MYAKKA VALLEY RANCHES

IMPROVEMENT ASSOCIATION

PO BOX 21463

SARASOTA, FL 34276

Myakka Valley Ranches Improvement Association Board Meeting Minutes of August 08, 2011

1. Call to Order: Jim Holthaus, Vice-President, called the meeting to order (7:00 pm)

2. Roll Call: Trudi Lawrenz, Jackie Vizzi, Chris Thomas, Deb Houston, Billy Cunningham, Keith Bradley, Gary James, Cynthia Pepper, Vivian Zabik, Richard Johnson, and Jim Holthaus.

3. Declare a Quorum: Jim Holthaus declares a quorum

4. Welcome and identify guests: 45

Vickie Butler objects that Jackie Vizzi is not a Board member because there was not an open seat on the Board. Jim Holthaus states objection noted.

5. Recommendation by Board members: Officer selection (President)

Deb Houston motions to appoint Jim Holthaus as President.

Vivian Zabik seconds the motion.

Vickie Butler again objects that Jackie Vizzi is not a board member. Jim Holthaus states objection noted.

Keith Bradley objects to Jackie Vizzi being a Board member. Jim Holthaus states objection noted.

In response to objections Bev Burger, past secretary, states several motions re: open seat and legal vote.

(excerpts from past meetings answering objections)

1e.) 8.Voting: April 11, 2010 Annual Meeting: Discussion concerning the number of directors the Bylaws permit is determined to be eleven. Drew Cummer, lot 183, points out the bylaws require a member vote if number of Directors exceeds nine. A resolution to increase the Directors to eleven, the maximum allowed in the Bylaws is proposed by David Hodgkinson, President. Approval is indicated by a show of hands. The resolution is approved.

2e). Removal of President b.) June 13, 2011 Board meeting minutes: Jackie Vizzi volunteers for the one opening on the Board of Directors ( eleventh position not filled at the Annual Meeting). Vivian motions that Jackie Vizzi is accepted as a Board member, Deb seconds, all agree.

Trudi Lawrenz, director, reads from April 11, 2011 Board meeting minutes. Appointments: April 11, 2011 Board meeting minutes: Keith Bradley makes a motion for Harold Joslin to join the Board to fill the empty seat. Harold declines.

Mary Lynn Desjarlais asks if the lawyer had a ruling at the July 27th meeting about Jackie Vizzi's director appointment. Jim Holthaus states the lawyer saw nothing wrong with the process of Jackie Vizzi being a Board member and therefore Jackie could be present at the meeting.

Keith Bradley objects to Jim Holthaus chairing this August 08, 2011 Board meeting.

Jim Holthaus states objection noted.

Guests request the Board move on with the agenda and business of the Valley.

Mary Lynn Desjarlais offers to act as Parliamentarian.

Jim Holthaus states that according to Robert's Rules disruption of three times is cause for removal.

Mary Lynn Desjarlais suggests Board call for the question.

Richard Johnson calls for the question. Trudi Lawrenz seconds. Board votes to end discussion. 6 yes, Jackie, Deb, Trudi, Richard, Vivian, Jim 3 no, Gary, Billy, and Keith and 2 abstain, Cynthia and Chris Discussion ends. Question called.

Motion on the floor is to appoint Jim Holthaus as President. Board votes: 6 yes, Jackie, Deb, Trudi, Richard, Vivian, Jim

1 no, Keith Bradley and 4 abstain, Cynthia, Gary, Chris, and Billy. Motion passes and Jim Holthaus is elected President. 6 yes, 1 no, 4 abstain

Richard Johnson motions to select a Vice-President. Vivian Zabik seconds. Deb Houston steps forward to fill position of Vice-President.

Jackie Vizzi motions for Deb Houston to fill position of Vice-President. Trudi Lawrenz seconds.

Gary James motions to appoint Chris Thomas as Vice-President. Cynthia seconds.

Mary Lynn Desjarlais explains that the Board has choice of open ballot or closed ballot. All agree to open ballot.

Deb Houston is elected to Vice-President position by a vote of 6 to 5.

6.) Robert's rules: Jim Holthaus states we abide by Robert's Rules. Deb Houston is time-keeper.

