

BOARD MEETING – FEBRUARY 26, 2010

Meeting was called to order by President Oser at 9:00a.m.

Pledge of Allegiance given

President Oser asked for a roll call from Secretary Johnson: Units, present, Johnson present, Oser present, Lovelette present, Anderson, present. Quorum established.

Reading of the minutes of the 2/15/10 meeting. Motion made by Anderson to accept the minutes. Supported by Lovelette. Minutes accepted by a 5-0 voice vote.

Treasurer's Report: (per attached) Motion made by Johnson to accept the treasurer's report. Supported by Units. Treasurer's report was accepted by a 5 – 0 voice vote.

New Business:

Explanation and interpretation of section 4.19 of the by-laws of the P.O.A.

Section 4.19 was read by President Oser. A letter from our attorney, Andrew Jackson, rendering his opinion and explanation of section 4.19 was read by President Oser. Mr. Jackson sent a copy of his opinion to Mr. Cliff Rhodes, attorney for Highvest Corp. (Letter attached)

Attorney Cliff Rhodes responded to the P.O.A. attorney, Andrew Jackson, his interpretation of section 4.19. Letter of interpretation from Attorney Rhodes was read by President Oser. (Letter of response attached)

Letter from Highvest Corp. explaining their interpretation as read by President Oser. (Letter attached)

Motion made by Johnson that Highvest Corp be denied the privilege of voting in the 2/2710 election as per the fourth sentence in section 4.19. Supported by Anderson.

Comments by Anderson that the board follows the recommendation of our attorney.

Comments by Lovelette concerning Johnson's comments and opinion from attorney Jackson's opinion in the previous election concerning FL – 723 that the developer could not have a majority on the board. Per Lovelette he did vote as an officer of Highvest 164 ballots for one person. Further comment, Lovelette - from his attorney that each individual can cast a vote per each property owned. He further commented that there is two parts to denial of voting which are not payment of assessments and fines.

Johnson commented that 4.19 is very clear that Highvest can only vote every other year and per John Lovelette's admission voted their 164 votes in the previous election

Oser commented that Highvest was current with their assessments at time of the previous election and was allowed to vote. Since the previous election Highvest has not paid their assessments and should not be allowed to vote in the current election.

Lovelette commented that there was no period after assessments and he felt that you had to be both in arrears in your assessments and had to have a fine outstanding in order to be denied your vote.

Oser made the comment that by non- payment of assessments that Highvest was fined for interest in the amount of \$10,376.52, as confirmed by Anderson.

Lovelette disagreed with Oser's definition of a fine as stated in the covenants.

Roll call vote by Oser: Anderson yes, Lovelette no, Oser yes, Johnson yes, Units, no
Passed on a three (3) yes and two (2) no vote.

Moved by Johnson to remove the Highvest representative from the board per paragraph 4.19, sentence three (3). Supported by Anderson

Lovelette asked for clarification of representation of Highvest on the board of directors. Also, he asked the treasurer how many lots Highvest owned. Anderson commented they had 158 lots recorded and 154 were in arrears.

Johnson comment was if Highvest was current on 157 lots and delinquent on one they would still be in arrears.

Present Oser called for a roll call vote: Units, no, Johnson yes, Oser yes, Lovelette no, Anderson yes. Passed on a three (3) yes and two (2) no vote. Oser dismissed Donna Units from the board at that time. Mr. Oser further commented that the vote was not personal towards her and thanked her for her service on the board. Donna Units replied that she would step down at this time, but she did not relinquish her seat on the board.

Johnson moved that the secretary of the board and one other member of the board and two property owners retrieve all pertinent P.O.A records from the Highvest office at a time that is convenient for the Highvest office staff. Supported by Anderson. Comments from Lovelette affirmed that he has been the custodian of records and are in storage at Highvest's office. Further he felt that Mr. Anderson could retrieve at any time and a large scale parade of members of the P.O.A. was not necessary to pick up records. Date of Thursday 3/4/10 Mr. Johnson, Mr. Anderson and Mr. Oser will pick up all records concerning the P.O.A. Motion passed on a 4-0 voice vote.

Comments by Lovelette that he would hope that there would be better communication between board and future board members.

Moved by Anderson to adjourn the meeting. Supported by Johnson. Passed by a 4-0 vote



Highvest Corporation

February 26, 2010

TO: The Board of Directors

You have been advised by the attorney for the Association that Florida Statute 720.307 does not apply to Camp Florida Property Owners Association Inc., and therefore, the Developer Corporation has every right to vote for any member they choose in the upcoming election.

Your attorney also advised that you should not make any decision to make a bad situation worse. Section 4.19, upon which you pin some reliance, deals with eligibility of directors and has nothing to do with the right to vote. Therefore, we can find no reason to deny the Developer the right to vote, and we intend to do so.

