

Cove Pointe Owners Association Special Board Meeting

338 Bunkers Cove Road

Attending: (officers and directors)

John "Buddy" Dye (President)

Tom Neubauer (Secretary)

Christine Reiss (Treasurer)

Henry Breland (Director)

Patrick Higgins (Director)

Nancy Breland (Chair of Architectural Review Board)

Brian Leebrick, attorney with Barron and Redding, PA

Meeting was called to order at 7:32 by Mr. Dye.

Mr. Dye provided a copy of the meeting notice and certified its timely posting in advance of the meeting.

Agenda

1. Decision to engage legal counsel to address an ARB Article 10 compliance issue.
2. Discussion of ARB and CPOA duty to lot owners.

Mr. Dye discussed the purpose of the special meeting, noting that the ARB has a responsibility to report, and the CPOA has a responsibility to address significant violations of the Cove Pointe Owners Association Covenants, Conditions Restrictions and Easements recorded in the public records. Additionally, the Board has a duty to ensure improvements conform to the plans and specifications approved by the ARB pursuant the requirements of CPOA covenants, including articles 10 and 11.

Mr. Dye noted that the all-volunteer Architectural Review Board and the Cove Pointe Owners Association Board of Directors have been unable to resolve issues involving recent construction by a property owner and it has become necessary to engage legal counsel to ensure proper application of CPOA authority. With that, Mr. Dye requested a motion to engage legal counsel.

A motion was made by Christine Reiss and seconded by Tom Neubauer to hire Mr. Leebrick to represent the Cove Pointe Owners Association as counsel for the pending action. The motion passed unanimously. A second motion was made to authorize CPOA counsel to follow the course of action to be decided in the executive session.

Mr. Dye recommended adjournment of the special board meeting in order to open an executive session to discuss strategy with the proposed counsel regarding appropriate CPOA action within the authority of the recorded covenants and Florida statutory law.

The special meeting was then adjourned and the board convened in executive session at 8:15 PM.

[At 8:30 PM the executive session was adjourned and the Association meeting resumed.]

After coming out of executive session, a motion was made by Pat Higgins and seconded by Tom Neubauer, to create the Fine Review Committee. Mr. Dye reported that Mary Riehle and Nick Armstrong agreed to serve on that committee, and as part of the motion the Board authorized and delegated to Mr. Dye and Dr Breland, the appointment of the members of that committee, specifying that the committee was to consist of no less than three members, but could be as many as five members. The motion passed unanimously.

Subsequently, a motion made by Chris Reiss and seconded by Henry Breland to impose a fine against the respondent of \$100 per day for the multiple violations of our covenants but directed our attorney to delay the imposition of the fine for one week to allow the possibility of the resolution to be proposed to the respondent on our behalf, pursuant to discussion in the Executive Session). The motion confirmed that if the resolution was not in place within one week that the fine would go into effect automatically.

The meeting was adjourned at 8:41 PM.

Minutes approved at special meeting by unanimous vote on September 5, 2017

A handwritten signature in blue ink, appearing to read "Tom Neubauer", with a large, stylized initial "T" and "N" that loops around each other.

Tom Neubauer, Secretary