

CONQUISTADOR HOMEOWNER'S ASSOCIATION, INC.
EXECUTIVE COMMITTEE MEETING
Tuesday, January 9, 2024

MEMBERS PRESENT:

Matt Hollister, President
Kathleen Murphy, 1st V.P.
Martha Gorton, 2nd V.P.
Joe Endress, Treasurer- zoom
Renee Drentkiewicz, Secretary

OTHERS:

Bonnie Guenther, Manager
Others in Attendance – See attached.
Zoom Attendance – Joe Endress, Anne & Ralph Allbee, Alvin Diott, Ed Hale, Cathy Schappert, Doug Rose, John & Gail Mitchell

The Executive Committee meeting with Zoom was called to order at 9:30 am, after the Pledge of Allegiance. There was a quorum noted, and a motion was made by Kathleen Murphy to approve the minutes of the Executive Meeting of November 14, 2023. The motion was seconded by Martha Gorton, and the vote was unanimously approved.

Treasurer's Report: Joe Endress – See attached. Martha questioned the discrepancy of the water bill. Matt mentioned that there are inaccuracies, and they are looking into the remote read system for all meters in Conquistador, instead of only 2 meters out front. There are a few companies with this ability, and they are evaluating these for accuracy. However, this should not be a major concern.

The Synovus CD renewed for 13 months at 5%. It was previously at 3.5%. Matt also mentioned the healthy financial status at this time, and we will continue to institute cost savings when possible.

Manager's Report: Bonnie Guenther – See attached. Joe asked about the dock schedule and Bonnie said that it will take approximately one month. There is no definitive start date in February; however, there will be a 2-week notice prior to beginning. The dock will be completely closed during the renovation.

Old Business:

1. Revision of CHA Documents – Matt Hollister/Rick Cass.

Rick was not in attendance and Matt will ask Rick to provide his update during the next Board meeting.

2. FPL Lighting Project- Matt Hollister.

Matt emphasized the layouts presented by FPL are ONLY Preliminary. They are NOT finalized. We will dictate to FPL what the final layout will be. There will be volunteers with Mona Gerard, walking the project, to determine the placement of the lights within the next several days. This will be particularly needed for the homes area, since they don't have any streetlights at this time. FPL has been updated about this process also. FPL also requires an easement release that will need to be recorded with the County. Matt will work with Bonnie and our attorney to get this drafted. Kathleen asked about a model of the lights. Matt mentioned the Wawa north of Jensen Beach Blvd. on US 1, which is only a higher mounting height. Our mounting height will be 15 ft. Another example where to view the esthetic of the light during the day is at the Oceanographic Center on Hutchinson Island. At night, the lights are not the same because they have turtle friendly lights only. The picture of the light is also attached to the Board meeting minutes for October 17, 2023. Matt is unable to obtain a

demonstration working model of the light from FPL. He is planning on showing the group walking the project a footprint of the lights. The pole must be designed to accept 170 mph wind load and FPL is recommending a direct barrier tapered concrete pole that is 15 ft above grade and 6 ft below grade. This is again, ONLY the preliminary layout of the lights.

New Business:

1. New Flag Statutes – Matt Hollister – See attached.

There is new language in the Florida Statutes regarding flags. Please see Florida Statute 720.304 (2)(a) #5, regarding first responder flag. Kathleen mentioned (2) (b) regarding flagpoles that may need to be updated also. There was a motion made by Kathleen and seconded by Joe to move this new language to the Board for review. The vote was unanimously approved.

2. Approved Condo Bldg. Paint Colors – Matt Hollister

Matt is having an open meeting of the Architectural Review Committee at 4:30 pm on Friday, January 12, 2024. This will be to discuss colors, for the lowest possible cost, to the buildings. After the ARC meeting, we will hopefully be sharing this information with the Board on Tuesday.

3. Electronic Balloting/Polling – Bonnie Guenther- See attached.

Bonnie discussed the manual process for voting previously. This is a paperwork nightmare that must be done with at least 2 people. She is recommending the Becker electronic voting for both voting and for surveys. This could be used for only one building or for every resident on property. Bonnie would serve as the administrator. Bonnie requested that the Committee move this forward to the Board for their review. There being no questions, Martha made a motion to forward this to the Board for their review and it was seconded by Renee. The vote was unanimously approved. Matt mentioned that as cost saving measures are identified, we will implement them whenever possible.