Section 4.19 of the By-Laws allows the Developer to elect a member to sit on the Board. The only criteria for such an appointment is that they hold more than five percent of the lots in the development. Donna Units was appointed by the Developer to hold that position and has been in that position for more than a year, without challenge, indicating that that was the intent and meaning of the By-Law. Donna Units can only be removed by the Developer or by court order. I do not believe that it is your intent to remove her by physical confrontation, which would be extremely unwise, or enlisting the authority of the Sheriff's department, who should advise you that this is a civil matter. In any event, I have advised Donna to leave the meeting peacefully if any threat is made on her physical well-being.

I would ask that the Board give consideration to the above and do not take any action that would deny Highvest their right to vote or retain their presence on the Board.

If you do, this letter will serve as notification that any offer by us to resolve or pay any assessment is withdrawn as these funds will be used for legal representation.

I trust the other members of the Association will take action to vote against any member of the Board whose intent is to involve the Association in costly legal confrontation.

Very truly yours,

President

R. Anthony Cozier/tal

cc: Clifford R. Rhoades, Esq.

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ANDREW B. JACKSON

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FAX: (863) 382-1509
ajackson@digital.net

February 22, 2010

(Fax 863-385-2859)
Clifford R. Rhoades, P.A.
2141 Lakeview Drive
Sebring, Florida 33870

Re: Election of Directors of Camp Florida

Dear Cliff,

I have advised the Board of Directors of Camp Florida that the provisions of F.S. 720.307, concerning the developer's right to vote may not apply to Camp Florida since Camp Florida was in existence at the time the statute was enacted.

However, Section 4.19 of the Association's by-laws was amended last year (a copy of which is enclosed) which provides:

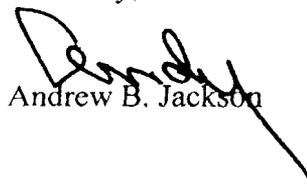
- a. Only one member of a corporation may serve as a director; and
- b. Only members who are current on their assessments can serve as a director.

Highvest elected a director to a two year term at last year's annual meeting. That member, John Lovelette, is also a property owner in the Association and as a property owner can continue to serve as a director but according to Section 4.19 of the by-laws should not be an officer. Since Highvest is delinquent in its assessments, they (or their appointed representative) cannot hold a position as a director.

In my opinion, since Highvest is not current with their assessments, they (or their appointed representative) cannot hold a position as a director and since Highvest elected a director last year to a two year term, he represents their "elected" representative on the board, is not up for election this year, therefore Highvest should not vote for the election of a director this year.

If you disagree with my opinion, please so advise me by February 25, 2010, since there is an election scheduled for February 27, 2010.

Sincerely,



Andrew B. Jackson

ABJ:sp
enclosure as stated
✓ cc: client

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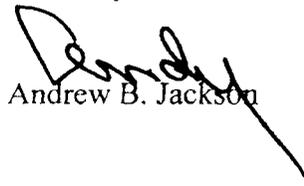
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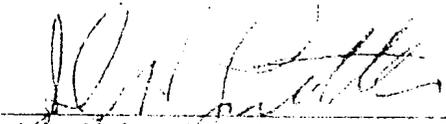
**AMENDMENT TO THE BYLAWS OF
CAMP FLORIDA PROPERTY OWNERS ASSOCIATION, INC.**

The bylaws of Camp Florida Property Owners Association, Inc. as amended on January 27, 1998, and March 29, 2000, and June 15, 2005, and February 26, 2008 are further amended by the replacement of Section 4.19 with the following:

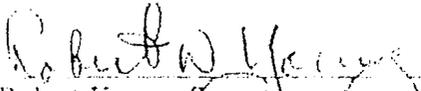
4.19 ELIGIBILITY OF DIRECTORS. To be a Director, a person must be a Member of the Association as defined in Paragraph 3.1 or be an officer or director of a corporation, who is a member as defined in Paragraph 3.1, or a partner of a partnership who is a member as defined in Paragraph 3.1, or a Trustee or beneficiary of a recorded Trust, that is a member as defined in Paragraph 3.1. Only one member of a corporation, partnership or trust, etc. can serve as a Director. Only those members who are current with their assessments and do not have any outstanding fines are eligible to hold a position as a Director. The Developer is entitled to elect one member of the Board of Directors of the Association as long as the Developer holds for sale in the ordinary course of business at least 5 percent of the parcels in all phases of the community. The member elected by the Developer can not be an officer of the Board.

The foregoing was adopted by the Board of Directors and the Members per Section 12.3 of the bylaws at a meeting on January 31, 2009.

**CAMP FLORIDA PROPERTY
OWNERS ASSOCIATION, INC.**

BY: 
John H. Lovellette, President

ATTEST:


Robert Young, Secretary