

# Tamarind Cay



Issue 7 ~ January, 2009

Community Newsletter

## Board of Directors

President	Bert Payne 239.454.6174 bertpayne@comcast.net
Vice President	Susette Nordstrom 239.415.7387 susetten@comcast.net
Treasurer	Walt Kittredge 239.466.4301 Captwalterk@cs.com
Secretary	Jean Long 239.267.9454 bobjeanlong@gmail.com
Member	Walt Spardel 239.415.0418 wspardel@cs.com

## Committees

Fining	Tom Anderson
Landscape	Jean Long
Rules & Regs re-write	Tom Anderson
Speeding	Bill Lamoreaux

## Property Management

Suitor & Associates  
15751 San Carlos Blvd #8  
Fort Myers, FL 33908  
Sheila Ullmann, CAM  
[Sheiladgs@Comcast.net](mailto:Sheiladgs@Comcast.net)  
239.437.4306

## Useful Phone Numbers

Pre-call Gate Access	482.6998
North Gatehouse	482.5039
South Gatehouse	433.0110
Security Patrol	340.8994
Sheriff Non-Emergency	477.1000
Poison Control	800.282.3171

For other Emergency numbers  
Tune in Comcast Channel 95

## Fencing Project Nears Completion



Thanks to the efforts of volunteers Bill Lamoreaux and Jean Long, working with our maintenance man Bob Hecker, the project of installing weave in the fence between our property and the golf course equipment building next door, is nearly completed.

A combination of the weave material and the maturing ficus hedges, has left the unattractive equipment building and yard next door all but invisible to Tamarind Cay.

Other owners who volunteered to help, but were not called upon for this project due to scheduling conflicts, be assured we will keep your names handy and there will be future opportunities to pitch in and help the neighborhood.



This edition of the TC Newsletter, as well as all past editions and lots of other helpful information can be found on the Tamarind Cay Web Site.

<http://sites.google.com/site/tamarindcay/>

If you have questions you always wanted to ask... or subjects of common interest...or want to contribute your writing skills to the Newsletter editors, please contact Susette Nordstrom Or Walt Kittredge.



## January 22, 2009 Annual Meeting ~ Unofficial Draft of Minutes

### Call to Order

Board members present were Bert Payne, Susette Nordstrom, Walt Kittredge, Tom Lemley and Jean Long. Also present were Rod Middleton and Sheila Ullmann from Suitor and Assoc. Seventeen residents were present. The meeting was called to order by President, Bert Payne at 6:00 P.M.

### 1. Proof of Notice and Certification of Proxies

One hundred and eighteen proxies were received. Eighty-eight were required for a quorum.

### 2. Minutes

*Motion was made by Jean Long; seconded by Walt Kittredge to approve the minutes from the 2008 Annual Owners' Meeting. Motion carried unanimously.*

### 3. Officer and Committee Reports

Tom Lemley reported that the estimated life of our new roof replacements is thirty years. Twenty-five percent of our roofs have been replaced. This will improve our reserve requirements.

Bert Payne reviewed the status of our lake issues. Our engineer has estimated the correction cost at approximately \$570,000. We are still hoping to get some reimbursement from Pulte. Our claim against WCI will depend on their Chapter 11 proceedings. The county has agreed that Tamarind Cay can go ahead with the test strip on the lake bank along buildings 17, 18 and 19. One hundred feet will be installed as a free demonstration and we will pay for the rest of that side to be completed at approximately \$100 / foot. The county will then decide if this method can be used on the rest of the lake.

4. Announce Election of Directors There were no new candidates for election.

5. New Business- Tabulation of Membership Resolution Votes All of the resolutions passed.

- a. Operating surplus: Should the Association have an operating surplus from the 2008 fiscal year, these funds must be utilized or taxes may be incurred. It has been practice to transfer such surpluses. (108 Yes) (0 No)
- b. Year End Reporting: Florida Statute 718 mandates that Associations with revenue above \$400,000. shall contract for a CPA audit. In 2009 Tamarind Cay is expected to generate revenues in excess of \$872,000.00. It is therefore recommended that the statutory year end reporting be waived for 2009 based on the approved budget. The CPA will prepare the Association Tax return. A full audit was completed as of December 31, 2008. (95 Yes) (13 No)
- c. Use of Reserve Funds: Periodically it may be necessary for the Board of Directors to borrow from reserves to fund short term operating cash requirements, which will be replaced later in the year, without impact on the availability of reserve funds for anticipated future needs of the Association. An affirmative vote will allow us to begin correction of the lake deficiencies without the necessity for a special assessment. (104 Yes) (3 No)
- d. Director Terms: The Tamarind Cay By-laws provide for a system of two year staggered terms for the directors. This approach is a common practice and establishes a mechanism to ensure a level of continuity at the Board level. The Florida Legislature enacted amendment FS 718.112(2) d which mandates that all director terms shall be one year unless staggered terms of no more than two years are established in the Bylaws and are approved by a majority of the voting interests. (103 Yes)(5 No)