4. Social Committee Straw Poll – Debbie Hollister

The Social Committee would like to have the Executive Committee agree to approve to forward their request for permission to send a straw poll out to all owners. The Committee would like to know what type of events the community desires, for example, Happy Hours, dinners, music and what price do they want to pay. This input is needed because the committee does not want to have to continue to cancel events. There's too much time, effort and money put into all the events. At this time, the Committee is also not able to fill the Social Committee Board for the current 2-year term of 2024-2026. There is only a treasurer and a corresponding secretary. The Committee still requires a president, a vice-president and a secretary. A motion was made by Renee and seconded by Martha to forward this request to the Board, along with a copy of the straw poll language. The vote was unanimously approved. If this is approved by the Board next week, it will be sent out and asked to be returned by January 26 so that the Social Committee can move forward for the rest of the 2024 year.

5. Holiday Lighting Contract – Debbie Hollister

This is the 4th year for our holiday lighting. This is a volunteer fundraiser for the community and permission is needed from the CHA Board to continue this project. We have just

completed our 3-year contract with the company. Debbie is requesting this be forwarded to the Board for their approval as the Board desires. It can be done as another 3-year contract with a 10% discount or just collect the \$7000 needed per year. There is still \$626.35 left in the holiday lighting account that can be used also. A motion was made by Renee to move this request to the Board and it was seconded by Martha. Kathleen asked if there was any possibility to fund this project through CHA. Matt mentioned that the funding is available through CHA and that we can give the Board the choice as to how they want to proceed with the holiday lighting. He would like Debbie to figure out what it would cost each resident per year or per month. She agreed and stated that she would be happy to continue to work with the lighting company and Bonnie, if that was decided by the Board. The vote to move this to the Board with all options noted above was unanimously approved.

Discussion Item:

- Matt wanted everyone to know that work is being done on the Capital Improvement Committee for long term expenditure analysis. The roads and major expenditures are being analyzed. The good news is that our financials are extremely healthy currently, which gives us a degree of comfort for these expenditures. We are finding ways to be more efficient also and to help to save money.

Comments on agenda items:

- Marge Drury – Bldg. 3 – Marge wanted to know if the meeting for the Condo Board colors was open to any resident. Matt stated that it was an open meeting and will be sometime on Friday, January 12. After this meeting, it was determined the Architectural Review meeting will be at 4:30pm on Friday, January 12, at the clubhouse. Anyone is welcome to attend, and it will be considered an open meeting.
- Lynne Trudel – Bldg. 12 – Lynn asked if we were repairing the top of the dock only or the pilings also. Matt stated they are putting new pilings in, without removing the old pilings. There will be new structure underneath, in the form of stringers with strapping. There will be new decking, new handrail, new lighting, new water and new fish cleaning station. Bonnie mentioned that the pilings and the dock will both be approximately 1 ft higher than they are now. Lynne also requested to be a part of the FPL walking project. Matt mentioned to give her name to Mona. Martha also would like to be included. The entire property will be walked for the lighting project.
- Jean McIntyre – Homes – Jean thanked Matt for his hard work on the FPL project. She asked about the sizes of mounts for the poles and if they can be lowered for the homes' section to 10ft instead of 15 ft. Discussion followed regarding the flashlight effect from the lights. There is a minimum height to achieve a certain illumination. Lowering the poles would require adding more lights. Per Matt, this is the smallest mounting pole that FPL offered for the light fixture chosen. Jean likes the neighborhood like feel of the houses and is concerned the lighting will change that to a commercialized look. Matt stated that if the homes don't want to be included in the project, that can be arranged also. Jean verified that they are areas in the homes that require additional lighting. Jean suggested that the walking light project be done after dark and Matt agreed.
- Mona Gerard – Homes – Mona mentioned that there is additional information in the Board meeting minutes from October 17, 2023, regarding the FPL project. Matt stated that the lights

at Wawa and the Oceanographic center are very similar to the lights chosen for our project; however, we don't know if they are from the FPL project. Mona asked if we decide to add fewer lights, will the project cost less and Matt stated yes. The cost of approximately \$34k was based on 76 lights. If there are fewer lights, they will revise the price and the monthly reoccurring cost will also decrease. Mona asked if the Board received or reviewed the FPL contract. Matt stated that we have not gotten a contract yet. FPL is waiting for us to get back to them with the final lighting layout in case of any adjustments, such as a decrease in lights before we get the final contract.

