

PLE HOA BOARD – EMERGENCY MEETING DECEMBER 8, 2020

Loubier Home – 1:30PM

Board attendance: Dick Loubier, President; Matt Heier, Vice President; Wendy Saniti, Treasurer; Cindy Ahrens, Secretary; and Bob Godek, ARC.

This Emergency meeting was called to order at 1:35PM by President Loubier. There was a quorum of Board members present. The meeting was held to insure our PLE HOA members that the Board of Directors are staying current with members concerns and addressing these concerns with Jeff Belle at the monthly Liaison meetings. The Emergency meeting was suggested by FMO to HOAs, based on Section 617.0207 (Emergency Bylaws) and Section 617.0303 (Emergency Powers) under FL Statutes for Not-For-Profit Corporations (which addresses the PLE HOA status). The identified Emergency at this time is the COVID-19 virus. This would be accomplished by amending the Bylaws of the HOA to include the stated provisions of Section 617, plus stated solutions to these problems. Based upon FMO advising their members that HOA Boards may wish to consider declaring an “Emergency”, and then the Board would, under its Emergency Powers, adopt Bylaws that would initiate a “stand in place” for the remainder of 2020 and 2021. Simply stated, annual elections, open meetings, and large gatherings would be postponed for a year. **The effect would be that the same Board, its officers, and committees, would continue in place until the end of 2021. Vacancies that might occur during this period would be filled by the Board.**

Based on HOAII actions and review of FL Statute 617, President Loubier called the Emergency meeting to discuss changing our Bylaws. A motion was made to amend our Bylaws to conduct Board meetings (without general membership) during this time of Emergency. The motion was approved unanimously. The amendment will be published in the *Whispering Pines* and will be put on the Pine Lakes web site, and will be a new section in the PLE HOA Third Amended and Restated Bylaws. At this time, an emergency has been declared by Board President Dick Loubier, and the Board will operate under the new guidelines until the emergency has been declared over.

PLE HOA Board of Directors
Amendment to the Third Amended and Restated Bylaws

At a meeting of the PLE HOA Executive Board of Directors on December 8, 2020, a vote was taken to make an amendment to the HOA Bylaws. This amendment change gives the Board emergency powers to deal with the COVID-19 pandemic. The amendment, even though voted on by the Board of Directors, are temporary and all provisions of the regular bylaws consistent with the emergency bylaws remain effective during the emergency. The emergency bylaws are not effective after the emergency ends [per Statute 617.0207, item (3)].

**ARTICLE X
EMERGENCY POWERS**

- (1) In the event that an emergency situation exists, the President shall have the power to declare an emergency.
- (2) An emergency exists for the purpose of this section if a quorum of the board of directors or a required meeting of the membership cannot be met due to some catastrophic event.
- (3) A catastrophic event will be defined by the President and the Board of Directors.
- (4) The declaration of an emergency will initiate a stand in place for all meetings required by the Bylaws that are to take place during the time frame of the emergency.
- (5) The President and the Board of Directors shall determine the time frame of the emergency.
- (6) All committee membership shall remain in place until the emergency is ended.
- (7) Notwithstanding the above provisions, the Board of Directors may continue to meet as necessary and the election of officers can take place at the required time.

Meeting was adjourned at 2:35PM.
Cindy Ahrens, Secretary