7.) Approval of lawyer contact list: Jackie Vizzi, John Corcoran, Harold Joslin, Chris Thomas, and Jim Holthaus volunteer to be on the liaison legal committee. Deb Houston motions to table the liaison legal committee. Trudi seconded. Vote to table passed 10 yes, 1 no Keith Bradley

Deb Houston motions to appoint Jim Holthaus and Jackie Vizzi, Bylaw committee, to be lawyer contacts. Trudi seconds.

Point of Order: Mary Lynn Desjarlais advises only the President arranges future lawyer contact which must be approved by the Board. Legal Liaison committee meetings with lawyer must have an agenda approved by the Board.

Deb Houston amends her motion to appoint Jim Holthaus, President, to be our only legal contact. Trudi Lawrenz seconds. Motion passes 10 yes, 1 no Keith Bradley

Officer's Reports:

Jim Holthaus announces Beverly Burger's resignation as secretary. He makes a request for someone to fill the position.

Jackie Vizzi and Jim Holthaus thanked Bev for her hard work the last six years on behalf of the Valley.

Deb Houston motions to table Secretary position. Richard Johnson seconds. Motion passes 11 yes

Charlie Brodsky, temporary secretary, states she will have draft minutes available to Board members 48 hours before Sept. 12, 2011 meeting.

Trudi Lawrenz motions that if anyone request unofficial minutes that they pay to have them transcribed. Vivian seconds.

Trudi amends her motion to state that if someone requests the unofficial minutes prior to 48 hours before the next board meeting they will have to pay to have them transcribed at a rate of possibly $20.00 an hour. Deb seconded. Motion passes 10 yes, 1 no, Keith Bradley

Approval of June 13, 2011 Board Meeting minutes:

Bev Burger states there is a correction brought to her attention.

Correction is on Page 3, c) the vote should read 6 yes, Jackie, Vivian, Deb, Richard, Trudi, and Keith. Cynthia abstains, and Billy no. 6 yes, 1 abstain and 1 no.

Richard Johnson motions to correct the June 13, 2011 minutes. Deb Houston seconds. 6 yes, Jackie, Trudi, Jim, Richard, Vivian, and Deb. 2 no Keith and Billy. 3 abstain Chris, Gary and Cynthia. Motion to approve corrections to June Minutes passes. 6 yes, 2 no, 3 abstain.

Jackie Vizzi motions to approve the corrected June Minutes. Deb Houston seconds. 6 yes Jackie, Trudi, Jim, Richard, Deb and Vivian. 2 abstain Chris and Gary. 3 no Billy, Keith and Cynthia. Motion passes to approve corrected June minutes. 6 yes, 2 abstain, 3 no

Approval of July 13, 2011 Board meeting Minutes:

Richard Johnson motions to approve the July 13, 2011 minutes. Vivian Zabik seconds.

Trudi Lawrenz inquires if Keith Bradley gave prior notice to the Board that he was recording the July 13, meeting. Jim Holthaus states no request was made.

(excerpt regarding rules of MVRIA)

IV A. 4 Any lot owner wishing to record a meeting must give not less than 24 hours advance written notice to Secretary or Manager.

Keith Bradley objects he requested his letter he passed out to the Board and members present at the July meeting be copied verbatim in the July minutes. Jim Holthaus stated objection noted.

6 yes Jackie, Trudi, Vivian, Richard, Deb and Jim. 4 no Gary, Keith, Chris Billy. 1 abstain Cynthia. Motion passes 6 yes, 4 no, 1 abstain

Approval of July 27, 2011 Closed Special Board Meeting with Attorney.

Deb Houston motions to correct minutes by adding Cynthia Pepper's name to Directors in attendance. Richard Johnson seconds. Motion passes 11 yes

Deb Houston motions to approve the corrected July 27, 2011 minutes. Richard Johnson seconds. 6 yes Jackie, Trudi, Deb, Richard, Vivian and Jim. 4 no Gary, Chris, Billy and Keith. 1 abstain Cynthia. July 27, 2011 minutes are approved. 6yes, 4 no, 1 abstain.

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Committee Reports:

1. FINANCE:

Richard Johnson motions to accept financial report. Deb Houston seconded. Motion passes 11 yes

Deb Houston motions to send certified letters to residents with delinquent dues. Richard Johnson seconded. Motion passes 10 yes, 1 no, Keith Bradley

Treasurer, Rose Marie Monella, states that we are being charged service fees on our one account because it has fallen under the amount needed to avoid service charges.