Mona also asked if there is something in written in any of our documents stating that the colors of the Condominiums can never be changed. She knows it's not in the yellow book and she was told it's in the Condominium Red Books. Matt stated that the intent is to only change the application of the color, not the colors. The thought is that conquistador cream would be used more throughout the community, as we did with the LR2 bathhouse. Discussion followed that there was no mention of colors noted in any of the documents. Matt would like to institute a change that is more favorable and brighter without excess cost for the Condominiums. Bonnie agreed to double check the documents regarding paint color changes. Mona mentioned that the Green Rules book already allows the homes to have flag poles in section D. Flags #2(b), and therefore that does not need to be added to the new language for the Florida Flag Statutes. Matt asked Mona to verify that the language in our Rules book is consistent with the Statute, prior to presenting to the Board and she agreed. It was also agreed that the daytime FPL walking project, will be held at 12 noon, on Tuesday, January 16, 2024.

Renee made a motion to adjourn the meeting and Martha seconded the motion. The motion was unanimously approved, and the meeting was adjourned at 10:23 am.


Renee Drentkiewicz

Renee Drentkiewicz, Secretary


Matt Hollister

Matt Hollister, President

1/9/24 Executive Committee Meeting Sign In

CONQUISTADOR HOMEOWNERS' ASSOCIATION, INC.

EXECUTIVE COMMITTEE MEETING

**Tuesday, January 9, 2024
9:30 A.M.**

AGENDA

PLEDGE OF ALLEGIANCE

CALL TO ORDER

ROLL CALL

APPROVAL OF PREVIOUS MINUTES

TREASURER'S REPORT

MANAGER'S REPORT

OLD BUSINESS:

Revision of CHA Documents – Matt Hollister/Rick Cass
FPL Lighting Project – Matt Hollister

New BUSINESS:

New Flag Statutes – Matt Hollister
Approved Condo Bldg. Paint Colors – Matt Hollister
Electronic Balloting/Polling – Bonnie Guenther
Social Committee Straw Poll – Debbie Hollister
Holiday Lighting Contract – Debbie Hollister
Discussion Item:

COMMENTS on agenda items:

POSTED: 1/3/24

CONQUISTADOR HOMEOWNERS' ASSOCIATION
TREASURER'S REPORT
DECEMBER 2023

FINANCIAL ANALYSIS:

December revenues were in line with Budget. The following expenses were variances from plan. The much needed partial replacement of landscaping around the clubhouse was invoiced in December's financials. This amounted to \$11,746. The work is being performed during post holidays. In the General Common Areas-Supplies account, the maintenance crew replenished maintenance items at a cost of \$1,193.77. Additionally 6 meters and connection sets were purchased at a cost of \$673.63. Again, in the General Common Areas, the Landscaping Committee purchased several items for the entrance area and clubhouse amounting to \$784. In the Clubhouse account, irrigation supplies were incurred for repair and replacement of irrigation system around clubhouse, this amounted to \$1,109.

With these additional expenses, we ended the month at a negative variance of \$10,946.86.

The great news is that we ended the year with a positive variance of \$47,236.72. This is due to the great work by Bonnie and her team. They took on a lot of small projects and that attributed to this savings.

CHECKING/RESERVE ACCOUNTS:

(BANK STATEMENT AS OF January 1, 2024)

\$198,106.79	SouthState Bank Checking Account
\$367,705.52	SouthState Bank Money Market Account
<u>\$258,294.31</u>	Synovus Business CD
\$824,106.62	Total Checking/Reserve Accounts

WATER BILL/CONSUMPTION SUMMARY:

	CITY OF STUART	CONQUISTADOR	DIF	%
NOV/DEC 2022	1,335,000	1,494,578	(159,578)	(12.0)
NOV/DEC 2023	1,403,000	1,122,356	280,644	20.0

