

**FIRST NOTICE OF DATE OF ANNUAL MEETING AND BOARD MEMBER ELECTION OF VISTA  
TOWNHOMES AT HERITAGE BAY ASSOCIATION, INC.**

**PROCEDURE FOR QUALIFYING FOR THE BOARD**

**January 26<sup>th</sup>, 2024**

**TO ALL MEMBERS: On Tuesday, March 26th, 2024 at 5:00 p.m. at the Vista Pool, 9047 Gervais Cir. Naples FL 34120.** The Annual Meeting of the Association will be held for the purpose of electing one owner director and such other business as may lawfully be conducted. After this "FIRST NOTICE" you will receive a "SECOND NOTICE OF ANNUAL MEETING" which will specify the agenda and advise of other important information concerning the Annual Meeting and OR election.

The purpose of this Notice is to advise you of the date, time and place of the Meeting and Election and to inform you of the process for qualifying for the Board.

**QUALIFYING FOR THE BOARD**

On or before February 16th, 2024; you must give written notice to the Association, either by mail or in person, of your desire to run for the Board, addressed to the Association's mailing address: VISTA TOWNHOMES AT HERITAGE BAY ASSOCIATION, INC. c/o Unsworth, Marretta & Unsworth CPA – 3960 Radio Rd, Suite 203 Naples FL 34104. The attached "Notice of Intent to be a Candidate for the Board" may be used for this purpose.

You may also submit an Information Sheet, no larger than a one-sided sheet of 8 1/2 inches by 11 inches, containing your qualifications and/or platform for office. This Information Sheet must be submitted to the Association c/o Unsworth, Marretta & Unsworth, at the address listed above, on or before February 23rd, 2024 to meeting the notice timeline.

The ballots listing the candidates and any Information Sheets will be mailed to voting members at least thirty (30) days prior to the date of the Annual Meeting.

BY ORDER OF THE BOARD OF DIRECTORS

*Liesel Schaefer*

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Liesel Schaefer

Vista Townhomes at Heritage Bay Assn., Inc.

NOTICE OF INTENT TO BE A CANDIDATE FOR THE

BOARD OF DIRECTORS OF  
Vista Townhomes at Heritage Bay Association, Inc.

I, \_\_\_\_\_, hereby place my  
In nomination as a candidate for the Board of Directors of Vista Townhomes at Heritage Bay Association,  
Inc., I **AM** OR **NOT** (circle one) enclosing an information sheet, not larger than one sided 8 1/2 x 11"  
about myself. I understand that I am responsible for the accuracy of the information contained.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
(signature of candidate)

Name: \_\_\_\_\_

Property Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

**FORM MUST BE RETURNED NO LATER THAN FEBRUARY 16<sup>TH</sup>, 2024**

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**NOTICE OF BOARD ELIGIBILITY REQUIREMENTS**

Please be advised that Florida Statute states, as follows concerning seated Board eligibility:

*~Owner who is delinquent in the payment of any fee or assessment [more than 90 days delinquent in the payment of regular assessments], is not eligible for the Board.*

*~A person who has been convicted of a felony in the state or in a United States District or Territorial Court, OR who has been convicted of any offense in another jurisdiction that would be considered a felony if committed in this state, is not eligible for board membership unless such felon's civil rights have been restored for a period of no less than 5 years as of the date on which such person seeks election to the board.*

**VISTA TOWNHOMES AT HERITAGE BAY ASSOCIATION, INC**  
**OUTLINE OF ELECTION PROCESS/ORGANIZATIONAL MEETING**  
**PURSUANT THE DECLARATION OF COVENANTS SECTION 1-9**

**OVERVIEW:** The administration of the affairs of the Association is carried out by a seated Board of Directors, by election or appointment. Below is a summary of the election process; its definition, followed by the organizational meeting.

**BOARD:** The Board of Directors consist of three (3) Directors with two-year terms.

**STAGGERED TERMS:** The continuity of experience is done through a system of **staggered terms** of office, so that a quorum of the Board is always seated. The purpose of staggered terms is the enable a quorum of the experienced board members to remain seated to enable seamless Association operation(s). The staggered terms rule will be reviewed, updated, and adopted at the organizational meeting directly following the annual meeting. Under the current rule, each Board member elected and seated will serve a two-year term and 2024 one (1) seat up for election. To implement the staggered terms procedure as adopted at the original turnover organizational meeting in 2012 which followed post-developer turnover. The staggered terms rules will be updated and formally adopted in 2022 to use for future election(s) in perpetuity.

**DIRECTOR TERMS, ELECTION:** Directors elected or seated will serve a two-year term unless resignation, ineligibility, or recall. To preserve the staggered term rules through continuity of experience there will **ONE** seat up for election. If there is a surplus of candidates, there will be an election through secret ballot.

**ELECTION PROCESS:**

(1) If there is ONE (1) candidate only with advance intent to run; NO ELECTION WILL BE NECESSARY. This ONE (1) candidate will be automatically seated at the election/as candidate would be equal to the vacant seats available.

(2) LESS than ONE (1) candidate, the open seats become a "vacancy".

(3) "Vacancy or vacancies" can be filled by the seated Board of Directors Board; filled by appointment to an interested owner in good standing. This appointment would then be ratified in an open meeting specifically called or a regularly scheduled Board meeting with 48-hour notice. Vacancies don't require an election.

(4) If there are more candidates than vacant seats, then the election will be required with votes tallied by volunteers at the annual meeting. The ballot at the meeting will specify how many candidates to select during the election, for this election (if needed) it will be ONE (1). This will include candidates that submit an intent to run in advance.

**ORGANIZATIONAL MEETING:**

(1) Following the annual meeting, the seated Board, along with the newly elected Board Member will conduct an organizational meeting utilizing the same quorum.

(2) The newly elected Board member will join the one (2) TWO sitting Board members actively serving their terms.

(3) The newly seated Board will organize and pick seats for new Board members.

(4) Seats will be recorded in the Board minutes and updated officers will be filed promptly with the State of Florida, Division of Corporations as legally required.

(5) The Board can also conduct any business before them posted on the agenda.

(6) Agenda items to include assignment of board positions, bank signature cards, old business/new business, draft tentative annual Board meeting for the year.