Deb Houston motions to change the name on our bank account so we longer have bank charges. Trudi Lawrenz seconded. 9 yes Trudi, Jackie, Richard, Chris, Deb, Vivian, Gary, Cynthia, and Jim. 2 no Billy and Keith. Motion passes 9 yes, 2 no

Trudi Lawrenz addresses the President being a signer at the bank.

Trudi Lawrenz motions to appoint Jim Holthaus, President, as signer at the bank. Richard Johnson seconds. Motion passes 11 yes

Trudi questions a $500.00 legal bill from Becker and Poliakoff containing 102 minutes of conversation with Keith Bradley on May 18, 19, and 20th Board approval for attorney consultation was not given at the May 09, 2011 meeting. The Board was not made aware of these legal conversations nor topics at the June 13, 2011 Board meeting. Board suggests David Muller at Becker and Poliakoff summarize these conversations.

Deb Houston motions to pay the legal bill and have lawyer summarize the 3 phone phone conversations at no cost to us. Richard Johnson seconds. Motion passes

11 yes

2. DISASTER: Vivian Zabik announces a workshop on Ham radios on August 27, at her home. She has a volunteer that will help residents, at no charge, to prepare and take the test. She also encourages residents to take the Cert course available in the fall. The Valley has some monies set aside to pay for the course.

3. ROADS: no report

4 SADDLE TRAIL: Trudi Lawrenz questions the mowing work order for 2011/2012 because we have no written legal opinion regarding the motion for saddle trail mowing made by Cynthia Pepper at the April 11, 2011 Board meeting.

5. SECURITY: no report

6. DEED RESTRICTION; Articles and Deed Restriction Committee requests a written report from attorney on the April 6th meeting with David Muller and Deed Restriction Committee members Cynthia Pepper, director, Keith Bradley, director and Drew Cummer, resident.

Richard Johnson motions to ask the attorney to write a report regarding the April 6th, 2011 meeting, preferably at no charge, for the Board and the Committee.

10 yes, 1 no Keith Bradley

Pending

Lot 154 Deb Houston will rewrite her letter regarding fence at lot 154 (motion made at a previous meeting for her to write letter to lot 154)

Lot 227 Jackie Vizzi acknowledges letter from the Roland’s attorney and states that Chris Thomas is handling the complaint. Chris Thomas requests Ken Roland share with him all the information Ken has compiled regarding the dog kennel on lot 227.

Trails N Tales Committee: Vivian Zabik reports that they are looking at ad costs for Trails n Tales. It is an ongoing process of looking at making it as profitable as possible and the committee will be holding future meetings.

Variance Form: Chris Thomas presented a variance form, however, it was decided to address at next Board meeting.

Lot 169: Discussion regarding complaint about ATV track on 169.

Deb Houston motions to compose a letter to Lot 169, stating they are in violation of our Deed Restrictions (VI: Use restrictions, #10) Richard Johnson seconds. Jackie, Trudi, Chris, Vivian, Richard, Cynthia, Jim and Deb yes. Gary James, and Billy Cunningham, no, Keith Bradley abstains. 8 yes-2 no-1 abstain. Motion passes.

FPL debris on park: Keith Bradley will call FPL.

Other

Construction application: two construction projects submitted

Trails n Tales: President message will be Fire Safety

Jim Holthaus, President, states that we will comply with state statutes and provide Carl Patrick, Keith Bradley’s attorney with a member roster conforming to the new state statute (Section 720.303(5)(c) effective July, 2011.

Chris Thomas states he would like to chair a workshop on Dog Kennels, electronic data entry, and Municipal Taxing district regarding roads.

Legal: no report

Cynthia Pepper resigns as a Board member. Jim Holthaus accepts her resignation and thanks Cynthia Pepper for her work as a Board member.

Bill McArthur volunteers to fill vacated Board position.

Jackie Vizzi motions to appoint Bill McArthur to the Board. Deb Houston seconds.

Bill Cunningham and Keith Bradley abstain. Jackie, Chris, Deb, Gary, Jim, Trudi, Vivian, Richard, yes. Motion passes 8 yes, 2 abstain

Bill McArthur appointed to fill the remaining term for Cynthia Pepper’s 2011-2012 Directors’ position.

Motion to adjourn by Jackie Vizzi. Richard Johnson seconds. all agree. meeting adjourned at 11:00pm.

Respectfully submitted,

Charlie Brodsky