

Mobile Manor Inc.
Complaint #02-2016
March 23, 2016

Investigator: August (Butch) Sims

Complainant: Glenn & Deborah McGill

Definitions: A complaint is ***founded*** or ***sustained*** when sufficient evidence is present to prove the allegation.

A complaint is ***not-sustained*** when there is a lack of creditable evidence to either prove or disprove the allegation.

A complaint is ***unfounded*** when there is sufficient evidence present to prove the allegation to be false.

Allegations:

- I. Complainant states that they are hindered in determining where Mobile Manor money is being spent and suggests that Mobile Manor accounts be available online to the membership via a password.
- II. To be above reproach, elections and ballot counting should be done in a fashion that is current in most practices. Complainant alleges a conflict of interest in the collection and counting of ballots (i.e. friends and family members of candidates are directly involved in the balloting process).
- III. Seven Thousand dollars (\$7,000.00) of Mobile Manor money was spent without the member's permission.
- IV. An accounting of how the seven thousand dollars (\$7,000.00) mentioned in allegation III above is not available and needs to be accounted for in a line item accounting.
- V. Approval for large expenditures is pursued during the months that the majority of voting members are not present.
- VI. Contracts are approved without seeking competitive bids.
- VII. Members of the Mobile Manor Board have exhibited rude and discourteous behavior towards paying members of Mobile Manor Inc.
- VIII. Projects are being pursued without membership approval: i.e. renovation of the park office bathroom, (removal of bath tub).

- IX. Maintenance fees are illegally being refunded to paying members, in violation of Mobile Manor by-laws, when a member drops his/her paying status.

Attached to this investigation is the original email complaint of Deborah and Glenn McGill marked as Exhibit "A".

Interviews:

Interview of Glenn and Deborah McGill:

Glenn and Deborah McGill were interviewed on March 28, 2016 at 9: 55 AM at the residence of Deborah and Glenn McGill, 265 Fireball Lane, N. Fort Myers, Florida 33917. Present during the interview were Deborah and Glenn McGill. Asking the questions was Director Sims. The McGills were advised that investigative interviews are normally recorded. However, the McGills expressed their wishes that the interview not be recorded. The interview proceeded and ended at 11:25 AM.

Allegation #1: The McGills state that the Mobile Manor Office is never open nor staffed when they are available to examine Mobile Manor documents. They state that the requirement of having a Board member present during the inspection period is too restrictive in that it presents an unreasonable barrier to scheduling and ultimate access to Mobile Manor records. The McGills feel that this conflict can be overcome by simply posting all Mobile Manor business, including contracts and financial statements, on the Mobile Manor website.

Allegation #2: The McGills state that the election process is wrought with conflicts of interests. The McGills state that ballots are delivered to the office where one of the candidates is present on a regular basis. Mr. McGill states that the nominating committee should not be composed of any board members and that the ballots be prepared by the nominating committee. Mr. McGill feels that the ballots should never be in the possession of any candidate or a candidate's family member(s).

Allegation #3: The McGills state that the \$7,000.00 they were referring to in their complaint regards the sign contract which was entered into during the summer of 2014 without the knowledge of, nor approval of, the Mobile Manor membership. Ms. McGill stated that an apology by the board and a subsequent approval of the contract by the membership is not appropriate under the circumstances.

Allegation #4: The McGills state that to date a written contract for the sign project listing the line item expenditures has never been presented to the membership for inspection; this being the case even after a subsequent approval of the sign project. I did ask the McGills if they had ever requested access to any corporate documents from any board member. The McGills stated that they had not citing a conflict in their schedules.

Allegation #5: The McGills state that major projects should only be voted on during the months of December to March when the majority of members are present to vote. The one project they

pointed to was again the sign contract which occurred when the majority of members had not returned to Mobile Manor for the winter. The McGills feel that the details of all Mobile Manor projects should be posted on the park website and published in the park newsletter.

Allegation #6: The McGills stated that they have no personal knowledge regarding any particular contract bid but had questions with regards to obtaining multiple quotes for major projects in the park. Again the McGills cited the sign project. The McGills also cited the security project and the road project in which to their knowledge no competing bids were obtained. The McGills stated that they have had conversations with multiple law enforcement personnel whom have had negative opinions regarding Tyco in the security industry. Ms. McGill wanted to know if any background checks had been made of Tyco before the board signed the security contract.

Allegation #7: The McGills stated that their complaint lies in multiple areas. First, the McGills state that the Board President, Bob Gilliland, is condescending to the membership during membership meetings. The McGills feel that this type of attitude is harmful to the organization and makes Mr. Gilliland unfit to serve. The McGills feel that Bob Gilliland needs to be more sensitive and courteous to members during meetings and when engaging people in normal conversation.

Second, the McGills cite an incident in which the office assistant, Bonnie Gilliland, called the ex-spouse of a non-paying member in an attempt to secure payment of maintenance fees. The McGills stated that they had no personal knowledge of this incident but had heard of it through the rumor mill, and felt that if true, it was an inappropriate thing to do.

Third, the McGills stated that the proclamation made by the board treasurer, Kathy Holder, during community meetings, that the board members of Mobile Manor Water Company need not consult with the membership when conducting water business was rather harsh and could have been conveyed in a more sensitive and diplomatic way.

Fourth, the McGills point to an occasion when Mobile Manor resident, Melody Fightmaster, was in the park office inquiring about the renting of one of her units. The McGills stated that Bob Gilliland was rude and insensitive to Ms. Fightmaster when conveying to her that this was a 55 and Over Park and that the rental of her unit to her prospective tenant was prohibited. The McGills stated that this also was a rumor and that they had no personal knowledge of the incident.

Fifth, the McGills point to an incident when the then president, Ralph Schioppa, was attempting to complete park business on the Mobile Manor computer and was chased out of the office by the then, vice-president, Bob Gilliland. As in the other incidents, the McGills stated that they have no personal knowledge of the incident, but was going on hearsay.

And finally, again going on hearsay, the McGills stated that a prior complainant had filed a complaint with the Florida Secretary of State's Office regarding the improper actions of the Mobile Manor Board, and had ultimately withdrew the complain after being threatened with law-suites by board members during a private meeting with the board. The McGills feel that the

board members should exhibit a more friendly and sensitive attitude when dealing with the general public.

Allegation #8: The McGills stated that projects are being pursued without the knowledge of the membership. As an example, the McGills point to the renovation of the office bathroom. When told that there was no renovation occurring, simply the removal of the bath-tub in order to make room for file storage, the McGills stated that shelving could have been constructed above the bath-tub rather than spending money on the tub's removal.

Allegation #9: The McGills stated that when past president Ralph Schioppa resigned from the Mobile Manor Board, and subsequent paying status, the Board voted to return, on a pro-rata basis, Mr. Schioppa's maintenance fees. The McGills feel that there is no legal basis for which this type of expenditure may occur. Additionally, the McGills now feel that the Mobile Manor Board has set a precedent of improperly returning maintenance fees when paying members decide to withdraw from paying status.