Manager's Report
Executive Committee Meeting
January 9, 2024

- The Clubhouse pool pump was replaced by Coast Life Pools.
- The stormwater drain failure has been partially repaired by Underground Construction. They will be back in the next two weeks to repair the failures on the east and west side of St Lucie Blvd..
- The drain pan and evaporator coil for the south side Cardroom AC were replaced by Breathe Healthier Air.
- Quarterly service was done to all eight Clubhouse AC's by Breathe Healthier Air.
- The east wall fence partitions and dog park fencing have been installed by All Around Fencing. The new gate on the north side of the dog park is much easier to use so you are encouraged to use those gates rather than the utility gate on the south side. Final payment is pending the completion of punch list items submitted to them on 1/5.
- Repairs were done to one of the Clubhouse pool heater/chillers by Aquacal.
- New wind mitigations were done on bldgs. 1,2,3,4,5,10,11, and 12 as their current wind mitigations had to be updated because of their new roofs.
- The electrical panel including the meter, the main FPL feed, and connected wiring on the south side of the entrance which supplies electric to the front of property is being replaced by Kamin Electric. The level of decay of the electrical equipment was discovered when it had to be moved when the wood partition it was attached to was replaced. FPL is involved in the project as electrical inspections are required. The project should be completed in the next two weeks. In the meantime, electric is being partially supplied by the Clubhouse. **(Project has been completed as of 1/10.)**
- We renewed the CHA Synovus for a term of 13 months at 5%. It was at 3.5%.
- Liability inspections continue on property two months after insurance renewal. We are being encouraged by underwriters to require certificates of insurance from all vendors at the limits, \$500,000 for workers compensation and \$1,000,000 general liability insurances, at least. **This includes the condos.**
- ProGreen did their quarterly herbicide, insecticide, and fertilization service on property.
- The bushes in front of the stop sign between bldgs. 3 and 10 have been removed to increase visibility to the stop sign. We have replaced the empty area with fill and sod.
- The dock replacement is scheduled for the beginning of February.
- New plantings were done on the north side of the tennis court and behind the Clubhouse. Plantings to replace very aged, dying plants and bushes will continue in the next several weeks. The new plantings are water conservative and minimalistic to create a cleaner look around the Clubhouse. Fresh mulch and flowers have also been installed on property. The Landscaping Committee, especially Pam Vaughan has been integral in choosing plants and helping with landscape design. Thank you for all your help!
- We are busy in the office with end of year functions such as entering new budgets and maintenance rates. The payment coupon books have been ordered and should be in shortly. We had requested names of anyone who wanted one. Just to clarify, the coupon books are

payment coupons to be used as reminders of when to pay or if you have paid. The coupons serve no purpose to the office.

- I have received the third draft of the condo reserve studies. I was not satisfied with the detail and content of the reports, so I requested changes which are being worked on. I expect to see another draft this week. I am very aware of what a proper reserve study should resemble as I worked intimately with the reserve analyst to complete the CHA reserve study, and I am not accepting any reports that do not meet the criteria of the contract signed and my standards.
- Happy New Year!

- [Table of Section Changes \(2023\)](#) [PDF]
- [Preface to the Florida Statutes \(2023\)](#) [PDF]
- [Table Tracing Session Laws to Florida Statutes \(2023\)](#) [PDF]
- [Index to Special and Local Laws \(1971-2023\)](#) [PDF]
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2023 Florida Statutes

Title XL REAL AND PERSONAL PROPERTY	Chapter 720 HOMEOWNERS' ASSOCIATIONS Entire Chapter	SECTION 304 Right of owners to peaceably assemble; display of flags; SLAPP suits prohibited.
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720.304 Right of owners to peaceably assemble; display of flags; SLAPP suits prohibited.—

(1) All common areas and recreational facilities serving any homeowners' association shall be available to parcel owners in the homeowners' association served thereby and their invited guests for the use intended for such common areas and recreational facilities. The entity or entities responsible for the operation of the common areas and recreational facilities may adopt reasonable rules and regulations pertaining to the use of such common areas and recreational facilities. No entity or entities shall unreasonably restrict any parcel owner's right to peaceably assemble or right to invite public officers or candidates for public office to appear and speak in common areas and recreational facilities.

