

## MINUTES

### KINGS GREENS AT MAJESTIC, A CONDOMINIUM

Meeting of the Board of Directors

August 30, 2022

VIA ZOOM

Meeting ID 846 3384 2298

**DETERMINATION OF QUORUM.** Board members present were Phillip Dent, Melissa Dortch, Linda Lofink, John Shedlock and John Taylor. Allison Cefalu, CAM, was in attendance for Management Professionals, Inc.

**CALL TO ORDER.** Phillip Dent called the meeting to order at 6:00 p.m. at the location designated for the meeting.

**PROOF OF NOTICE OF MEETING.** In accordance with bylaw and statutory requirements, the notice for this meeting was posted at designated area on August 28, 2022 by Phil Dent. Linda Lofink made a motion to approve the agenda. John Taylor seconded the motion. Motion passed unanimously.

**WELCOME GUESTS.** Phil Dent welcomed 2 visitors to the meeting.

**READING AND DISPOSAL OF UNAPPROVED MINUTES.** Linda Lofink made a motion to approve the minutes of the August 16, 2022 Board of Directors meeting. John Taylor seconded the motion. Motion passed unanimously.

**TREASURER'S REPORT** Nothing to report

**UNFINISHED BUSINESS.** Nothing to report.

**NEW BUSINESS.** *Certify Homeowners Written Recall.* The Board of Directors were served Recall Notice of Board member on August 25, 2022 (58 Recalls, 7 Retains and 1 both). In accordance with Rule 61B-81.003, the Board is required to notice and hold a duly noticed meeting of the Board to determine whether to certify the recall by written agreement. Phil Dent read a statement to the current Board (Letter attached). John Taylor made a motion to certify the written recall presented to the Board. Phil Dent seconded the motion. Melissa Dortch read a statement to the members. John Taylor rebutted Melissa Dortch's statement. Linda Lofink suggested John Taylor resend the recall notice to make sure the ownership understands the Board is not calling the recall. John Taylor has no objections to resending with his name on notice. John Taylor will resend the recall.

*Irrigation repairs to Phase 1 & 2 sprinklers.* The Board of Directors were presented with a proposal to revamp/repair the irrigation system for approximately \$12,110.23. Linda Lofink made a motion to approve the proposal. Melissa Dortch seconded the motion. Motion passed unanimously.

**DETERMINATION OF NEXT MEETING.** The next meeting of the Board of Directors is scheduled for **September 20, 2022 at 6:00 P.M.,** via Zoom.

**ADJOURNMENT.** Melissa Dortch made a motion to adjourn. John Shedlock seconded the motion. There being no further business, the meeting was adjourned at 6:55 p.m.



Condominium and Homeowner Association Management

530 Construction Lane, Lehigh Acres, Florida 33936  
Phone (239) 368-6741 • Fax (239) 368-1498 • Fort Myers Office (239) 481-4845

August 25, 2022

Philip Dent, President  
Kings Greens At Majestic  
354 Homestead Rd. S.  
Lehigh Acres, FL 33936

Dear Mr. Dent,

I am hereby serving notice upon the Board of Directors of Kings Greens at Majestic, that as the homeowners' representative I am in receipt of sixty-one (61) Homeowners Written Recall Agreement/Ballot (55 recall, 7 retain and 1 both).

In accordance with Rule 61B-81.003, the Board is required to notice and hold a duly noticed meeting of the Board to determine whether to certify the recall by written agreement within five full business days after service of the written agreement upon the Board.

Notification given this day of August 25, 2022 requires that the meeting be held on August 30, 2022.

Sincerely,

Allison Cefalu, CAM  
Management Professional, Inc.

cc: enclosures

With regards to the recall, whatever you think about the written recall, however you feel about the written recall, our thoughts and feelings are simply irrelevant. The unit owners have the right to petition the board to hold special meetings to discuss any issues that the membership deems important to them. The unit owners also have the right to mount recall efforts.

The unit owners took action via a written recall agreement, and then put this board on notice of the actions they took. As required by the statutes and rules, the board had 5 days to certify the actions of the membership. Certifying the written recall isn't about why it was done or how it was done or anything else, it's simply about recognizing the actions of the unit owners. It's about acknowledgment, about confirming their actions, it's about what the membership wants, not what we as board members may want. That's it in a nutshell.

So, our responsibility as board members is to vote to accept their actions, otherwise, what's the point of having an association in the first place. If the membership has these rights, but the board refuses to acknowledge these rights, then everything is just a big charade. It's not government for and by the people, it's a dictatorship. With that said, do we have a motion to certify the written recall?

For weeks I have been receiving docusign emails from Kings Greens Condo Association. It has been seriously annoying. For weeks I have pondered how it is that I am supposed to defend myself in a professional manner against baseless, undocumented accusations some of which are personal. I find solace in the fact that the truth will always surface.

