

SANIBEL MOORINGS CONDOMINIUM ASSOCIATION, INC.

SPECIAL November 30, 2022 BOARD OF DIRECTORS MEETING

- I. The zoom meeting was called to order by President Jim Fox at 5:40 P.M. on November 30, 2022.
- II. Board members present were Jim Fox, Arch Smith, Mark Lorenger, Dick Arnould, Mike Fereday, John Staley, Bill Hallberg, and Kari Cordosa. Charlie Lais was also present as were 75 other unit owners as observers.

III. **Motion: ML/AS** to approve the agenda. **Passed.**

IV. Special Business

- A. To vote on approving the levy of an emergency special assessment against the Unit Owners to cover a portion of direct losses due to damage caused to the Condominium Property by Hurricane Ian, which hit the area on September 28, 2022.
 - a. The purpose of the emergency special assessment is to cover expenses to remove debris, clean up, and make any repairs to the Condominium Property deemed necessary by the Board of Directors, including, but not limited to, any repair or replacement necessary to mitigate further damage, injury, or contagion, including taking action to contract for the removal of debris and to prevent or mitigate the spread of fungus or contagion, including, but not limited to, mold or mildew, by removing and disposing of wet drywall, insulation, carpet, cabinetry, or other fixtures on or within the Condominium Property.
 - b. The emergency special assessment is being levied pursuant to the Association's emergency powers under Section 718.1265, Florida Statutes, and is necessary to mitigate further damage, injury, or contagion, and make emergency repairs.
 - c. The total amount of the special assessment that the Board of Directors will consider is **\$244,000** and the amount per Unit is **\$2,000**. Payment of the special assessment shall be made in one payment per Unit, due on or before **January 31, 2023**.
 - d. **Motion: AS / MF** to approve the special assessment of \$2,000 per unit, **Passed unanimously.**

- B. To vote, pursuant to Section 13.2.2 of the Amended and Restated Declaration of Condominium of Sanibel Moorings Condominium, to extend the decision-making period for whether to reconstruct or repair the condominium, from one hundred eighty (180) days to two (2) years from the casualty event to deal with significant losses and exigencies in communication with Unit Owners caused by Hurricane Ian.

Section 13.2.2 of the Amended and Restated Declaration of Condominium states in relevant part:

“If the damage renders more than 50% of the Units untenable, as determined by the Board of Directors or governmental agencies of jurisdiction, the damaged property will be reconstructed or repaired, unless 75% of the entire voting interests agree in writing that such reconstruction or repair shall not take place. The decision whether or not to reconstruct or repair shall be made within one hundred eighty (180) days after the casualty, provided however that the Board of Directors shall have the authority to extend this period for decision-making, not to exceed two (2) years, to deal with exigencies in communication with Unit Owners caused by natural disasters or other significant casualties.”

Motion: AS/ML to extend the decision-making period on repair or reconstruction from 180 days to 2 years, **Passed unanimously.**

- V. **Motion: DA** To adjourn our formal meeting at 6:00. **Passed**

Bill Hallberg, Secretary