(2)(a) If any covenant, restriction, bylaw, rule, or requirement of an association prohibits a homeowner from displaying flags permitted under this paragraph, the homeowner may still display in a respectful manner up to two of the following portable, removable flags, not larger than 4 1/2 feet by 6 feet:

1. The United States flag.
2. The official flag of the State of Florida.
3. A flag that represents the United States Army, Navy, Air Force, Marine Corps, Space Force, or Coast Guard.
4. A POW-MIA flag.
5. A first responder flag. A first responder flag may incorporate the design of any other flag permitted under this paragraph to form a combined flag. For purposes of this subsection, the term "first responder flag" means a flag that recognizes and honors the service of any of the following:
 - a. Law enforcement officers as defined in s. [943.10](#)(1).
 - b. Firefighters as defined in s. [112.191](#)(1).
 - c. Paramedics or emergency medical technicians as those terms are defined in s. [112.1911](#)(1).
 - d. Correctional officers as defined in s. [943.10](#)(2).
 - e. 911 public safety telecommunicators as defined in s. [401.465](#)(1).
 - f. Advanced practice registered nurses, licensed practical nurses, or registered nurses as those terms are defined in s. [464.003](#).
 - g. Persons participating in a statewide urban search and rescue program developed by the Division of Emergency Management under s. [252.35](#).
 - h. Federal law enforcement officers as defined in 18 U.S.C. s. 115(c)(1).

(b) Regardless of any covenants, restrictions, bylaws, rules, or requirements of the association, a homeowner may erect a freestanding flagpole no more than 20 feet high on any portion of the homeowner's real property as long as the flagpole does not obstruct sightlines at intersections and is not erected within or upon an easement. The homeowner may further display in a respectful manner from that flagpole one official United States flag, not larger than 4 1/2 feet by 6 feet, and may additionally display one other flag permitted under paragraph (a). Such additional flag must be equal in size to or smaller than the United States flag. The flagpole and display are subject to all building codes, zoning setbacks, and other applicable governmental regulations, including, but not limited to, noise and lighting ordinances in

the county or municipality in which the flagpole is erected and all setback and locational criteria contained in the governing documents.

(c) This subsection applies to all community development districts and homeowners' associations, regardless of whether such homeowners' associations are authorized to impose assessments that may become a lien on the parcel.

(3) Any owner prevented from exercising rights guaranteed by subsection (1) or subsection (2) may bring an action in the appropriate court of the county in which the alleged infringement occurred, and, upon favorable adjudication, the court shall enjoin the enforcement of any provision contained in any homeowners' association document or rule that operates to deprive the owner of such rights.

(4) It is the intent of the Legislature to protect the right of parcel owners to exercise their rights to instruct their representatives and petition for redress of grievances before the various governmental entities of this state as protected by the First Amendment to the United States Constitution and s. 5, Art. I of the State Constitution. The Legislature recognizes that "Strategic Lawsuits Against Public Participation" or "SLAPP" suits, as they are typically called, have occurred when members are sued by individuals, business entities, or governmental entities arising out of a parcel owner's appearance and presentation before a governmental entity on matters related to the homeowners' association. However, it is the public policy of this state that government entities, business organizations, and individuals not engage in SLAPP suits because such actions are inconsistent with the right of parcel owners to participate in the state's institutions of government. Therefore, the Legislature finds and declares that prohibiting such lawsuits by governmental entities, business entities, and individuals against parcel owners who address matters concerning their homeowners' association will preserve this fundamental state policy, preserve the constitutional rights of parcel owners, and assure the continuation of representative government in this state. It is the intent of the Legislature that such lawsuits be expeditiously disposed of by the courts.

(a) As used in this subsection, the term "governmental entity" means the state, including the executive, legislative, and judicial branches of government, the independent establishments of the state, counties, municipalities, districts, authorities, boards, or commissions, or any agencies of these branches which are subject to chapter 286.

(b) A governmental entity, business organization, or individual in this state may not file or cause to be filed through its employees or agents any lawsuit, cause of action, claim, cross-claim, or counterclaim against a parcel owner without merit and solely because such parcel owner has exercised the right to instruct his or her representatives or the right to petition for redress of grievances before the various governmental entities of this state, as protected by the First Amendment to the United States Constitution and s. 5, Art. I of the State Constitution.