Additional allegations: The interview of Glenn and Deborah McGill produced the following additional allegations.

Allegation #10: The McGills cited an incident where an organization called "The Hat Boys" was hired to perform at a Mobile Manor Social Club event. According to the McGills the contract was subsequently voided when it was learned that members of "The Hat Boys" were renting a trailer from a non-paying member of Mobile Manor Inc. Subsequent to the cancellation of the contract, an individual by the name of Birdie Lee was hired to perform at the alleged event. According to the McGill's this individual resides outside of the park. The McGills feel that the residence of an independent contractor should have no bearing on whether or not they should be hired to perform services for Mobile Manor.

Allegation #11: According to the McGills the 2015 budget for Mobile Manor shows a proposed allocation of \$5,000.00 in its line item for security work. In addition there appears to be a corresponding \$5,000.00 expenditure for the 2015 budget year. The McGills state that there has been no accounting for these funds especially in light of the fact that the current security contract with Tyco was not even signed until February of 2016.

Allegation #12: According to the McGills, during a November 30, 2015 Mobile Manor Board of Directors' meeting, the Board went into an executive session to discuss the work performance of the Office Assistant. According to the McGills, the Board, while in executive section, voted to give the Office Assistant a three thousand dollar (\$3,000.00) bonus as a reward for excellent work performance. According to the McGills, this bonus was never revealed to the membership and laid outside of the line item budget for Mobile Manor. The McGills were extremely upset about the appearance of a conflict in that the Board chose to vote on an economical issue while in executive section and that the recipient of the bonus was the wife of the Board President. When asked of how this information was obtained, Mr. McGill stated that the minutes of the meeting were posted on the park's website.

Allegation #13: The McGills allege that subsequent to the filing of their original complaint with Mobile Manor Inc., they received a warning letter from the water company regarding their overdue water bill. According to the McGills the letter stated that their water would be shut off if payment was not received by April 4, 2016. The McGills state that they have always paid their water bill and that the letter was simply to harass them because of their filing of the March 23rd complaint.

Interview of Ralph Schioppa:

Ralph Schioppa was interviewed on March 30, 2016 at 10: 45 AM at his residence located at 201 Fireball Lane, N. Fort Myers, Florida 33917. Present during the interview was Ralph Schioppa. Asking the questions was Director Sims. Ralph Schioppa was advised that interview was being recorded. The interview proceeded and was terminated at 10:55 AM.

Mr. Ralph Schioppa was questioned in reference to the fifth incident cited in allegation #7 which allegedly occurred during Mr. Schioppa's time as president of Mobile Manor Inc. According to Mr. Schioppa at no time did he ever have access to the park computer while president of Mobile Manor. Mr. Schioppa did recall an incident which occurred in the park office when he had requested some information regarding park business and was rebuked by the then vice-president Bob Gilliland. According to Mr. Schioppa the office assistant was engaged in park business at the time and Mr. Gilliland refused to allow the assistant to stop what she was doing by saying in a repetitive and discourteous manner, "no, no, no, no". According to Mr. Schioppa he was never able to obtain the information he was inquiring about.

Mr. Schioppa was also questioned in reference to allegation #9. According to Mr. Schioppa he was in a paid status up until February of 2015 at which point he decided to stop paying maintenance fees. Mr. Schioppa stated that six months later he received a letter from the Mobile Manor Board of Directors stating that since he had decided to stop being a paid member the Board was refunding to Mr. Schioppa his January and February 2015 maintenance fees. Mr. Schioppa stated that the letter contained no further explanation for the refund.

Interview of Melody Fightmaster:

Melody Fightmaster was interviewed on March 30, 2016 at 11: 15 AM at her residence located at 321 Lantern Lane, N. Fort Myers, Florida 33917. Present during the interview was Melody Fightmaster. Asking the questions was Director Sims. Melody Fightmaster was advised that interview was being recorded. The interview proceeded and was terminated at 11:35 AM.

Ms. Fightmaster was questioned in reference to the fourth incident of allegation #7. According to Ms. Fightmaster, the incident in question actually involved her daughter who was attempting to rent a unit in the park in order to be closer to her mother and terminally ill father. According to Ms. Fightmaster, her daughter had informed Mr. Gilliland during a Saturday morning coffee and donuts hour of her desire to rent in the park. During the conversation however, Ms. Fightmaster's daughter advised Mr. Gilliland that she was only 53 years of age and that she knew Mobile

Manor was a 55 and Over Park. According to Ms. Fightmaster, Mr. Gilliland stated that that would not be a problem but that the park would need to obtain a copy of her driver's license.

According to Ms. Fightmaster, her daughter refused to allow her operator's license to be copied at which point she was told by Mr. Gilliland that he would see to it that she would not be allowed to rent any unit in the park. According to Ms. Fightmaster her daughter is now staying with her and providing help in a care giver role.

Interview of Secretary Maureen Huff:

Secretary Maureen Huff was interviewed on March 30, 2016 at 2:15 PM at her residence located at 116 Lantern Place, N. Fort Myers, Florida 33917. Present during the interview was Maureen Huff. Asking the questions was Director Sims.

Ms. Huff was interviewed because of a prior statement she made regarding the allegations subsequent to the receipt of the original complaint. The interview of Ms. Huff corroborated Ms. Fightmaster's version of events regarding her daughter's conversation with Mr. Gilliland with the following exception: According to Ms. Huff, she, Bob Gilliland and Ms. Fightmaster did have a private meeting between the three of them in an attempt to resolve the rental issue. According to Ms. Huff, Mr. Gilliland was polite and cordial while attempting to explain the 80-20 rule concerning the 55 and over regulation.

Concerning allegation #2, Ms. Huff wanted to add that park residents were advised not to bring ballots to the park office. Unfortunately however, ballots were delivered to the park office, by voting members, forcing Ms. Gilliland to hand carry those ballots to the residence of the Park Treasurer in order for those ballots to be placed in a locked container.

Concerning allegation #12, Ms. Huff stated that because of the hours being expended by the Office Assistant she felt that giving the bonus was the right thing to do.

Interview of Treasurer Kathy Holder:

Kathy Holder was interviewed on April 1, 2016 at 1: 26 PM at her residence located at 168 Lantern Lane, N. Fort Myers, Florida 33917. Present during the interview was Kathy Holder and Tom Holder. Asking the questions was Director Sims. Kathy Holder was advised that interview was being recorded. The interview proceeded and was terminated at 1:52 PM.

Ms. Holder's interview did shed light on the following allegations: With regards to allegations #1, Ms Holder stated that daily and monthly financial statements and balances are not, and should not be, posted on the corporation's website. To do so would not be a prudent business practice. According to Ms. Holder, that information is kept in the normal course of business and is available upon request. Ms. Holder went on to say that the schedule on the office door states what the hours of operation are (9 AM to 12 Noon Tuesday, Wed, & Thursday). According to Ms. Holder, the office assistant is in the office before 9 AM and stays well after Noon on most days. In addition, according to Ms. Holder, the assistant is in the office on Mondays as well.

