

**CAPTAIN'S COVE HOMEOWNERS ASSOCIATION, INC.
SPECIAL MEETING November 23, 2009**

The roll was called and a quorum declared present as follows:

BOARD MEMBERS PRESENT:

Debby Wedeking, 1st Vice-President
Judy Burchianti, 2nd Vice-President
Denny Bireley, Secretary
Fritz Hinsch, Treasurer

ALSO PRESENT:

Carolyn Rockey, Paul Wedeking

MEETING CALLED TO ORDER AT 6:33PM by Acting-President Wedeking.

PLACE OF MEETING: 16344 Shoal Ct., Bokeelia, FL 33922

A MOTION to dispense with Secretarial and Treasury reports and postpone until the next regular meeting of the Board of Directors was made by **Mr. Hinsch** and seconded by **Mr. Bireley**. Vote on motion was unanimous. MOTION CARRIED.

OLD BUSINESS:

1. Pursuant to a **trial on May 27, 2009** a judgment was issued on **June 24, 2009** by **Judge John E. Duryea, Jr.** of the **Small Claims Division of the County Court of the Twentieth Judicial Circuit in and for Lee County, Florida in favor of Captain's Cove HOA in the amount of \$4,000.00 against Defendant Alan Peters.**
2. Pursuant to a **hearing on November 23, 2009 final judgment was made awarding attorney's fees and costs to Captain's Cove HOA in the amount of \$6,567.50 against Defendant Alan Peters. An 8% interest fee will be charged on that amount until paid and the judgment will have to be filed every 5 years if not paid before that time.**

NEW BUSINESS:

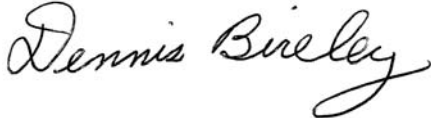
1. **President Mr. Gallagher** died September 4th 2009. **1st Vice-President Ms. Wedeking** will serve as **Acting-President**. Due to Mr. Gallagher's illness and death, the Board has not been able to meet since April 4th 2009 due to lack of a quorum.
2. **Board Vacancy** will be addressed by the Board in the future.
3. **A letter** was received from our attorney Becker & Poliakoff dated November 10, 2009 informing the Board that Captain's Cove Homeowner's Association is being sued by **Mr. Buxbaum**, owner of lots 119 & 120 on Estuary Ct., regarding his adjoining property and connection to our sewer plant.

4. **Ms. Wedeking, Mr. Bireley, Mr. Hirsch, and Mr. Wedeking** met with attorney Richard DeBoest II of the Condo & HOA Law Group, LLC to enlist his services as Captain's Cove HOA's attorney. **MOTION** to hire the Condo & HOA Law Group, LLC as our attorney was made by **Mr. Bireley** and seconded by **Mr. Hirsch**. Vote on motion was unanimous. **MOTION CARRIED.**

MOTION TO ADJOURN: **Mr. Bireley** at 6:30PM.

MOTION SECONDED: **Mr. Hirsch**

SUBMITTED BY:

A handwritten signature in cursive script that reads "Dennis Bireley".

Dennis Bireley
CCHOA Secretary