



# Ultimar Three Condominium Association, Inc.

## Board Meeting Minutes Saturday January 19, 2019

### Call to Order

The meeting was called to order by Mr. Brazel at 9.03 (EST). Mr. Rocky Reily was asked to take the roll call.

In attendance at the meeting were Mr. Robert Brazel, President, Mr. Said Gabriel, Director and Mr. Sergei Shishkin, Director and Treasurer, Mr. John Somers Vice President.

### Proof of Notice of the Meeting

Mr. Reily indicated that proof of notice was posted outside his office, in the elevators and sent via email to unit owners including the phone call-in number.

### Approval of Previous Board Minutes

There was a motion made by Mr. Somers and second by Mr. Gabriel to approve the minutes for December 8, 2018 Board Meeting, and Annual Budget Meeting and the New Organization Meeting motion was unanimously approved.

### Open Discussion of Director's open seat:

Mr. Brazel presented the case of the situation created by the resignation of Mr. Foulds. It came to light and to the attention to the board that Mr. Foulds name was not properly elected to the Board because his name was not on the deed and his position is not a valid as a Director. Mr. Foulds submitted his resignation and was accepted. Mr. Foulds has already corrected this situation and added his name to the deed.

Mr. Somers requested a full transparency during the discussion. Mr. Brazel read an opinion by the council and presented to the Board and the attending owners several options as follows:

- Appoint a new Director based on the runoff results of the previous election of December 2019
- The Board to appoint a new member
- Run a new election to fill the vacant seat because Mr. Foulds was not properly elected
- Leave the vacant seat open until next election

The options were debated by the Board and present owners based on its merit. Mr. Brazel stated that the consensus of the owners was against a new election. In case the board to consider a new election the new member will not become available to join the board before midyear. The Board approved a motion by Mr. Gabriel to leave the seat vacant until next election; this option does not violate the condominium bylaws. Mr. Gabriel, Mr. Somers and Mr. Shishkin approved the motion and Mr. Brazel opposes to approve.





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Owners requested that any new candidate must be verified of ownership and any other qualifications before his or her name added to the ballot.

#### **HOA Update**

There was a discussion about filling the HOA position that became vacant after Mr. Foulds' resignation. HOA should send a letter to the Board to either run a new election or appoint someone. HOA will conduct the election if needed. Mr. Somers indicated that the new HOA member may not be a Board member. The Board recognized that this situation is similar to the Ultimar Director situation above. The Board decided to send a letter to owners to get an opinion whether to leave this position vacant or a run a new election. Mr. Somers raised a question that if someone indicate an interest to be on the ballot,

#### **New Business**

Mr. Somers and Mr. Shishkin to assume joint leadership on the renovation committee

Board position will stay as follows:

Mr. Brazel President

Mr. Somers Vice President

Mr. Shishkin Treasurer

Mr. Gabriel Secretary

#### **Next Board Meeting**

TBD

#### **Adjournment**

The meeting was adjourned at 10:05 am (EST).