With regards to allegation #4, Ms. Holder stated that she could not recall if the sign contract had a line by line cost expenditure. Ms. Holder stated that there was a blueprint for the sign project which was shown to the membership and discussed during a community meeting. The blueprints did generate questions by the membership, in particular Mr. Rusty Campigotto, as to the work to be performed and the cost basis. According to Ms. Holder, the costs associated with the sign were discussed at that meeting.

With regards to allegation #7 item 3, Ms. Holder felt that her communications with the membership during community meetings regarding water business was strictly informative and business like.

Concerning allegation # 7 item 6, Ms. Holder stated that during the meeting between the Board and a prior complainant, Ms. Holder advised the complainant that if the complainant wrongly accused her of theft or misappropriation of corporate funds she would seek legal council to inquire as to whether or not the accusation was actionable. There was no request made of the complainant to withdraw the complaint. Ms. Holder states that she stands by her statement.

With regards to allegation #8, Ms. Holder stated that the office bathroom is a locked facility and is used for storage of sensitive files. Those files contain personal identifying numbers (such as SSNs, addresses, phone numbers, copies of operator's licenses etc.). According to Ms. Holder, the files were being kept on the bathtub. Since the bathtub was no longer being used, the tub was removed at a cost of \$175.00 to make room for filing cabinets. According to Ms. Holder the 2015 budget included \$3,000.00 for building maintenance and that the expenditure was in compliance with the budget.

With regards to allegation #9, Ms. Holder stated that Ralph Schioppa resigned for the third time in February of 2015. According to Ms. Holder, she and Bob Gilliland felt that the unfortunate circumstances surrounding Mr. Schioppa's resignation justified the return of his maintenance fees for January and February of 2015. According to Ms. Holder the fees returned amounted to \$56.00. According to Ms. Holder, the action taken was not a board decision but rather an administrative action taken in the normal course of business and not in contravention of the corporation by laws.

With regards to allegation #11, Ms. Holder stated that while working with Microsoft Excel spreadsheet she inadvertently place a line for security in the 2015 budget. According to Ms. Holder a corrected budget has been drafted and posted on the corporation website. According to Ms. Holder, no funds were expended on security for the 2015 calendar year. According to Ms. Holder the security budget is included in the 2016 budget which properly shows the security expenditure in the 2016 calendar year. According to Ms. Holder no money has been paid for security as of the date of this complaint.

With regards to allegation #12, Ms. Holder stated that on November 30, 2015 the board of directors did go into executive session to discuss the Office Assistant's work performance. According to Ms. Holder the session was to discuss a personnel matter. According to Ms. Holder, the conversation focused around the non-compensated hours being put in by the assistant

and the fact that she had not received a raise since Ms. Holder became Treasurer of Mobile Manor. Additionally, the assistant was directly responsible for obtaining 40 new members for the corporation. As a result, per the by-laws, the Board voted to give the assistant a \$3,000.00 bonus. Ms. Holder also wanted to point out that during the voting process President Bob Gilliland voted no on the motion.

With regards to allegation #13, Ms. Holder stated that in compliance with the Florida PUC, the Mobile Manor Water Company sends out, on a regular basis, a 5 day reminder starting from the date that a customer's water bill is delinquent. According to Ms. Holder, the reminder does state that after a 5 day delinquency period the water will be shut off. Ms. Holder stated that the complainant's reminder was not the only one sent for the month. According to Ms. Holder, the complainant came into the office and paid his water bill on either the 30th or 31st of March using a money order.

Interview of President Bob Gilliland:

Bob Gilliland was interviewed on April 1, 2016 at 2: 08 PM at his residence located at 220 Flame Lane, N. Fort Myers, Florida 33917. Present during the interview was Bob Gilliland. Asking the questions was Director Sims. Bob Gilliland was advised that interview was being recorded. The interview proceeded and was terminated at 2:30 PM.

The interview of Mr. Bob Gilliland produced the following information: With regards to allegation #7, Mr. Gilliland stated that he speaks very little at the community meetings and feels his interactions with the membership are not rude and insensitive at all.

With regards to item #2 of allegation #7, Mr. Gilliland stated that the office assistant does call paying members to remind them to pay their dues when a member becomes delinquent. However, Mr. Gilliland knows of no ex-spouse of a paying member being called by the Office Assistant. According to Mr. Gilliland, the assistant would have no idea of the marital status of a paying member.

With regards to item #4 of allegation #7, Mr. Gilliland refuted the allegation and stated he merely informed Ms. Fightmaster's daughter that if she did not conform to park rules she couldn't rent in the park. Mr. Gilliland also corroborated Secretary Huff's statement regarding the private meeting with Ms. Fightmaster's daughter. According to Mr. Gilliland, the incident ended there and he never heard back from Ms. Fightmaster.

With regards to item #5 of allegation #7, Mr. Gilliland stated that he had no recollection of ever being in the office at the same time that Ralph Schioppa was present. According to Mr. Gilliland, the only incident he had with Mr. Schioppa took place in the community center during a luncheon. According to Mr. Gilliland, Mr. Schioppa had been reading water meters during the day of the luncheon and had stopped the process citing fatigue. Mr. Gilliland stated that when he requested the water books, Mr. Schioppa went home, brought the books back, punched Mr. Gilliland in the back, threw the keys on the table and stated "there, you be the president". According to Mr. Gilliland, Mr. Schioppa subsequently tendered a letter of resignation which contained inaccuracies and vulgarities.

With regards to item 6 of allegation #7, Mr. Gilliland corroborated Ms. Holder's version of the event and that the former complainant was never asked to withdraw the complaint and that the allegations in the former complaint were in fact false.

With regards to allegation #8, Mr. Gilliland corroborated Ms. Holder's account of the removal of the office bathtub. According to Mr. Gilliland a piece of plywood is being placed where the tub was removed in order for filing cabinets to be brought in for storage purposes.

With regards to allegation #12, Mr. Gilliland again corroborated Ms. Holder's version of events. According to Mr. Gilliland the Board felt very strongly that the office assistant deserved the bonus in question because of all the non-compensated work the assistant was putting in on a regular basis. According to Mr. Gilliland the Park Treasurer was the one who felt the strongest because the extra work being put in was the direct result of adding 40 new members to the corporation membership roles. Mr. Gilliland stated that because of his relationship to the Office Assistant he voted no on the motion.

With regards to allegation #13, Mr. Gilliland confirmed what Ms. Holder stated with regards to reminder letters being issued to customers of overdue water bills. According to Mr. Gilliland the letter is sent out in compliance with the Florida PUC. Mr. Gilliland stated that the letter was not sent out as a form of harassment but was automatically generated along with 7 other letters for that billing cycle. According to Mr. Gilliland, customers were in fact given an extra week to pay their water bills due to the billing cycle ending on Easter weekend. Mr. Gilliland had no further information regarding this allegation.

