

ISLES OF SUGAR MILL ASSOCIATION, INC.
Communications and Record Inspection Policy

This Communications and Record Inspection Policy ("Policy") has been adopted by the Board of Directors ("Board") for Isles of Sugar Mill Association, Inc. ("Association") on the 29 day of July, 2023. This Policy is intended to supplement and be used in connection with the Declaration of Covenants and Restrictions for Isles of Sugar Mill ("Declaration"), Bylaws of the Association, Articles of Incorporation of the Association and any other rules, regulations, policies and procedures adopted by the Association's Board, as they have or may be amended and supplemented from time to time (collectively referred to as the "Governing Documents").

I. Authority to Implement Policy

- 1) Pursuant to Article 5, Section 5.2(e) of the Articles of Incorporation, as amended, the Board is entitled to adopt rules and regulations pertaining to the Association and Owners.
- 2) Pursuant to Article 4, Section 4.10 of the Bylaws, the Board is entitled to adopt reasonable rules governing speaking at Board Meetings.
- 3) Pursuant to Article 7, Section 7.6 of the Bylaws, the Board is entitled to adopt reasonable rules and regulations pertaining to tape recording or videotaping Membership meetings.
- 4) Pursuant to Article 10, Section 10.1 of the Bylaws, the Board is entitled to adopt reasonable rules and regulations pertaining to official records inspections.
- 5) Pursuant to Section 720.303(2)(b), Florida Statutes, the Board is entitled to adopt reasonable rules governing speaking at Board Meetings.
- 6) Pursuant to Section 720.306(6), Florida Statutes, the Board is entitled to adopt reasonable rules governing speaking at Owners' Meetings.
- 7) Pursuant to Section 720.303(5)(c), Florida Statutes, the Board is entitled to adopt reasonable rules governing the inspection of the Association's official records.

II. Interpretation and Definitions for Policy

- 1) The definitions of the capitalized terms in this Policy, unless otherwise defined herein, shall have the same meaning as those set forth in the Governing Documents.
- 2) All provisions of the Governing Documents are incorporated into this Policy. In the event any provision of this Policy conflicts with the Governing Documents, the terms

and provisions of the Governing Documents shall control.

- 3) In the event any provision of this Policy conflicts with Chapter 720, Florida Statutes, or the Florida Administrative Code, the terms and provisions of Chapter 720, Florida Statutes, or the Florida Administrative Code shall control.
- 4) "Association Parties" shall mean and refer to the Association's directors, officers, managers, employees, agents, contractors, subcontractors and vendors and the Association's management company's employees, personnel and representatives.
- 5) "Board Meeting" shall mean and refer to a quorum of directors gathered to conduct Association business, which is open to the Owners (i.e. not privileged).
- 6) "Employees and Vendors" shall mean and refer to the Association's managers, employees, agents, contractors, subcontractors and vendors and the Association's management company's managers, employees, personnel and representatives.
- 7) "Statutory Committee" shall mean and refer to a group of persons appointed by the Board, which, pursuant to Section 720.303(2)(c)1, Florida Statutes, requires to be noticed in the same manner as a Board Meeting.
- 8) "Statutory Committee Meeting" shall mean and refer to a quorum of Statutory Committee members gathered to conduct the business of the committee that is open to the Owners.
- 9) "Owners' Meeting" shall mean and refer to a quorum of Members gathered to conduct Association business, including, but not limited to, the annual and special meetings.
- 10) "Meeting" shall mean and refer to a Board Meeting, Statutory Committee Meeting or Owners' Meeting.
- 11) "Owner" shall mean and refer to an Owner as defined in the Governing Documents.
- 12) "Person" shall mean and refer to any Owner and any Owner's family, tenants, guests, invitees, agents, representatives, officers, directors, managers, members, principal and any other persons residing in an Owner's Unit.
- 13) "Record" or "Recording" shall mean and refer to the use of any type of audio, visual, or both, recording equipment to capture the audio, visual, or both of a Meeting.

III. Personal Communication, Conduct and Decorum

- 1) No Person shall harass, intimidate or threaten any of the Association Parties or any other Person, whether in person or by written or electronic mail.
- 2) No Person shall engage in any abusive, offensive or insulting conduct or behavior

towards the Association Parties or any other Person.

