



**W.T. 100 BOARD OF DIRECTORS URGENT MEETING
THURSDAY, AUGUST 13, 2020 AT 6 PM – ZOOM MEETING
OPEN TO UNIT OWNERS ONLY**

This meeting will be held by zoom conference and is open to all unit owners. This is being done to comply with the mandates of the government as to COVID 19. In order to attend please note the following information:

Topic: BOD Meeting

Time: Aug 13, 2020 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/89326485055?pwd=U1Aya3lJdnZqd2tmTVhobmFFOWxPZz09>

Meeting ID: 893 2648 5055

Passcode: 0aK0ny

One tap mobile

+16465588656,,89326485055#,,,,,0#,,269213# US (New York)

+13017158592,,89326485055#,,,,,0#,,269213# US (Germantown)

Dial by your location

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 893 2648 5055

Passcode: 269213

Find your local number: <https://us02web.zoom.us/j/kcUVO8rGoN>



URGENT MEETING
AGENDA

1. **CALL TO ORDER/ROLL CALL**
2. **DETERMINATION OF THE QUORUM**
3. **MOTION TO WAIVE READING OF PRIOR MINUTES**
4. **APPROVAL OF MINUTES OF FEBRUARY 25, 2020**
5. **UPDATE ON CURRENT CONSTRUCTION PROJECTS**
6. **OUTSTANDING CONSTRUCTION PROJECTS**
7. **VOTING ON RESOLUTION FOR ASSOCIATION RESPONSIBILITY RE COMMON ELEMENTS (ITEMS WHICH SERVER COMMON UNITS) VS ITEMS WHICH SOLELY SERVICE ONE UNIT.**
8. **MOTION TO ADJOURN MEETING**
9. **ADJOURNMENT**

WINSTON TOWERS 100 ASSOCIATION, INC.
RESOLUTION RE MAINTENANCE/REPAIR OF COMMON
ELEMENTS AND DUTY TO MAINTAIN/REPAIR ELEMENTS
WHICH DO NOT PROVIDE COMMON SERVICE

Whereas, Winston Towers 100 Association, Inc. is a condominium wherein certain units owners have requested and demanded that the Association repair/maintain certain items/elements which are not common elements but rather items which provide service solely for such unit owner's particular unit; and

Whereas, the Board of Directors has thus been faced with various persons claiming that the Association should provide repair and maintenance to the same extent as a landlord to a tenant; however, other unit owners have demanded that the funds of common assessments are required to be used for the repair/maintenance of items which provide a common use or are a common element; and

Whereas, the Board of Directors has considered Florida Statute §718.108 defining Common Elements as well as the Association's obligation to repair under Florida Statute §718.113(1), in contrast to the unit owner's obligation to repair; and

Whereas, the Board of Directors has been provided guidance from the appellate courts under *Cali v Meadowbrook Lakes View Condominium Association "B" Inc.* 59 So 3d 363 (Fla 4DCA 2011) which carefully analyzed the association's responsibilities for repair of plumbing wherein the court noted that the classification of pipes which service other units versus pipes that solely service a particular unit that are within an interior boundary or perimeter; and

Whereas, in order to provide clear guidance for this association, the Board of Directors does hereby resolve to provide clarity on this point for the benefit of the members of this association;

Now therefore, it is RESOLVED as follows:

1. All pipes and similar such elements that solely service a particular unit and are within an interior boundary or perimeter of a specific unit shall be deemed and construed to not be common elements.

2. As a consequence, such items which are not common elements shall be maintained and repaired by the owners of the specific unit that are solely service by such element and are within an interior boundary or perimeter of said specific unit.
3. This resolution shall become effective for the year 2020 and all years thereafter and shall first become due on August 13, 2020.

This resolution was adopted by the Board of Directors on the date set forth below.

Date: 8-11-2020

By: 
Secretary/Board of Directors