Interview of Director Timothy Burchfield:

Timothy Burchfield was interviewed on April 2, 2016 at 9:50 AM at his residence located at 120 Lantern Place, N. Fort Myers, Florida 33917. Present during the interview was Timothy Burchfield and Debra Burchfield. Asking the questions was Director Sims. Timothy Burchfield was advised that interview was being recorded. The interview proceeded and was terminated at 10:10 AM.

Director Burchfield was the chair of the security committee and had the direct responsibility of pursuing contract bids for park security. According to Director Burchfield his original search produced approximately 30 vendors in the security field. After his initial research Mr. Burchfield was able to narrow down his inquires to three vendors only two of which meet the specific security needs of Mobile Manor Inc. According to Mr. Burchfield, the three vendors were Kent, Tyco & ADT. Mr. Burchfield stated that Kent did not provide Mobile Manor with a written bid which he speculates was based upon the parks limited budget. Mr. Burchfield further stated that ADT did not provide the services we required and in fact referred Mr. Burchfield to Tyco. According to Mr. Burchfield, Tyco came highly recommended as they provide security for all the U.S. Marshall facilities across the United States.

Summary of Extrinsic Evidence (Exhibits):

Exhibit "A": Original email of Glenn and Deborah McGill

Exhibit "B": Email of Glenn and Deborah McGill (allegation #13)

Exhibit "C": Minutes of Community Meeting November 6, 2014

Exhibit "D": Minutes of Directors Meeting of November 25, 2014

Exhibit "E": Minutes of Community Meeting December 4, 2014

Exhibit "F": Minutes of Community Meeting January 8, 2015

Exhibit "G": Picture of Office bath room

Findings and Recommendations:

Allegations I. Complainant states that they are hindered in determining where Mobile Manor money is being spent and suggests that Mobile Manor accounts be available online to the membership via a password.

Finding: Unfounded

Recommendation: According to Ms. Holder, the hours of operation of the park office are clearly posted on the office door. In addition, it has been well established that the office assistant is, on a regular basis, present in the office during off-duty hours. When questioned, the complainants stated that they had not attempted to reach out to any park personnel to schedule a date and time to inspect park records citing a conflict of their scheduling. It has been established that the complainant has been afforded the same opportunity as the rest of the membership to inspect Mobile Manor records. Finally, with the exception of the budget, the posting of financial records on the Mobile Manor website is not an accepted business practice. By doing so the Board would place themselves in legal jeopardy, which in turn could affect the park's liability insurance. No further action recommended.

Allegation II. To be above reproach, elections and ballot counting should be done in a fashion that is current in most practices. Complainant alleges a conflict of interest in the collection and counting of ballots (i.e. friends and family members of candidates are directly involved in the balloting process).

Finding: Sustained

Recommendation: Although no direct evidence was found to establish that any acts of malfeasance have occurred in the balloting process, evidence is present to confirm that ballots did end up, on at least one occasion, in the possession of candidates and/or

candidate's family members. The fact that candidates would have access to ballots in and of its self establishes an appearance of impropriety. Regarding the nominating committee, Article VII, Section (2) requires the Park President to appoint a nominating committee of three. In addition, Article V, Section (6) establishes that each committee is to include one member of the Board. It is recommended that the issue of elections be referred to the by-laws committee for revision.

Allegation III. Seven Thousand dollars (\$7,000.00) of Mobile Manor money was spent without the membership's permission.

Finding: Sustained in Part – Not Sustained in Part

Recommendation: Evidence is present to show that the sign project was pursued without the approval of the Mobile Manor membership. The minutes of the community meeting of November 6, 2014 (Exhibit "C") establishes that the project had been presented to the community and discussed on numerous occasions but that neither a motion nor a vote of the membership had ever been taken. The minutes reveal that a letter of apology from the Board was read into the minutes by Secretary Holder. Because there was a lack of a quorum the motion for the final approval of the sign project was introduced, voted on, and passed during the Community meeting of December 4, 2014 (Exhibit "E"). During the Community meeting of January 8, 2015 (Exhibit "F"), a motion was made, seconded and approved, to expend addition funds to finish the sign project. Because the project was partially complete before final approval, it would not have been a prudent move to disassemble the sign as funds had already been expended for the project. The project has been completed with subsequent ratification of the membership. I recommend no further action be taken.

Allegation IV. An accounting of how the seven thousand dollars (\$7,000.00) mentioned in allegation III above is not available and needs to be accounted for in a line item accounting.

Finding: Unfounded

Recommendation: The Community meeting of January 8, 2015 (Exhibit "F") establishes that lengthy discussion had taken place regarding the sign project. Records, including the necessary permits are available in the park office for inspection. Again, the complainant had an ample opportunity to inspect the Mobile Manor records. I recommend no further action be taken.

Allegation V. Approval for large expenditures is pursued during the months that the majority of voting members are not present.

Finding: Sustained

Recommendation: Evidence is present to show that the sign project did in fact occur during the summer months when the voting membership was not present. However, this

issue has been resolved and corrective action has been taken to avoid this type of occurrence in the future. An example reveals that because of better communication between board members the speed bump project was put on hold until January of 2016. I do however recommend that this issue be referred to the by-laws committee for study as to absentee, electronic and proxy voting.

Allegation VI. Contracts are approved without seeking competitive bids.

Finding: Sustained in Part – Unfounded in Part

Recommendation: The minutes of the Directors meeting of November 25, 2014 (Exhibit “D”) reveals that paving companies were reluctant to give Mobile Manor competing bids because of Mobile Manor’s failure to proceed with previous bids. Additionally, Mr. Burchfield’s interview revealed that the bid process for park security started with approximately 30 vendors. Because of the circumstances present, I recommend no further action be taken.

Allegation VII. Members of the Mobile Manor Board have exhibited rude and discourteous behavior towards paying members of Mobile Manor Inc.

Finding: Not-Sustained

Recommendation: Because of the subjectivity involved these types of allegations are difficult to prove or disprove. The allegation contained 6 different incidents of rude conduct. The first incident involves general communications during community meetings. During the interview with Mr. Gilliland he denies the perception of being rude and discourteous. Mr. Gilliland fees that he talks very little during the meetings. The remaining allegations has produced a he said she said situation with very little corroborating evidence. Regarding the allegation against Ms. Holder, her interview revealed that she felt she was only conveying pertinent information with regards to the water company in a business like fashion and was not being insensitive at all. With regards to the telephone call to the ex-spouse of a paying member, the evidence shows that the office assistant does make reminder calls to members who are late with their payment of maintenance fees. However, the office assistant is not aware of the marital status of each paying members and whether or not the member is divorced. Such records are not kept by the Office Assistant. Even though this allegation is not sustained, it is however, incumbent upon each Board member to re-evaluate their verbal intercourse with the membership and to act with utmost sensitivity towards the constituents we serve.

Allegation VIII. Projects are being pursued without membership approval: i.e. renovation of the park office bathroom, (removal of bath tub).