- 3) No Person shall use profane, lewd or offensive language in any communication, whether verbal or in writing, to the Association Parties or any other Persons.
- 4) Electronic mail communication is a courtesy, not a requirement. Persons who abuse that courtesy by violating this section will lose that privilege.
- 5) Employees and Vendors, while on duty and/or working for the Association, are prohibited from rendering services to any Person outside of the responsibilities, duties and obligations assigned to them or required of them by the Board. Should a Person require a service from any of the Association's Employees and Vendors, that Person shall make a written request with the Association's manager to be reviewed and considered by the Board.
- 6) No Person shall request or demand from any of the Association's Employees and Vendors a personal service for such Person or such Person's Lot.
- 7) No Person shall disrupt, interfere with or attempt to obstruct the Association's Employees and Vendors in their performance and carrying out of their responsibilities, duties and obligations for the Association.
- 8) No Person shall discipline, admonish or reprimand any of the Association's Employees and Vendors. Should a Person desire to file a complaint against any of the Association Parties, that Person should provide a written complaint with the Association's manager to be reviewed and considered by the Board.
- 9) No Person shall correct any of the Association's Employees and Vendors with respect to how the Association's Employees and Vendors perform and carry out their responsibilities, duties and obligations for the Association. Should a Person have a suggestion, comment or complaint regarding the provision of services by the Association by any of the Association's Employees and Vendors, that Person should provide a written statement to the Association's manager to be reviewed and considered by the Board.
- 10) No Person shall direct any of the Association Parties to leave or prevent the Association Parties from accessing the Limited Common Elements and Common Elements.
- 11) No Person shall use any contact information of any other Person unless such Person has consented to such use or such use is authorized under Chapter 720, Florida Statutes, for official communications of the Association.
- 12) Owners are responsible for the conduct, actions and behaviors of any other Persons associated with them or their Units.
- 13) Any comment, suggestion, issue, concern, complaint or claim of a Person not otherwise

addressed in this Policy shall be submitted it to the Association's manager in writing and the Association's manager shall communicate the same of the Association's officers and Board.

IV. Conduct and Decorum at Meetings

- 1) No Person shall disrupt, interfere with or attempt to obstruct any Meeting. For the purposes of this Policy, a person is disrupting, interfering with and obstructing a Meeting by not complying with this Policy and the procedures set forth herein.
- 2) No Person shall harass, intimidate or threaten any of the Association Parties at a Meeting.
- 3) No Person shall engage in any abusive, offensive or insulting conduct or behavior at a Meeting toward any Association Parties.
- 4) No Person shall use profane, lewd or offensive language at a Meeting toward any Association Parties.

V. Owners' Right to Speak at Board Meetings and Add Items to Agenda

- 1) If an Owner desires for the Board to add a specific item to the agenda of a Board Meeting, the Owner is required to follow Fla. Stat. 720.303(2)(d), which states that 20 percent of the voting interests must petition the board to address an item of business. Upon receipt of the petition, the Board shall place the item on the agenda not later than 60 days after receipt of the petition.
- 2) Owners may speak at any Board Meeting but only with reference to designated agenda items and/or items opened for discussion by the Board.
- 3) Owners desiring to speak at a Board Meeting with reference to designated agenda item(s) shall make written entries as appropriate on the sign-up sheet provided at the location of the Board Meeting, or otherwise provide written notice to the Board of the Owner's desire to speak with reference to designated agenda item(s), prior to the Board Meeting being called to order. If an Owner wishes to speak on an item opened for discussion by the Board during the course of the Board Meeting, the Owner shall make his or her best efforts to provide advance notice (written or otherwise) to the Board of the desire of the Owner to speak with reference to these item(s).
- 4) An Owner desiring to speak must wait to be recognized and called upon by the chairman of the Board Meeting before commencing to speak.
- 5) An Owner may speak for up to three (3) minutes per designated agenda item or item otherwise opened for discussion by the Board once that Owner is recognized and called upon by the chairman of the Board Meeting.

- 6) Owners shall, at all times, conduct themselves and speak in a professional and courteous manner.
- 7) Owners who refuse to comply with any portion of this Policy set forth herein, will not be permitted to speak at a Board Meeting until such time as they do so.
- 8) The Board reserves the right to permit variances from this Policy set forth in this section as appropriate and necessary in its sole discretion to serve the best interest of the Association.

