

CYPRESS CREEK PROPERTY OWNERS ASSOCIATION, INC.

**MINUTES OF JANUARY 12, 2018
BOARD OF DIRECTORS MEETING
REGARDING RECALL**

The Meeting was called to order at approximately 6:30 PM. President Tom Winkles chaired the meeting. The President confirmed that notice of the meeting was properly posted at least 48 hours before the meeting. Roll call was taken, and the following Directors were present:

(1) Tom Winkles; (2) Vince Nocera; (3) Debbie Murphy; (4) Doug Mosley; (5) John Quatrini and (6) Bernard Malatesta.

Lot Owners are seeking to recall seven (7) directors (Tom Winkles, Vince Nocera, Theresa Marcacci, Debbie Murphy, John Quatrini, Doug Mosley and Bernard Malatesta). The Lot Owners delivered photocopies of 214 Recall Agreements/Ballots to the Board through the Association Manager on Monday, January 8, 2018 at approximately 2:00 p.m. The Board of Directors accepts January 8, 2018 at 2:00 p.m. as the date and time the Recall Agreements were served on the Board. The Lot Owners are limited to those Recalls Agreements to the Board on January 8, 2018 at 2:00 p.m.

The President indicated that Theresa Marcacci had resigned from the Board effective December 14, 2017. A copy of her written resignation which was received by the Board is attached to these minutes.

Please understand the present Board of Directors was elected by the Association members. If Lot Owners try to recall directors between annual meetings, they have the right to do that, but the Board has the duty to make sure the recall is proper, and if the Board determines a recall is not proper, the Board is required to file an arbitration proceeding with the Division of Florida Condominiums to let the Division decide the matter.

A majority of the total voting interests entitled to vote in favor of recall is sufficient to recall a director, regardless of any provision to the contrary in the governing documents. The failure of an association to enforce a voting certificate requirement in past elections and homeowner votes shall preclude the association from rejecting a written recall ballot or agreement for failing to comply with a voting certificate requirement.

It is also noted that the Association has an annual meeting and election of directors scheduled for February 22, 2018 as to the following Director positions: Tom Winkles, Vince Nocera, Debbie Murphy and Bernard Malatesta.

There are 392 Association member Lots -- meaning Lots whose Owners are Association Members; therefore approval by a majority of the Association member lots is 197.

The Board of Directors rejects 17 Recall Agreements for the following reasons, see attached schedule of specific reasons. Tom Winkles reads out aloud all the lots on the attached schedule of rejected recall votes and the specific reasons.

In addition some of the Association Members voted to retain certain of the Directors, see detailed attachment. The following Directors received the following votes to retain:

Vince Nocera: 2.
Debbie Murphy: 2.
Bernard Malatesta: 10.
John Quatrini: 29.
Doug Mosley: 2.

Tom Winkles reads out aloud all the lots on the attached schedule of retain recall votes.

FIRST MOTION: MADE BY Director Tom Winkles; Seconded by Director Doug Mosley.

The Board of Directors certifies the recall as to director Tom Winkles. The Board of Directors rejects the recall of directors Vince Nocera, Debbie Murphy, John Quatrini, Bernard Malatesta and Doug Mosley because there are not sufficient votes to recall. The Board of Directors rejects the recall of former director Theresa Marcacci because she had resigned in writing and delivered her resignation to the Board of Directors several weeks before the Recall Agreements were delivered to the Board.

Votes in favor: Vince Nocera, Debbie Murphy, Bernard Malatesta, Doug Mosley. John Quatrini.

Votes against: NONE.

Motion carries.

Therefore there is less than a majority of the Board recalled. The vacancies shall be filled by appointment by affirmative vote of a majority of the remaining directors.

At this point Tom Winkles turns the meeting over to Vice President Vince Nocera to chair the meeting.

SECOND MOTION: made by Director Doug Mosley; Seconded by Director Debbie Murphy.

Motion that the Board of Directors appoints Michelle Jessell to fill the vacancy occupied by Theresa Marcacci.

Votes in favor: Vince Nocera, Debbie Murphy, Bernard Malatesta, Doug Mosley.

Votes against: NONE.

Director John Quatrini abstains from voting.

Motion carries.

THIRD MOTION: made by Director Doug Mosley; Seconded by Director Debbie Murphy.

Motion that the Board of Directors appoints Michael Slobodow to fill the vacancy occupied by Tom Winkles.

There was discussion, and a Motion was made by Director Bernard Malatesta to appoint Janine Ramer to fill the vacancy occupied by Tom Winkles. The motion was seconded.