Finding: Unfounded

Recommendation: There is no evidence present to substantiate any renovation taking place in the office bathroom. Evidence does suggest that the bathtub was removed at a

cost of \$175.00 to make room for filing cabinets (Exhibit "G"). According to Article V, Section (1) & (2) and Article V, Section (8) the Board of Directors are charged with the management of corporate property. Because of limited filing space, and the fact that the bathroom is a locked area, the decision to remove the tub to provide a place to secure sensitive files was a prudent business decision. There has been no other work done in the bathroom and no other work is contemplated at this time. The complainants cite to the fact that shelving could have been built above the existing tub. However, the shelving would have generated an expense as well. Since a bathtub is no place to be storing sensitive files, I recommend no further action be taken.

Allegation IX. Maintenance fees are illegally being refunded to paying members, in violation of Mobile Manor by-laws, when a member drops his/her paying status.

Finding: Sustained in Part – Not sustained in Part

Recommendation: The evidence shows that Mr. Ralph Schioppa did in fact receive a refund of his January and February 2015 maintenance fees. According to the interviews of Ms. Holder and Mr. Gilliland, Mr. Schioppa had resigned from paid status on three different occasions. Because Mr. Schioppa was paying his maintenance fees on a monthly basis, and as a result of the unfortunate set of circumstances involving Mr. Schioppa, President Gilliland and Treasurer Holder felt it was in the best interest of Mobile Manor to refund the \$56.00 maintenance fees. The decision to do so was a prudent business decision. Furthermore, the Board, under the authority of Article V, Section (1) & (2) had previously established a past practice of refunding monies to members during prior road work projects. I recommend no further action be taken.

Additional allegations:

Allegation X. The McGills feel that the residence of an independent contractor should have no bearing on whether or not they should be hired to perform services for Mobile Manor.

Finding: Unfounded

Recommendation: This allegation stems from the hiring and termination of the "Hat Boys". According to Article V, Section (12) the Board is vested with the management of Mobile Manor property and may make rules and regulations governing its use. It is well established that only residence in paid status or residents renting from a paying member may provide services within the community center. This issue however, has been referred to the Secretary Maureen Huff's committee on use of Mobile Manor property.

Allegation XI. According to the McGills the 2015 budget for Mobile Manor shows a proposed allocation of \$5,000.00 in its line item for security work. In addition there appears to be a corresponding \$5,000.00 expenditure for the 2015 budget year. The McGills state that there has been no accounting for these funds especially in light of the

fact that the current security contract with Tyco was not even signed until February of 2016.

Finding: Sustained

Recommendation: Evidence does show that in the 2016 Mobile Manor budget a line item for security showing zero budgeted along with a corresponding \$5,000.00 expenditure was incorrectly included for the 2015 budget. However, according to Ms. Holder, this was done inadvertently while she was working with Microsoft Excel. The budget was presented to the membership for approval. Unfortunately, the error was not discovered until after the approval process took place. The 2016 budget was corrected and the line item for security is now only reflected in the 2016 budget. The corrected budget was placed on the corporation website for review. Finally, the evidence does show that no funds were ever expended in the 2015 calendar year for security. This being simply a typographical error, I recommend no further action be taken.

Allegation XII. During a November 30, 2015 Mobile Manor Board of Directors' meeting, the Board went into an executive session to discuss the work performance of the Office Assistant. According to the complainants, the Board, while in executive section, voted to give the Office Assistant a three thousand dollar (\$3,000.00) bonus as a reward for excellent work performance. According to the complainants, this bonus was never revealed to the membership and laid outside of the line item budget for Mobile Manor. Additionally, the complainants allege a conflict of interest because of the relationship between the President and the Office Assistant.

Finding: Sustained in Part – Unfounded in Part

Recommendation: The evidence does show that this incident did in fact occur. However, the evidence also shows that the bonus was at the request of the Park Treasurer and not President Gilliland. Evidence also shows that Mr. Gilliland was the lone "no" vote on the motion. It has also been established that no attempt was made to hide the expenditure from the membership as the minutes of the session were posted on the corporation website. It should be noted that according to Article V, Section (7) of the Mobile Manor by-laws, the Board is vested with the responsibility of setting and regulating salaries and wages for all corporate employees. Finally, although not the best business practice, voting during an executive session is not prohibited by Parliamentary Rules (RONR 11th ed., pp.95-96). Please refer to the summary below for final recommendation.

Allegation XIII. The complainants allege that subsequent to the filing of their original complaint with Mobile Manor Inc., they received a warning letter from the water company regarding their overdue water bill. According to the McGills the letter stated that their water would be shut off if payment was not received by April 4, 2016. The complainants state that they have always paid their water bill and that the letter was simply to harass them because of their filing of the March 23rd complaint.

Finding: Sustained in Part – Unfounded in Part

Recommendation: According to Mr. Gilliland, this letter was in fact mailed to the complainants as a result of their delinquent water bill. According to Mr. Gilliland all customers who's water bills are delinquent as of the due date are sent a reminder letter that states their water is subject to being shut off if the bill remains unpaid for a five (5) day period. The evidence points to the fact that this letter is generated in accordance with the Florida PUC regulations. The evidence also shows that the complainants were not the only customers to receive this notice for the February and March billing cycle. Since the evidence shows that this letter was not generated as a form of harassment, I recommend no further action be taken.

Summary:

There were a total of thirteen (13) allegations which were the focus of this investigation. Although no malfeasance was uncovered during this investigation, it has become clear to this investigator that on occasion the Board of Directors can at times be guilty of misfeasance and/or nonfeasance. It is also apparent that the members of the Board of Directors are community minded volunteers who step forward to do the community's work and have the good of the community at heart. I have not found a shortage of good intentions with this Board. However, along with substance comes procedure. This is where the Board at times is lacking. A good idea may become a nightmare simply because for whatever reason the idea is improperly implemented. Failure to follow procedure is the breeding grounds for appearances of impropriety and conflicts of interest. The Board should not be placed in a position to have to subsequently ratify its decision making process.

According to Title 7 of the Florida statutes, a newly elected or appointed director of a Florida Resident Owned Community is required to attend and complete a board of director's training session. I do realize that Mobile Manor Inc. is in fact a Title 6 not-for-profit corporation and not governed by Title 7 of the Florida statutes. However, the board of directors for Mobile Manor Inc. is also the governing board for the Mobile Manor Water Company which does in fact act in a quasi governmental fashion. Acts that are done by this Board (sunshine law violations, discussing park business outside of board meetings etc.) although not violations under Title 6, do give rise to appearances of impropriety. As a result, I strongly recommend that the Board give consideration to seeking certified training for its members for the upcoming 2017 calendar year. I also recommend the appointment of a by-laws committee for the 2017 calendar year.

Respectfully Submitted,

Date

Director August (Butch) Sims

"A"

From: **Burchfield Tim** timburch22@gmail.com

Subject: Fwd: For Board of Mobile Manor Inc

Date: Today at 11:19 AM

To: Home asimslaw@embarqmail.com, Gilliland Bob BoBon239@hotmail.com, Holder Kathy kthorpe99@comcast.net, Huff M and Jim maurhuff@gmail.com



I don't know if this is the letter we've been "waiting" on or not. Nevertheless, we certainly need to deal with it. Note: I limited sending it to you four since we're the only ones who know about the conversation between Butch and Rick Gillispie regarding a letter to the Board.

