

**SPECIAL Meeting of Briny Breezes Inc. Board of Directors  
Wednesday February 10, 2016  
Immediately following the Regular Board Meeting  
Briny Breezes Community Center**

# **Minutes**

**ALL STOCKHOLDER COMMENTS MUST BE LIMITED TO THREE (3)  
MINUTES**

- I. Pledge of Allegiance & moment of silence**
- II. Meeting was called to order at 10: 37 directly following the regularly scheduled meeting. All Directors remained present except for directors Gross and Long.**
- III. Proof of Notice was posted January 26, 2016 at 2 pm.**
- IV. Approval of previous meeting minutes- none**
- V. Reading of Correspondence to the Board (if it directly relates to special meeting)- none**
- VI. Committee Reports (none – special meeting)**
- VII. Unfinished Business: none**
- VIII. New Business:**
  - 1. Rule Change: Appendix I Violations and Fining. Director Brannen moved that we amend Appendix I Violations and fining to accommodate those violations where correction of the violation is not possible. A second was received. Two proposals were distributed. After discussion Proposal 2 was favored to allow for a quicker process for all unresolvable violations e.g. late rental applications, property damage, frequent neglect of road rules etc. Director Brannen amended her motion to move Proposal 2 with a few suggested grammatical edits.**

## **APPENDIX I**

### **VIOLATION AND FINING PROCESS**

Pursuant to Section 3 of 719.303 of the Florida State Statutes and Section 7.10 of the Briny Breezes By- Laws, fines may be levied against a unit owner for the failure of the unit owner or any member of his or her family, guests, agents, employees, sub-lessees, or contractors to comply with any provision of Briny Breezes Rules and Regulations or the By-Laws.

### **ASSESSMENT OF FINES**

The violation by any unit owner or his or her representative, of any of the provisions of the Cooperatives Documents shall be grounds for possible fine by the Cooperative. Such Violation observed and /or verified by the Cooperative General Manager, the following procedures will apply:

A. A telephone call and written notice of the violation, including the Cooperative Document provision violated, together with a description of the factual nature of the alleged offense, will place the unit owner on notice as to the violation. The violation notice, Letter 1, will be sent by certified mail/return receipt requested to the address of record and personally delivered to the unit owner or representative at the address of the violation or placed in the community mailbox of the unit owner at the address of the violation.

B. The unit owner will have 15 business days from date of receipt to correct the violation. **In some situations, the violation cannot be remedied e.g a late application for rental or documented evidence of driving the wrong way on a one-way street or damaging corporate property. In these cases, the process will start with C. (Amended 2/10/16)**

C. If the violation is not corrected, a final letter, Letter 2, will be sent certified mail to the unit owner. The unit owner shall be notified, in this letter, of a scheduled hearing time and date before the Fining Committee. At this meeting, the unit owner will have the opportunity to explain why he/she should not be fined. **For those cases where a remedy is not possible, this letter becomes the first written notice of violation and includes the Cooperative documents provision(s) violated**

along with a description of the factual nature of the alleged offense and will place the owner on notice of the violation. The General Manager will include the fine assessed based on the number of days the rental application is late per this document at \$100.00 per day, not to exceed \$1000 in the aggregate. In the case of other documented non-resolvable violations, the replacement value of the property is not to exceed \$1000. The unit owner shall be notified in this letter of a scheduled hearing time and date before the Fining Committee if they chose to appeal. (Amended 2/10/16)

D. If the Fining Committee rules against the unit owner, the recommendations of the Fining Committee will be sent to the Board of Directors at the next scheduled meeting for the final approval of the fine. If it is determined that the violation had been corrected prior to the Board Meeting, a minimum fine of \$100 will be levied. **In the case of the non-resolvable violation, the Fining Committee upon appeal may modify the fine assessed and make this recommendation to the Board of Directors. (Amended 2/10/16)**

E. The Volunteer Fining Committee shall be comprised of 9 members, with two from each District plus one member at large. A minimum of 5 committee members required to hold a meeting. No Board members or spouses of Board members shall be on the fining committee.

### **SCHEDULE OF VIOLATIONS AND FINES**

If a violation of the provisions of the Cooperative Documents have been observed the unit owner shall be issued the following warnings, letters and/or fines:

First Violation: Telephone call and notice letter 1 sent certified mail/ return receipt requested.

Second or continuing Violation: Letter 2 will be sent out by certified mail return receipt requested.

Failure to pay the fine will subject the unit owner to all liabilities, including legal action, set forth in the Cooperative Documents and Florida Statutes

Each new Violation: Board approved \$100.00 per day fine not to exceed \$1,000.00 in aggregate.

### **COLLECTION OF FINES**

The warnings, letters and /or fines levied pursuant to the above stated rules and regulations shall be issued to the unit owner. In the case of a fine, payment shall be due and payable within 15 days of the fine being issued or by the next regular quarterly assessment due date, whichever is earlier.

Question was called for this amended motion. ***Vote was unanimous.***  
Motion carried.

#### **IX. Shareholder Forum (comments/questions)**

a. Question arose about certain rules and their enforcement  
e.g golf carts as well as cars abiding by the rules of the road.

X. Director Brannen made a motion to adjourn at 11:02.  
Seconded. Unanimous.

Respectfully submitted,

Susan J. Brannen, Secretary  
Approved 3/9/2016