

BOARD MEETING MINUTES JULY 24, 2026

The board met with association attorney, Nicki Asmer, of Rabin Parker and Gurley, to discuss amendments to outdated governing documents (originally from 1979–1982). The primary topic of discussion was whether to first revise the amendment threshold language before tackling any substantive changes, ensuring future votes can realistically pass given chronic low member participation. Electronic voting was identified as a key tool to improve participation rates.

Counsel made the following recommendations:

- **Threshold amendment first:** Fix unclear/conflicting amendment language before spending money on substantive document revisions.
- **Do not change percentages — clarify language only:** Retain existing two-thirds threshold but specify it applies to members *present or by proxy* once quorum is established, not the entire membership.
- **Amended and restated declaration preferred** over piecemeal redlining; the attorney indicated that a tailored template can be used but would still require revisions to conform with the Association's development structure.
- **Amendments voted section by section**, not all at once, to avoid a single "no" vote killing everything.
- **Electronic voting approved in principle** via a DBPR-approved vendor (recommendation to use [GetQuorum.com](https://www.getquorum.com)).
- **Tenant slip rentals currently prohibited** by governing documents; any change requires a formal amendment.

Key Legal Points Clarified

- **Quorum rules:** Board meetings require a majority of board members (3 of 5); membership meetings require 51% of total unit owners (≥ 26 of 51 units).
- **Kauffman language:** The attorney also proposed an amendment to the Declaration that would automatically subject Florida Statute 718 *as amended from time to time*, eliminating the need to update documents every time the law changes.
- **Fining limitations:** The attorney explained condo associations cannot lien property for fines (HOA-only right); recommended enforcement is suspension of amenity access for owners and tenants in violation.
- **Attorney's fees** can be converted into special assessments against non-compliant owners, however, an amendment would also be required for approval.
- **Tenant rights are limited** to viewing the declaration, bylaws, articles of incorporation, and rules; tenants cannot attend meetings unless designated as owner proxy.
- **Meeting notice issue flagged:** This meeting was incorrectly posted as an "owner's meeting"; Nicki noted it should have been labeled a board meeting since no membership votes were taken.

Pending Confirmation from the Board:

- Board to decide: **opt for electronic voting** (Zoom + GetQuorum) for the membership amendment vote

- Board to confirm: whether to allow tenants to rent boat slips (insurance implications must be checked first)
- Board to review insurance coverage implications before amending slip rental rules

Action Items

- **Nicki:** Draft the threshold amendment clarification and prepare meeting package (notice, proxies, ballots) with 14-day advance notice required before membership vote.
- **Nicki:** Send draft meeting minutes to board for approval and posting.
- **Nicki:** Send GetQuorum contact information to Scott/Frank.
- **Board:** Provide Nicki with a prioritized list of issues to address for proposed amendments (do not attempt to redraft documents independently).
- **Board:** Schedule a board meeting to formally approve the draft threshold amendment before it goes to membership.
- **Board:** Form an amendment committee to conduct door-to-door outreach, phone tree, and email follow-up to ensure quorum at the membership vote.

Meeting adjourned at _____ p.m.

Nicki Asmer, Esq.
Legal Counsel for the Association