----- Forwarded message -----

From: **Glenn McGill** <debennn@hotmail.com>

Date: Wed, Mar 23, 2016 at 5:55 PM

Subject: For Board of Mobile Manor Inc

To: Tim Burchfield <timburch22@gmail.com>

After much thought and soul searching it is with regret that Deb and I am withdrawing our support from Mobile Manor Inc.

We have been residents of the park since March 2011, and paying members as of November of that year. We are residents in this park for just under 6 months of each year. We supported the park in it's dissent with the non-payers which was in full swing when we entered the park, even though we had no prior knowledge of this, and could find no

source of the true cause of the turmoil, and facts of why people would not pay and support their park in its upkeep of common areas whether or not they were being used by individuals.

We would still like to support the park.

We find though what we feel are unreasonable practices within the organization which is undermining our reasoning as to why we are paying our dues.

We feel we have the right to for instance to know where our money is being spent down to a reasonable dollar amount. The accounts should be available online and opened by password.

To be above reproach elections and ballot counting should be done in a fashion that is current in most practices I.e. family members, friends, people with a vested interest should not be put in a position where they might be accused of 'conflict of interest' in the processand therefore not be a part of the process to do with anything to do with the voting process

The manner in which 7000.00 of mobile manors money was spent without the members permission needs to be fully looked into and barriers put into place to prevent this from happening again. Also an accounting of how that money was spent item by item should be available. Perhaps

undertakings like this should only be allowed during the months when the majority of members are in residence?
How many tenders were sent out for comparison quotes?

All members of the board, and officials I.e. secretary, president as well as paid members I.e. working the office, need to be reminded they are working for the park's betterment and condescending attitudes are unnecessary, and undeserving to any member. It is unworthy and speaks very poorly of the individual who feels he/she must behave this way. Perhaps a penalty should be enforced?

These are my concerns as to why I am re-evaluating why I am paying monthly dues to this organization.

Would you please address them.

I have heard of some items that I have not verified and would hope I am just hearing rumour?

Am I?

Redo of the office bathroom and removal of bathtub ?
Remittance of park monies to previous payers when they have bowed out. This money as I am sure you are aware of belongs to the park and there should be no reason to reimburse. If this is so whoever might have done this should

be responsible to pay back the parks money to the park. The member who received it is not at fault.

Even though the board has set a precedence in refunding maintenance fees to withdrawing members we do not wish a refund as we have had use of the park facilities . Whether we used the facilities or not was our choice

When there is a responsible board in place we would rejoin the membership

Glenn & Deborah McGill

From: mcgillglenn mcgillglenn@gmail.com
Subject: Re: Complaint 02-2016 Mobile Manor
Date: March 29, 2016 at 9:23 PM
To: Sims August asimslaw@me.com

CB 11

Butch

Just to let you know what kind of people you are associated with

For over 4 years I have paid my water bill on or within a day of dated bill.

Now that I have informed the board of my withdrawal from the association. I get a letter from Bonnie informing me that my water will/ can be turned off on april 4

The bill was paid thru auto payment today for payment on or before april 4

I can't believe that this is the way mobile manor wants to approach the problem they are facing.

Rest assured I will pay any disconnect and reconnect charges and will inform every person i know of the behaviour of mobile manor's management

Not to mention why we have withdrawn out support from mobile manor inc.

Glenn McGill

Sent from Samsung Mobile

----- Original message -----

From: August Sims

Date:03/26/2016 3:44 PM (GMT-05:00)

To: mcgillglenn@gmail.com

Cc: Burchfield Tim

Subject: Complaint 02-2016 Mobile Manor

Mr. McGill:

Your complaint of March 23, 2016 has been assigned to me for investigation. If you would please contact me at your earliest convenience so that a date and time may be established for an interview. Time is of the essence and the Board of Directors would like to address your complaint as soon as possible. I thank you for your time in this matter and look forward to hearing from you.

Very truly yours,

Butch Sims

(614) 353-5653

120 Lantern Place

N. Ft Myers, Florida 33917

Asimslaw@embarqmail.com

(C C 1)

Community Meeting of November 6, 2014

NOTES

At 2:30 PM President Gilliland announced that there are 196 members; 39 members are needed for a quorum. As there was not a quorum present no formal action could take place.

Present: President Gilliland; Vice President Griffith; Secretary/Treasurer Kathleen Thorpe-Holder; Directors Gillispie and Burchfield

Also present: Bonnie Gilliland, Office Manager

Absent: Gene Confalone and Butch Sims

After the Prayer by Aggie Long and Pledge, Secretary Treasure, Kathy Holder read the notes of the April 4, 2014 Community meeting

Financial Report:

Mrs. Holder read the following Financial Report:

There is \$46,228 in the Inc. account and \$5600 in the Water account and there is good news to report regarding our finances.

1. I have prepared a draft of the 2015 budget based on the maintenance fee remaining the same and the Board has approved that decision. So there will be no increase for 2015.

2. When the 2014 Water budget was approved it included a \$2,500 loan payment to Inc. That payment was made and the \$2,500 was placed in the Trust Account; that account now sits at \$4052.69. It was \$52.56 last year; and while \$4000 is a far cry from the \$70,000 plus that was there at one time it's a start.

Last year thanks to Bonnie and Bob Gilliland's hard work we filed water liens on unoccupied properties that owed water payments. It cost \$490 to file the liens; to date we have recouped \$700 with other liens still pending.

3. And the real Great News is I'm projecting a surplus in the Inc. account at the end of 2014 of approximately \$35,000. The Board at our last meeting discussed some road projects we would like to entertain. You'll hear more about that under the Board Report later in the meeting.

4. Thank you all for making this great financial report possible.

Last year when this new board took over I said to you we weren't perfect but we would never lie to you. This next item comes under that pledge.

Regarding the new entrance sign which we are installing: Last week, shortly after the project began the Board was approached by a member who asked how much will the

project cost and when was it passed at a Community Meeting. The answer to the first question is, the project's estimated cost is \$5,000. The answer to the second question may surprise you because it did us, the project was never formally voted on in a Community Meeting. It was discussed in several meetings (January, 2014; February, 2014; March, 2014 and April 2014). A presentation of the proposal was made at the February, 2014 meeting, but a formal vote was never taken.

The Board is very sorry for this mistake. We will make changes to our processes to make sure it never happens again, however there is very little we can do about it now. A permit has been obtained and approved, commitments have been made and the work has begun. Though some may disagree, we believe that the sign will improve the main approach to Mobile Manor and be a symbol of community pride.

Again, we are sorry, and we appreciate the diligence of the member who called this to our attention. We should always be held to the standards dictated by our By-Laws and what is right.

Correspondence:

Mrs. Holder read a thank you note from the Morrison Family

She announced that there was a claim number regarding the motor vehicle accident on Nov. 1st. for those who had their mail box destroyed.