### 6. Other Business

- a. Bob Kline raised the question of what would be required to change the current practice of having the Association pay all the water bills to billing individuals. He will consider investigating this issue.
- b. There will be an open meeting of the Rules and Regulations Committee Tuesday, January 27<sup>th</sup> at 9:00 A.M. at the Tamarind Cay Pool.

*Motion was made by Jean Long; seconded by Walt Kittredge to adjourn at 7:20 P.M. Motion carried unanimously.*

## January 22, 2009 Board Meeting ~ Unofficial Draft of Minutes

### 1. Establish a Quorum/Call to Order

Board members present were Bert Payne, Susette Nordstrom, Walt Kittredge, Tom Lemley and Jean Long. Also present were Rod Middleton and Sheila Ullmann from Suitor and Assoc. The meeting was called to order by President, Bert Payne at 6:35 P.M.

### 2. Resignation and Appointment of Board Members

Tom Lemley submitted his resignation from the Board of Directors effective immediately. *Motion was made by Bert Payne; seconded by Walt Kittredge to nominate Walt Spardel to the Board of Directors Motion carried unanimously.*

3. Elections of Officers Nomination was made by Jean Long; seconded by Walt Kittredge to elect Bert Payne, President. The vote was unanimous. Nomination was made by Walt Kittredge; seconded by Jean Long to elect Susette Nordstrom, Vice President. The vote was unanimous. Nomination was made by Susette Nordstrom; seconded by Bert Payne to elect Jean Long, Secretary. The vote was unanimous. Nomination was made by Susette Nordstrom; seconded by Bert Payne to elect Walt Kittredge, treasurer. The vote was unanimous.

4. Other Business The following owners have volunteered to serve on a committee to update the Tamarind Cay Rules and Regulations:

**Tom Anderson** - Unit 601 - chairman, **Ann Vowell** - Unit 1501, **Doug and Lauren Chaiet** - Unit 102, **Jean Lamoreaux** - Unit 705, **James Boler** - Unit 1801. *Motion was made by Bert Payne; seconded by Jean Long to approve the committee. Motion carried unanimously.*

There will be an open meeting of the Rules and Regulations Committee Tuesday, January 27<sup>th</sup> at 9:00 A.M. at the Tamarind Cay Pool.

Susette Nordstrom has received email addresses for 118 out of 174 owners. Suitor will design an appropriate acknowledgement form so owners can agree to receive documents, etc. via email.

5. Schedule Next Meeting The next Board meeting will be held on Wednesday, February 18<sup>th</sup> at 9:00 AM at the Tamarind Cay Pool.

6. Adjourn *Motion was made by Susette Nordstrom; seconded by Bert Payne to adjourn at 7:35 P.M. Motion carried unanimously.*

## Rules & Regulations Re-write Committee Formed

Much of the documentation that governs the operation of our Association, and other Condominium Associations in the State of Florida, is based on state law, i.e., our Declaration of Condominium, our Articles of Incorporation and our Bylaws. The law does, however, give the condominium Board of Directors the discretion and authority to establish, and occasionally amend and restate certain Rules and Regulations concerning such items as condominium exterior appearance, control of pets, noise control, parking, and actions of family/tenants/guests, etc.

Since it has been more than 4 years since our Rules and Regulations have been thoroughly reviewed, and at the urging of some owners, the Board has asked for volunteers to conduct such an effort.

**See "Minutes, Item 4 Other Business" (above) for a list of committee members.**

The committee will be scheduling open meetings to conduct their deliberations and soliciting comments and suggestions from condominium owners. They will then perform a comprehensive re-write of the document and make a recommendation to the Board for approval.

Owners who have suggestions concerning our Rules and Regulations are encouraged to attend committee meetings and/or otherwise contact a committee member at their earliest convenience.