VI. Owners' Right to Speak at Owners' Meetings

- 1) Owners may speak at Owners' Meetings with reference to all designated agenda items and items opened for discussion.
- 2) Owners wishing to speak with reference to designated agenda item(s), or any item as permitted by Florida Statutes, shall make written entries as appropriate on the sign-up sheet provided at the location of the Owners' Meeting, or otherwise provide written notice to the Board of the Owner's desire to speak with reference to these item(s), prior to the Owners' Meeting being called to order. If an Owner wishes to speak on an item opened for discussion during the course of the Owners' Meeting, the Owner shall make his or her best efforts to provide advance notice (written or otherwise) to the Board of the desire of the Owner's desire to speak with reference to these item(s).
- 3) An Owner who has signed up to speak must wait to be recognized and called upon by the chairman of the Owners' Meeting before commencing to speak regarding any item or item opened for discussion.
- 4) An Owner may speak for up to three (3) minutes at any Owners' Meeting with reference to each designated agenda item or item opened for discussion once that item has been raised and the Owner has been recognized and called upon by the chairperson of the Owners' Meeting.
- 5) Owners shall, at all times, conduct themselves and speak in a professional and courteous manner.
- 6) Owners who refuse to comply with any portion of this Policy shall not be permitted to speak at an Owners' Meeting until such time as they do so.
- 7) The Board of Directors reserves the right to permit variances from this Policy as appropriate and necessary in its sole discretion to serve the best interest of the Association.

VII. Recording Meetings

- 1) Owners may Record any Meeting.

- 2) An Owner desiring to Record a Meeting shall submit a written notice to the Association's manager, at least, one (1) business day before the start of the Meeting advising that the Owner will Record the Meeting.
- 3) A separate written notice must be made for each Meeting the Owner desires to Record.
- 4) The equipment and devices used by the Owner to Record the Meeting shall not produce any distracting sound or light emissions, including, but not limited to, additional lighting.
- 5) No Recording of any Meeting shall interfere with or obstruct the Meeting.
- 6) No Recording of any Meeting shall interfere with or obstruct any person's view of the Meeting or ability to hear the Meeting.
- 7) The equipment and devices used by the Owner to Record the Meeting shall be assembled and placed in position in advance of the commencement of the Meeting.
- 8) No Owner making a Recording of a Meeting shall move about the meeting room in order to facilitate the Recording.
- 9) All equipment and devices used by the Owner to Record the Meeting shall conform to the electrical codes and no accessory shall be attached to any electrical outlet that enables more equipment to utilize the outlet than would normally and safely utilize the outlet.
- 10) No Recording of a Board Meeting may be posted, shared or otherwise made available for viewing on the internet on any website, social media or other internet medium without the prior written consent of the Board.
- 11) No Recording of a Statutory Committee may be posted, shared or otherwise made available for viewing on the internet on any website, social media or other internet medium without the prior written consent of the Statutory Committee.

VIII. Record Inspections

- 1) The official records, also referred to herein as "records," available for inspection are those designated by Chapter 720, Florida Statutes, as amended from time to time, as the official records of the Association. No records other than those defined herein shall be available for inspection, unless the Association determines it to be in the best interest of the Association to make such records available for inspection.
- 2) Owners shall have the right to inspect the records of the Association as permitted by law. All references in this Policy to Owner will include record title holders and an Owner's authorized representative, where applicable.

- 3) An Owner desiring to inspect records shall submit a written request by Certified U.S. Mail, Return Receipt Requested, therefore to the Association at the official address of the Association, pursuant to the most recent on-line records of the Florida Secretary of State, Division of Corporations. Requests by facsimile transmission, electronic mail (e-mail), verbal requests, regular U.S. Mail or other unspecified means do not comply with this Policy and need not be acknowledged by nor responded to by the Association.
- 4) The written request must specify the particular records the Owner desires to inspect, including pertinent dates or time periods. The specification of the particular records must be sufficiently detailed to permit the Association to retrieve the records requested.
- 5) An Owner's inspection request shall be deemed received on the date that the receipt card was signed for by the Association.
- 6) Inspection of records shall be restricted solely to those records designated in the written request for inspection and shall be conducted solely by the Owner signing the inspection request, or his or her authorized representative.
- 7) If more than one Owner desires to inspect the same records, the Association may require that such inspections are conducted at different times provided that co-Owners of a Lot may inspect records together. If an Owner has designated an authorized representative, either the Owner or the authorized representative may inspect the records; however, both parties may not inspect the records together.
- 8) The Association is not obligated to create or generate a document or report that it does not maintain in the form requested by the Owner, or that it is not required by the Act or governing documents to maintain.
- 9) The Association is not required to respond to questions or provide additional information to the Owners or their representatives during the inspection.
- 10) An Owner shall not submit more than one (1) written request for inspection of records per calendar month. Any request submitted more frequently shall be null and void and need not be acknowledged by nor responded to by the Association.
- 11) An Owner shall not submit a request for re-inspection of the same records for a period of six (6) months if the record has not changed. Any request submitted for re-inspection of the same unchanged document within the six-month period shall be null and void and need not be acknowledged by nor responded to by the Association.
- 12) Inspections of records shall be conducted at the office where the Association's records are maintained or at such other location as may be designated by the Association. Records must be made available for inspection in Volusia County or within forty-five (45) miles of the Association. No Owner shall remove original records from the location where the records are inspected. No marks or alterations shall be made on