Committee Reports:

Maureen Huff, Secretary of the Social Club reviewed the upcoming Social Events and asked for volunteers to sign up to assist with the events.

Old Business

Board Update:

Mrs. Holder read the following high lights of the Oct. 28th Board Meeting.

The resignations of Mr. Schioppa and Mr. Carter were accepted.

Mr. Gilliland became President, Mr. Griffith was named Vice President and Tim Burchfield and Butch Sims were appointed to fill the two board vacancies.

The Board met with the President of the Social Club, all parties agreed that the Community Center must be opened year round and any function at the site must be sanctioned by the Mobile Manor Board because of liability issues.

Mrs. Holder reviewed the draft budget and stated the budget was prepared with maintenance fee remaining at \$28. The Board agreed

Streets and Roads

All members agreed this was their Number 1 priority. A lengthy discussion took place on how best to accomplish the task.

It was agreed to:

- Sealcoat the “East Park” and fix the dips at a cost of \$5000. (Will need member’s approval)
- Obtain quotes to determine the cost and feasibility to begin a 4 or 5 year plan to pave all the roads in the park. (Will need member’s approval)
- Purchase dry patch to immediately correct some of the problem areas.
- While the Walking Bridge needs some repair it was agreed to just paint it with yellow caution paint at this time and focus on the roads.

Triangle Park will be listed as a study item as the members felt it would be beneficial if it could be converted to a money generator for the Park

Entrance Signs

Mr. Griffith reported on the sign, explaining the long difficult permit processing. He also stated that the sign being constructed is the only one on Mobile Manor property. He asked that the residents refrain from judgment until the sign is completed. In response to questions, he said that Lee Co. regulations only permit the name of the organization on the sign and that there would be a light on the sign.

Another resident asked for clarification on the correct name of his street is it Coachlight Ave. or Lane. He was told if he uses 33917 zip code mail will be delivered with either.

Meeting ended at 3:30 PM

GD 11

**Mobile Manor Inc.
Directors Meeting Minutes
November 25, 2014
2:00 PM**

Call to Order

President Gilliland called the meeting to order at 2 PM

Roll Call

President Gilliland, Vice President Griffith, Secretary/Treasurer Holder; Directors Gillispie and Burchfield

Request for a Closed Session

Mr. Burchfield moved and it was duly seconded that the Board go into Closed Session to discuss a personal matter.

MOTION CARRIED

Those in attendance were requested to leave the room while the Board had its discussion.

Discussion

The Board reopened the meeting and stated to those in attendance that the Board had agreed to make contact with Past President Schioppa and to suggest that he return to the Board as its Past President. Director Gillispie will discuss this with Mr. Schioppa.

Minutes of Oct. 28th, 2014

Motion was made and duly seconded that the minutes of October 28, 2014 be approved as distributed.

MOTION CARRIED

Treasurer's Report:

Mrs. Holder stated that the balance in the Inc. was \$47, 882.22; the trust account has \$4,197.69 which included a check from the Insurance company for the damage done by the drunk driver to Friendship Park.

Unfinished Business

Entrance Signs:

Mr. Griffith said he expected the sign to be complete within a week.

Road Improvements:

President Gilliland said the paving companies were reluctant to bid on the Road project because the Park had never done any work on their previous bids. The Board confirmed their desire to fix the "dips" and sealcoat East Park this year. Mrs. Holder will put it on the agenda for the December Community Meeting. Mr. Burchfield asked that a price be requested for installation of speed bumps.

Communications: None

New Business

Office Agreement (Annual renewal) Motion was made and duly seconded that the Office Agreement for 2015 be approved.

MOTION CARRIED

Board Policies: Mrs. Holder stated that she would be working some policies for Board Members

Informational Packets for the Board: Mrs. Holder distributed informational packets for the Board Members

Nominating Procedures: These procedures were included in the informational packet

Accountant Contract: Mrs. Holder stated that she had spoken to Van Davis' office and the new contract would be received shortly.

Other: Mr. Gillispie asked if someone was renting and the owner was not a member, could the renter pay maintenance for the months they were here. It was agreed that this had been discussed previously and would not be beneficial.

There was a discussion regarding an odor coming from the brook. Mr. Griffin stated it was caused because there was not sufficient flow and other than check to see if the pump was working there was nothing that could be done by the Board.

Study Items

Triangle Park: After discussion regarding the cost of maintenance, lack of use it was agreed to remove this as a study item.

Adjournment: The meeting adjourned at 2:45 pm

(E)

**MOBILE MANOR
COMMUNITY MEETING MINUTES
DECEMBER 4, 2014**

Call to Order: President Gilliland called the meeting to order at 2:30 PM

Prayer and Pledge: Karla Gentry gave the Invocation

Roll Call:

Present: President Gilliland, Vice President Griffith, Secretary/Treasurer Holder and Director Tim Burchfield

Also Present: Past President Schioppa

Absent: Directors Confalone and Gillispie

President Gilliland announced that 39 members were needed for a quorum and 40 members were present.

Secretary's Report: Mrs. Holder read the notes from the Community Meeting of November 6, 2014. Motion was made and duly seconded that the Notes be accepted as read.

MOTION CARRIED

Treasurers Report: Mrs. Holder reported that the balances in the accounts were:

Inc. \$47,421.33

Water \$ 6,106.64

Reserve \$ 4,197.69

Motion was made and duly seconded that Treasurers report be accepted.

MOTION CARRIED

Correspondence: Mrs. Holder stated that Mobile Manor had received a \$145 check from the Insurance Co. representing the drunk driver who damaged plantings in Friendship Park.

Committee Reports:

Social Club: Maureen Huff gave a report on the upcoming events sponsored by the Club. She stated that the Club was drafting By Laws and asked for input from the members. She also urged all residents to put out luminaries on Christmas Eve.

Website: Mr. Burchfield announced the upgrade being made to the Mobile Manor website. (mobilemanor.net). He stated that the Minutes, By Laws and Newsletters were available on the site.

Old Business:

Entrance Sign: A discussion took place regarding the fact that the sign had not been formally been voted on by the members. Mr. Kenoyer stated he was uncomfortable that a vote had not been take regarding funding for the entrance sign and believed a formal vote should be taken at this time. His motion was duly seconded. The vote was overwhelming in support of the project. (4 no votes).

MOTION CARRIED

Board of Directors Update: Mrs. Holder stated that at the Board meeting the following action was taken:

- Mr. Schioppa returned to the Board as Past President
- Informational packets were distributed to the Board
- There was discussion regarding an odor coming from the brook, the pump will be checked to determine if it is working.

New Business:

Streets and Roads: President Gilliland explained that Board had discussed the roads and felt the way to proceed was to begin with the East Park. There were no pot holes just dips to be corrected then the road seal coated. Motion was made and duly seconded that \$5000 be expended to correct the dips and seal coat the road. The vote in support of the motion was unanimous.

MOTION CARRIED

Nominating Committee:

Pursuant to the By Laws, President Gilliland appointed the following to the Nominating Committee:

Director Burchfield, Chair; Mr. Mic Gray. Melody Fightmaster and Ronald Kirk.