(c) A parcel owner sued by a governmental entity, business organization, or individual in violation of this section has a right to an expeditious resolution of a claim that the suit is in violation of this section. A parcel owner may petition the court for an order dismissing the action or granting final judgment in favor of that parcel owner. The petitioner may file a motion for summary judgment, together with supplemental affidavits, seeking a determination that the governmental entity's, business organization's, or individual's lawsuit has been brought in violation of this section. The governmental entity, business organization, or individual shall thereafter file its response and any supplemental affidavits. As soon as practicable, the court shall set a hearing on the petitioner's motion, which shall be held at the earliest possible time after the filing of the governmental entity's, business organization's or individual's response. The court may award the parcel owner sued by the governmental entity, business organization, or individual actual damages arising from the governmental entity's, individual's, or business organization's violation of this section. A court may treble the damages awarded to a prevailing parcel owner and shall state the basis for the treble damages award in its judgment. The court shall award the prevailing party reasonable attorney's fees and costs incurred in connection with a claim that an action was filed in violation of this section.

(d) Homeowners' associations may not expend association funds in prosecuting a SLAPP suit against a parcel owner.

(5)(a) Any parcel owner may construct an access ramp if a resident or occupant of the parcel has a medical necessity or disability that requires a ramp for egress and ingress under the following conditions:

1. The ramp must be as unobtrusive as possible, be designed to blend in aesthetically as practicable, and be reasonably sized to fit the intended use.

2. Plans for the ramp must be submitted in advance to the homeowners' association. The association may make reasonable requests to modify the design to achieve architectural consistency with surrounding structures and surfaces.

(b) The parcel owner must submit to the association an affidavit from a physician attesting to the medical necessity or disability of the resident or occupant of the parcel requiring the access ramp. Certification used for s. [320.0848](#) shall be sufficient to meet the affidavit requirement.

(6) Any parcel owner may display a sign of reasonable size provided by a contractor for security services within 10 feet of any entrance to the home.

History.—s. 36, ch. 92-49; s. 51, ch. 2000-258; s. 1, ch. 2002-50; s. 19, ch. 2004-345; s. 16, ch. 2004-353; s. 1, ch. 2008-45; s. 23, ch. 2010-174; s. 19, ch. 2022-183; s. 121, ch. 2023-8; s. 2, ch. 2023-64.

Note.—Former s. 617.304.

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I recommend that we utilize Becker Ballot, an online electronic voting system. It can be utilized for voting and for surveys. Owners would be sent a link to register themselves as voters. Only one e mail would be registered per unit or lot. Anyone who does not wish to vote electronically would be able to opt out of electronic voting and would receive ballots via mail or in person.

The service could be used not only for the master association voting and surveys but also for condo association voting and surveys.

There would be one main administrator for the voting who would not be able to manually adjust any tallies but would only serve as the administrator.

The labor cost savings for the office and the ease of voting for the residents would be the main benefits. As I am aiming to streamline functions in the office and on property, this would certainly help with that goal. The cost for Becker members is \$700 per year for unlimited voting and surveys with an initial \$250 set up charge. I watched a webinar today regarding its functions, and it seems like it could serve us well.

<https://beckerballot.com/>

The Executive Social Committee Straw Poll

This straw poll is being done because we have several vacancies in the Executive Social Committee that must be filled if our Social events are to continue for the year 2024-2025.

Are you willing to step up and be a part of our social committee?

In order for Conquistador to flourish and be a community that everyone will continue to enjoy, we will need more participation from our residents. If there is no further community participation, the Social Committee will cease to exist.

Please answer the questions below and return this form to your president by January 5th 2024.

1. Do you feel one social event per month is adequate? Yes or No
2. Do you prefer Happy Hour or Full Dinners with the understanding that Full Dinners will be much more expensive than the Happy Hour? Circle one: Yes or NO

3. Should we continue with buildings hosting events?
Circle one: YES or NO

4. If your building was hosting an event, would you:

- A. Assist in the hosting
- B. Only participate in the event?
- C. Not interested/ other

5. Would you be interested in representing your building as the social event representative? Circle one: YES or NO

6. We have several vacancies on the Executive Social Committee would you be available to serve on this committee? Circle one: Yes or No

Thank you for participating in this important straw poll.

Sincerely,

The Executive Social Committee