov/Dec 2013 as well as stating the budget should be reviewed by the BOD regularly and adjusted if needed for FULL DISCLOSURE now. Positive is knowing that our spending plan was based upon 100% collections and our spending is already indicating exceeding 100% budgeted expenditures.

As for communications among BOD members and the management company; please provide the statute, law or governing document reference that justifies a contracted property manager to exclude a BOD member from scheduled meetings. With this, the requirement for “telephoning” the BOD President should be included. I have been kept advised of the various threats by former and current BOD members, directed toward me and have provided my summary of the situation as documented since Nov 2013. Due to

inconsistencies in statements made in telephone calls, subjective assessments of my “negativity” and the apparent conflicts in goals, written communication is preferred until further notice.

I am advising you to reschedule any consultation with the attorneys as an open meeting with Owners present. Additionally, nothing has been discussed or progressed regarding notification of ALL owners. Per Sentry’s records, less than 30 are full time owners, an estimated 30 more may “Winter” at VLC. Many have written me individually, part time at the property, full time financially responsible – wanting an update and requesting a website for communication. The only post to a website to date appears to be the 2/12 email posted to our Association Document list, which appears more of an attack and accusations of spam/viruses (repeat from last BOD Pres) than informational.

It is for your benefit to review the following as well as research issues such as how meters run backwards. One of our son’s is a water company technician for our township and customers changing the meters to avoid a bill as illegal but occurs.

(If present presumed assented-Managers)

718.111The association.—

(1)CORPORATE ENTITY.—

(a)The operation of the condominium shall be by the association, which must be a Florida corporation for profit or a Florida corporation not for profit. However, any association which was in existence on January 1, 1977, need not be incorporated. The owners of units shall be shareholders or members of the association. The officers and directors of the association have a fiduciary relationship to the unit owners. It is the intent of the Legislature that nothing in this paragraph shall be construed as **providing for or removing a requirement of a fiduciary relationship between any manager employed by the association and the unit owners.**

(b)A director of the association **who is present at a meeting of its board at which action on any corporate matter is taken shall be presumed to have assented** to the action taken unless he or she votes against such action or abstains from voting.

(Personal Responsibility of Directors)

(d)As required by s. 617.0830, an officer, director, or agent shall discharge his or her duties in good faith, with the care an ordinarily prudent person in a like position would exercise under similar circumstances, and in a manner he or she reasonably believes to be in the interests of the association. **An officer, director, or agent shall be liable for monetary damages as provided in s. 617.0834 if such officer, director, or agent breached or failed to perform his or her duties and the breach of, or failure to perform, his or her duties constitutes a violation of criminal law as provided in s. 617.0834; constitutes a transaction from which the officer or director derived an improper personal benefit, either directly or indirectly; or constitutes recklessness or an act or omission that was in bad faith,** with malicious purpose, or in a manner exhibiting wanton and willful disregard of human rights, safety, or property.

718.112Bylaws.—

(1)GENERALLY.—

(c)Board of administration meetings.—Meetings of the board of administration at which a quorum of the members is present are open to all unit owners. A unit owner may tape record or videotape the meetings. The right to attend such meetings includes the right to speak at such meetings with reference to all designated agenda items.

(Exceptions Permitted for Owners Not Participating)

3. Notwithstanding any other law, the requirement that board meetings and committee meetings be open to the unit owners does not apply to:

a. Meetings between the board or a committee and the association's attorney, with respect to proposed or pending litigation, if the meeting is held for the purpose of seeking or rendering legal advice; or

b. Board meetings held for the purpose of discussing personnel matters.