A brief discussion took place regarding the election process.

The meeting adjourned at 4:14 PM

CF

MOBILE MANOR

Minutes of Community Meeting

January 8, 2015

Call to Order: President Gilliland called the meeting to order at 2:30 PM

Prayer and Pledge: Wilma Gentry gave the Invocation

Roll Call:

Present: President Gilliland, Vice President Griffith, Secretary/Treasurer Holder and Directors: Tim Burchfield, Rick Gillispie, Butch Sims

Also Present: Past President Schioppa

Absent: Gene Confalone

President Gilliland announced that 37 members were needed for a quorum and that 52 members were present.

Secretary's Report: Mrs. Holder read the minutes notes from the Community Meeting of December 4, 2014. Motion was made and duly seconded that the Minutes be accepted as read.

MOTION CARRIED

Treasurers Report: Mrs. Holder reported that the balances in the accounts as of December 31, 2014 and gave the 2014 Financial Report

Inc. \$35, 444.

Water \$ 4,295.

Reserve \$ 4,197.69

2014 Financial Report

As many of you remember it was not long ago there was talk of Bankruptcy for Mobile Manor and loss of the Water Company. So I'm pleased today to give a much more upbeat report for 2014. Before I give the report I'd like to thank you the members, the volunteers, staff and the Board who working together, made this report possible. The 2014 budget was the first we prepared and managed without a Maintenance Company.

The Mobile Manor Inc. budget for 2014 projected income of \$78,640. As of November 30, 2014 we had received \$78,340. I believe that when the December income is calculated we will make or exceed that number.

Expenses were estimated to be \$51, 640. As of November 30, 2014 there were expenses of \$40,605. These expenses included normal operating expenses as well as the renovations to the office, road repairs on Fireball and the sign.

Mobile Manor Water budget anticipated income of \$75,000. As of November 30, 2014 we had received \$ 67,077. I don't believe the December revenue will bring us up to \$75,000. Expenses were projected to be \$70,250. Normal operating expenses as of November 30, 2014 were \$59,824 in addition we made a \$2,500 loan payment to Inc. which was deposited in the trust Account, bringing the total water expenses to \$62,324

I also wanted to mention that we continues to collect aluminum cans for recycling. This brings additional revenue to the association. Please bring your cans to the site by the office. I'm sure that additional volunteers would be helpful to prepare the cans before taking them to the center.

Motion was made and duly seconded that Treasurers report be accepted.

MOTION CARRIED

Committee Reports:

Social Club: Nancy McGrath, Social Club President reviewed the events scheduled for the month.

Board of Directors Update: Mrs. Holder reported that the Board had agreed that additional security was needed at the Community Center and authorized the installation of a motion light, dead bolt and \$350 for security cameras.

Old Business:

Road Improvements: Vice-President Griffith reported that the contractor had completed the repairs and the road was ready to be seal coated on Thursday. Letters to the residents will be sent out informing them of the process and requesting donations from nonmembers.

Entrance Sign: Some members again questioned the how the sign was developed, when it was approved, the cost break down, the change of design and cost. After a lengthy discussion a motion was made and duly seconded that \$1375 be approved to complete the sign.

MOTION CARRIED

New Business

Nominating Committee Report: Mr. Burchfield gave the following report:

The following slate of candidates was selected by the Nominating Committee: Tim Burchfield (Chairperson). Melody Fightmaster, Mick Gray, Ron Kirk.

President: Bob Gilliland (incumbent to serve the 1st year of a term not to exceed 4 consecutive 1 year terms)

President: Ralph Schioppa (to serve the 1st year of a term not to exceed 4 consecutive 1 year terms)

Vice President: Richard Griffith (incumbent to serve the 1st year of a term not to exceed 4 consecutive 1 year terms)

Vice President: Glenn McGill (to serve the 1st year of a term not to exceed 4 consecutive 1 year terms)

Secretary: Maureen Huff (to serve a one year term with no term limits)

Treasurer: Kathleen Thorpe-Holder (incumbent to serve a one year term with no term limits)

Directors at Large

Pauline Lacourse (to serve the 1st year of a 1st term, not to exceed 2 consecutive 2 year terms)

August "Butch" Sims (incumbent to serve the 2nd year of a 1st term, not to exceed 2 consecutive 2 year terms) No vote needed

Tim Burchfield (incumbent to serve the 2nd year of a 1st term, not to exceed 2 consecutive 2 year terms) No vote needed

Rick Gillispie (incumbent to serve the 2nd year of his 1st term, not to exceed 2 consecutive 2 year terms) No vote needed

President Gilliland asked if there are any additional nominations for President

As there were no further nominations, Motion was made and duly seconded that Nominations be closed.

MOTION CARRIED

President Gilliland asked if there are any additional nominations for Vice President

As there were no further nominations, Motion was made and duly seconded that Nominations be closed.

MOTION CARRIED

President Gilliland asked if there are any additional nominations for Secretary

As there were no further nominations, Motion was made and duly seconded that Nominations be closed.

MOTION CARRIED

President Gilliland asked if there are any additional nominations for Treasurer

As there were no further nominations, Motion was made and duly seconded that Nominations be closed.

MOTION CARRIED

President Gilliland asked if there are any additional nominations for Directors

Nancy McGrath nominated Darrell Grogan, who agreed to be nominated.

As there were no further nominations, Motion was made and duly seconded that Nominations be closed.

MOTION CARRIED

Following is the slate of Officers for the Annual Meeting in February:

President: Bob Gilliland (incumbent to serve the 1st year of a term not to exceed 4 consecutive 1 year terms)

President: Ralph Schioppa (to serve the 1st year of a term not to exceed 4 consecutive 1 year terms)

Vice President: Richard Griffith (incumbent to serve the 1st year of a term not to exceed 4 consecutive 1 year terms)

Vice President: Glenn McGill (to serve the 1st year of a term not to exceed 4 consecutive 1 year terms)

Secretary: Maureen Huff (to serve a one year term with no term limits)

Treasurer: Kathleen Thorpe-Holder (incumbent to serve a one year term with no term limits)

Directors at Large

Pauline Lacourse (to serve the 1st year of a 1st term, not to exceed 2 consecutive 2 year terms)

Darrell Grogan (to serve the 1st year of a 1st term, not to exceed 2 consecutive 2 year terms)

Comments/Questions from the Floor

A resident stated his concern that nonpaying members on Fireball should have the money they paid for sealcoating that road be returned as the non-members in East Park would not be charged. It was explained that the non-members would be requested to make a donation for their share of the improvement.

Some residents expressed their belief that renters should be allowed to pay maintenance for the time they are here so they may participate in the events. After discussion it was agreed although it had been discussed in the past, the issue would be put on the agenda for the next Board meeting

The meeting adjourned at 4:14 PM

From: Burchfield Tim timburch22@me.com
Subject: Office file room
Date: Today at 12:54 PM
To: Home asimslaw@embarqmail.com

CG11



Sent from my iPhone