A director recall should be an organic process initiated by the condominium owners. How does one read the docusign information and not logically presume that it was sent directly from the condominium association board of directors? That being the case, I cannot seem to locate my copies of the meeting notices(s), the agenda(s), or the minutes of the meeting(s) that:

1. authorized the recall to be sent from the condominium association;
2. authorized the association president to attach a letter to the recall;
3. authorized the association president to act as association spokesperson requesting owners to check the "recall" box; and,
4. authorized Management Professionals to act as liaison and send the recall from the condominium association.

I understand that we have been told that this recall is from John Taylor, a member of this board. However, the name missing on the recall is that of condominium owner John Taylor. I would also note that Mr. Taylor, an absentee owner who purchased less than a year ago, was appointed, not elected.

There is absolutely no expectation of confidentiality regarding board deliberations and decisions, except with matters of attorney/client privilege and personnel issues. Any time a majority of the Board is together and this majority discusses association business, the owners have every right to know what business may have been discussed. They should have been invited to the meeting.

The condominium that my husband and I have owned for 19 years is our single greatest asset. To state that I would choose Majestic over the fiduciary responsibility I owe to this association and to my family is simply ludicrous. It never happened. It never happened.

Following are dates representing emails that were exchanged between Board members with the full knowledge of the community association manager. A brief synopsis of some of the emails is included.

- |         |                                                |                                                                                                                                                                                                       |
|---------|------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| June 16 | Melissa to Board & CAM                         | David Deetscreek reached out to open lines of communication. I had told David and wrote to the Board "I cannot speak for the Board". I asked the Board if they wanted to set up a meeting with David. |
| June 16 | Phil to Board & CAM                            | Why is a meeting necessary? Same old promises with no action.                                                                                                                                         |
| June 16 | Linda to Board & CAM<br>use Melissa as liaison | More promises from David is a waste of time. Perhaps                                                                                                                                                  |
| June 17 | Melissa to Board & CAM                         | I will act as liaison and address concerns with David.                                                                                                                                                |

June 19	Phil to Board & CAM	David is horrible at his job, reached out to Melissa and closed the pool. "Melissa, contact David and tell him to get his act together."
June 19	Phil to Melissa	Ask David about private and individual memberships.
June 23	Phil to Melissa	Sent unit owner proposal info to present to David.
June 27	Melissa to Board & CAM	Presented some of the preliminary ideas discussed with David including a reduced amount to make past due account current.
June 29	Linda, John S, Melissa	Approve \$17,500 payment for overdue account re: facility use.
June 30	David to Melissa	First proposal for use agreement.
July 1	Melissa to Board & CAM	Forwarded first proposal for use agreement.
July 7	Board meeting minutes	Motion passed unanimous to pay Majestic \$17,500.
July 7	JT to Board	Questions Melissa's family values.

Subsequently, on or about July 19 there was an unauthorized stop payment placed on the check to Majestic. This action was never put before the Board, therefore was never authorized by the Board.

By the way ... it is called negotiating when concerned parties kick numbers and ideas around for consideration when discussing a future contract. Misrepresent negotiations however one might feel inclined ... I cannot, by myself, decide how much to pay any entity. This misinformation is preposterous and designed to mislead.

Regarding the electronic ballot, there are what appear to be two possibly fatal flaws with the document.

First, there are differences and similarities between Chapters 718 and 720 in the Florida Statutes. Knowing which applies to a community is paramount. Condominiums in Florida are governed by Chapter 718. As well, The Florida Condominium Act (Chapter 718) is incorporated by reference and made a part of the Declaration of Condominium for Kings Greens. This association can do nothing pursuant to Chapter 720, regardless of how interchangeable you may want them to be.

Second, regarding electronic voting: 718.128(4) "This section applies to an association that provides for and authorizes an online voting system pursuant to this section by a board resolution." Please forward a copy of this resolution. I have misplaced mine.

One other minor detail...statutes and other references note that the CAM is deemed to act as the association's agent, not the agent for the individual owners.

Respectfully submitted.

Melissa Dortch  
August 30, 2022



Superior Service From The Ground Up



8/23/2022

Opportunity No: 30506

Bill To:

Kings Greens at Majestic Condo Assoc., Inc.
530 Construction Lane
Lehigh Acres, FL 33936

Service Location:

Kings Greens at Majestic Condo Assoc., Inc.
350 Homestead Road
Lehigh Acres, FL 33936

Project Details

This proposal is to install 2,000 feet of two wire.

10 rain bird decoders.

100 DBRY.

10 splice boxes.

Talked to Phil Dent 8/23/22. he gave verbal approval.

This Irrigation Repair Quote is an Estimate only. Actual price will be billed on a time and material basis.

A 50% deposit will be required on all "Residential" proposals over \$1,000.

A 3% convenience fee will be charged on all credit card transactions.

All proposals are subject to a temporary fuel surcharge.

Table with 3 columns: Material Name, Qty, Size. Rows include Irrigation Labor, Hunter ID-1 Decoder Wire, Wire Nut, Trencher Equipment Day Rental, NDS Standard Valve Box, Rain Bird FD-101 Field Decoder, and Total Price \$12,110.23.

The executing party listed below certifies they have the requisite authority to bind their respective parties to the terms and conditions on the last page of this authorization.