Votes in favor of motion to appoint Janine Ramer to fill the vacancy occupied by Tom Winkles: Vince Nocera, Debbie Murphy, Bernard Malatesta, Doug Mosley, Michelle Jessell, John Quatrini.

Votes against: NONE.

Motion carries.

FOURTH MOTION: made by Director Vince Nocera; Motion was seconded.

Motion is made that the Board makes the following Officer appointments:

Vince Nocera – President

John Quatrini – Vice President

Secretary – Janine Ramer

Treasurer – Debbie Murphy

Votes in favor: Vince Nocera, Debbie Murphy, Bernard Malatesta, Doug Mosley, Michelle Jessell, Janine Ramer, John Quatrini.

Votes against: NONE.

Motion carries.

FIFTH MOTION: made by Director Vince Nocera; Seconded by Director Debbie Murphy.

The Association is required by Florida Statutes and regulations to immediately file an arbitration proceeding with the Division of Florida Condominiums to challenge the validity of the recall attempt. Motion is made that the Board of Directors directs Robert Burr, Esq. and the firm of Rossin & Burr, PLLC to immediately file a recall arbitration proceeding as to Directors: Vince Nocera, Debbie Murphy, Bernard Malatesta, Doug Mosley, John Quatrini and Theresa Marcacci. The Board of Directors authorizes payment to the firm for all fees and costs incurred to date and additionally all fees and costs incurred in the recall proceeding and the arbitration proceeding.

Votes in favor: Vince Nocera, Debbie Murphy, Bernard Malatesta, Doug Mosley, Michelle Jessell, Janine Ramer.

Votes against: John Quatrini.

Motion carries.

MOTION TO ADJOURN: made by Director John Quatrini; Seconded
by Director Debbie Murphy.

Votes in favor (insert names): Vince Nocera, Debbie Murphy, John Quatrini,
Bernard Malatesta, Doug Mosley, and Gamine Ramer and
Michelle Jessell.

Votes against (insert names): NONE.

Motion carries.

The Board meeting was adjourned at 6:57 PM.

Adopted this 12 of January 2018.

David Stone President
Director

Director

Director

Director

Director

Director

January 2018 Recall of CCPOA Directors

Rejected Recall Votes

Total Votes 17

Lot #	Reason
19	Not signed by owner
59	Non-member
72	Non-member
74	Duplicate
77	Non-member
90	Duplicate
98	Duplicate
100	Non-member
209	Non-member
214	Non-member
216	Non-member
223	Duplicate
346	Duplicate
425	Not listed as owner
497	Not listed as owner
A5	Not listed as owner
B13	Duplicate

January 2018 Recall of CCPOA Directors

Retain Recall Votes

Votes to retain John Quantrini 29

Lot Numbers

21
74
82
86
89
90
102
206
223
225
232
236
237
238
253
256
259
266
271
272
274
276
282
331
354
358
394
B14
B7

Votes to retain Bernard Malatesta 10

Lot Numbers

86
89
202
238
256
272
276
282
354
B7

Votes to retain Doug Mosley 2

Lot Numbers

86
238

Votes to retain Debbie Murphy 2

Lot Numbers

86
358

Votes to retain Vince Nocera 2

Lot Numbers

21
331

December 13, 2017

CCPCA Board of Directors

Please accept my resignation from the Board of Directors for the Cypress Creek Property Owners Association, Inc. effective January 15, 2018. *Upon further consideration, - please accept my resignation immediately, Dec. 14, 2017*

Sincerely,
Theresa Marrao

Theresa Marrao

Theresa Marrao

State of Florida
Palm Beach County

Appeared before me this 13th day of December, 2017

Theresa Marrao

Who is personally know to me.

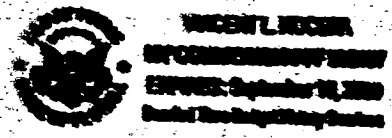
Signed *Theresa Marrao*

Notary Public *Vincent L. Nocera*

Print VINCENT L. NOCERA

My Commission expires 9/13/2020

Seal



December 13, 2017

CCPOA Board of Directors

Please accept my resignation from the Board of Directors for the Cypress Creek Property Owners Association, Inc. effective January 15, 2018.

Sincerely,
Theresa Marcacci

Theresa Marcacci

State of Florida
Palm Beach County

Appeared before me this 13th day of December, 2017

Theresa Marcacci

Who is personally know to me.

Signed *Theresa Marcacci*

Notary Public *Vincent L. Nocera*

Print VINCENT L. NOCERA

My Commission expires 9/13/2020

Seal



VINCENT L. NOCERA
MY COMMISSION # FF 992487
EXPIRES: September 13, 2020
Bonded Thru Budget Notary Services