

LEGAL



Board Meetings

BY MARK FRIEDMAN, BOARD CERTIFIED IN CONDOMINIUM AND PLANNED DEVELOPMENT LAW

There is always some confusion over how to handle Board meetings.

How many Board meetings must a Condominium Association have per year?

In a residential condominium association of more than 10 units, the board shall meet at least once each quarter. At least four times each year, the meeting agenda must include an opportunity for members to ask questions of the board. You can hold more meetings if you wish, but at least one Board meeting must occur each quarter of the year.

Can the Board meeting be held via Zoom

If the board meeting is to be conducted via video conference, the notice must state that such meeting will be via video conference and must include a hyperlink and a conference telephone number for unit owners to attend the meeting via video conference, as well as the address of the physical location where

the unit owners can attend the meeting in person. If the meeting is conducted via video conference, it must be recorded and such recording must be maintained as an official record of the association.

The foregoing requires you to still have a physical location where members can view the video conference, such as members who might not own a computer or be computer savvy.

How much notice is required to hold a Board meeting?

That depends on what the Board is attempting to accomplish at the meeting. Most Board meetings require a minimum of 48 hours' posted notice on a conspicuous location on the condominium property. However, as with all things in the law, there are exceptions.

Emergencies. In an emergency situation, where life, safety, or property would be at risk if you waited 48 hours, the Board may act and then

ratify its decision at the next Board meeting. It must be a real emergency with real consequences for failure to act quickly.

Special assessments. Special assessment approval by the Board (assuming membership approval is not required in your governing documents) requires a minimum of 14 days' notice. Such notice must be mailed to the unit owners and posted. If unit owners have signed up for email notification, the notice may be emailed to those individuals as well. A 48-hour notice would be insufficient for this purpose. Check your documents to ensure a longer notice is not required.

Approval of annual budget. Much like the special assessment, you cannot approve the budget at a Board meeting with only 48 hours' notice. The longer 14-day notice period is required with the notice delivered to the unit owners as noted above and posted.

Amendment to rules. If the Board wants to create a rule regarding the outside of the unit such as the common elements, including the grassy areas, catwalks, etc., they can do so (presuming they have rule-making authority in their documents) with only a 48-hour posted notice. If the Board wants to create a rule regarding how unit owners may use their unit, or rules regarding the interior of the unit, then the longer 14-day notice period must be used, in the same manner as discussed for special assessments.

Mark D. Friedman, B.C.S. is recognized by the Florida Bar as a specialist in Condominium and Planned Development law. This article is intended for educational purposes only. Please consult your own attorney if the foregoing issues are of concern to your Board. Mr. Friedman may be contacted at MFriedman@Becker-Lawyers.com.

How Does UCO Work? The Basics.

BY DAVID BOAS

Item First: There are 349 Delegates representing the 309 Condominium Associations within Century Village West Palm Beach. These 349 Delegates constitute the "Board of Directors" within Century Village WPB.

Item Second: These Delegates are the Voting Body in our Village. They elect the Eight Officers and Twenty members of the Executive Board to represent our Village.

Item Third: Committees. The UCO President selects the Chairperson for each committee. The Chairperson then selects the committee

members. The committee chair establishes the agenda for each committee. If a motion is approved by the committee, it proceeds through the required steps.

Item Fourth: Items needing a vote go to the Delegate Assembly, aka the "Board of Directors." Note that Item First and Item Fourth are closely related, in that they Start and End with the "Board of Directors."

Item Last: How does the "Board of Directors" receive information about upcoming projects and items that may require a vote? There are

several ways. Attend the committee meetings either in person or via Zoom. You can also watch the recorded meetings via the UCO Website...www.unitedcivic.org. All committee meetings are well publicized. They are listed in the UCO Reporter and also on community TV station #590. Month to month, these meeting dates are very consistent. For example, the Delegate Assembly is on the first Friday of each month. As you can see, not attending the Delegate Assembly, or threatening not to vote because you have not been informed is neither an excuse nor a solution. By doing this you allow others to make decisions for

you. This is not the purpose of the "Board of Directors."

Are there exceptions to the above? Yes there are. These are excerpts from "The Bylaws of United Civic Organization, Inc" as Amended - 2020. Copies of the Bylaws are available at the UCO office. If you are unable to stop by the office, just call and ask for extension #173 and I will see that you get a copy.

As always, Be Well and Please Be Polite.

David A Boas
Corresponding Secretary

WILLS, TRUSTS, DEEDS, ESTATE PLANNING, PROBATE

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