original records.

- 13) Records shall generally be made available for inspection by the Association on or before the tenth (10th) working day subsequent to the date of receipt by the Association, as defined by this Policy, of the written request for inspection. This time frame may be extended upon agreement of the Owner or for good cause. In addition, this time frame shall be extended in the event the records are so voluminous, or otherwise in such condition as to render this time frame unreasonable. For the purposes herein, "working day" shall mean Monday through Friday, exclusive of federal, state and local holidays in which the office of the Association or office where the records are being made available for inspection is closed.
- 14) The Association shall notify the Owner by telephone or in writing (which may include e-mail), that the records are available and the time, date and place for such inspection. Inspection shall be made only during normal Association business hours, or during the normal business hours of the location of inspection if other than the Association office. For purposes herein, "normal Association business hours" shall be the hours the Association office is customarily open, or the hours the location where the records are to be inspected is customarily open, or if there are no customary hours of operation, then 9:00 A.M. to 12:00 P.M. and 1:00 P.M. to 5:00 P.M., all on a working day. No Owner shall be entitled to inspect records for more than eight (8) hours cumulatively in any calendar month. At the request of either the Association or the Owner, inspections may be broken up into segments, provided that three (3) inspection visits per calendar month shall be the maximum number of sessions in a calendar month, and eight (8) hours maximum cumulative inspection time.
- 15) If at, or subsequent to, inspection, an Owner desires to have a copy of a record, the Owner shall designate in a separate writing, which record, or portion thereof, for which a copy is desired, or, in the alternative, shall designate such record by use of a clip or tab upon the page(s) desired. Not more than one (1) copy of each record requested shall be provided. If the location where the records are being inspected or stored has a copy machine capable of making copies of the records designated, and the Owner has requested the copying of 25 or less pages of records, then copies of the records shall be available contemporaneously with the inspection. If, however, the records to be copied exceed 25 pages, or there is no copy machine at the location where the records are being inspected or stored capable of making copies of the records designated, the Association may send the records out for copying by an outside source, such as a commercial copying company or make the copies at the location of the records, but available for later pick-up. If copied at the location where the records are kept, copies in excess of 25 pages shall be made available for pick-up by 5:00 P.M. within three (3) working days from the date of the inspection, the day of inspection not counting in calculating this deadline. Copies made by an outside source shall be available as soon as a copying service can reasonably pick-up, copy and return the records to the location where the records are being inspected or stored. Photocopies will be available at the place records are kept or produced for inspection. **Owners requesting copies must arrange for pick-up of records. The Association shall have no obligation to mail or otherwise**

deliver copies to any place.

- 16) The Association shall allow an Owner to use a portable device, including a smartphone, tablet, portable scanner, or any other technology capable of scanning or taking photographs, to make an electronic copy of the official records in lieu of the Association providing the Owner with a copy of such records.
- 17) An Owner shall pay the reasonable expense of copying. In the event the copies are made by the Association, the cost shall be twenty-five cents (\$.25) per page. If copies are made by outside vendors, actual costs shall be charged to the Owner. Payment in advance for the cost of copies shall be required. No copy of a record shall be made unless and until payment for the copy is received.
- 18) If records are kept on computer format, the Association may print such records to paper. The Association may but shall not be obligated to allow Owners to access the Association's computer system. If the Association provides access to records through a computer supplied by the Association or the office in which records access is being conducted, the person inspecting the records shall not e-mail the records inspected to any other computer, person, or e-mail account, review other content or programs on said computer, nor otherwise in any fashion download, forward, or otherwise transmit or manipulate the data he or she reads during the inspection of the records by review on electronic mail, internet or other computerized format.
- 19) The Association may comply with its obligation to make records available for inspection, at its sole discretion, by providing them to the Owner by electronic mail, the internet, or making them available in a computerized format readable with customary programs used in computers of consumers. If, however, an Owner provides the Association with written notice that they do not have access to a computer, the Association must make the records available for inspection as otherwise described herein.
- 20) All persons inspecting or requesting copies of records shall conduct themselves in a courteous and professional manner, and shall not interfere with the normal operation of the Association office and the duties of their personnel, or the office where the records are otherwise inspected or copied, nor the duties of their personnel. The Association office, or office of inspection, may assign a staff person or other person to assist in the inspection and all requests for further assistance and copying during inspection shall be directed to that staff person.

IX. Remedies For Non-Compliance with Policy and Governing Documents

- 1) In the interest of the health, safety and welfare of the Association Parties, Employees and Vendors, the Association Parties, Employees and Vendors are not be required to respond to any communications or engage in any interactions with any Person if the Association Parties, Employees and Vendors reasonably believe the Person's communications, actions or behavior violate this Policy; however, the Association

Parties, Employees and Vendors decision not to respond to or interact with the Person shall not be construed to prejudice any rights, remedies or defenses the Association may have with respect to such Person and such Person's comment, suggestion, issue, concern or claim.

- 2) In the sole discretion of the recipient of electronic mail, if a person communicating is threatening, abusive, or rude, the Association Parties, Employees and Vendors may block that electronic mail address with all future electronic mail being deleted automatically.
- 3) In the interest of the health, safety and welfare of the Association's Board, any member of the Association's Board may terminate a Board Meeting if the Association's Board reasonably believes a Person's actions or behavior violate this Policy.
- 4) In the interest of the health, safety and welfare of the Association's Board, the chair of an Owners' Meeting may terminate an Owners' Meeting if the chair reasonably believes a Person's actions or behavior violate this Policy.
- 5) In the interest of the health, safety and welfare of the members of a Statutory Committee, any member of a Statutory Committee Meeting if the Statutory Committee reasonably believes a Person's actions or behavior violate this Policy.
- 6) Owners and other Persons violating this Policy shall be considered a nuisance under the Association's Governing Documents.
- 7) Any violation of this Policy may result in the immediate suspension of the inspection until such time as the violator agrees in writing to comply herewith.
- 8) Any requests made under this Policy not complying with this Policy need not be honored, acknowledged, nor responded to by the Association.
- 9) Nothing in this Policy shall be deemed a waiver of any of Association's rights and remedies available to it at law and in equity whether such rights and remedies arise under Florida law or the Governing Documents. All such rights and remedies are cumulative, and the Association reserves the right to exercise any of them.

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IN WITNESS WHEREOF, we have hereunto set our hands and seals this 21 day of August, 2023.

Signed, sealed and delivered in the presence of:

[Signature]
(Sign - Witness 1)
Brian L Simonette
(Print - Witness 1)
[Signature]
(Sign - Witness 2)
Laura H Simonette
(Print - Witness 2)
[Signature]
(Sign - Witness 1)
Brian L Simonette
(Print - Witness 1)
[Signature]
(Sign - Witness 2)
Laura H Simonette
(Print - Witness 2)

ISLES OF SUGAR MILL ASSOCIATION, INC.

By: [Signature]
(Sign)
Leslie Manning
(Print)
President, Isles of Sugar Mill Association, Inc.

Attest: [Signature]
(Sign)
Amanda Rice
(Print)
Secretary, Isles of Sugar Mill Association, Inc.

STATE OF FLORIDA
COUNTY OF Volusia

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 21 day of August, 2023, by Leslie Manning, as President, and Amanda Rice, as Secretary, of ISLES OF SUGAR MILL ASSOCIATION, INC., a Florida not for profit corporation, on behalf of the corporation, who are personally known to me or who have produced _____ and _____ as identification.

NOTARY PUBLIC

[Signature] (Sign)
Laura H Simonette (Print)
State of Florida, At Large
My Commission Expires:

