

October 2009



7600 Estero Blvd. • Fort Myers Beach • Florida • 33931

The President's Letter:

Summer has quickly passed and the leaves are starting to provide spectacular colors here in upstate New York. Soon we will be completing another successful year at CBC. Elsewhere in this newsletter you will see the Call for the Annual Meeting on Nov. 6 and along with it the voting process for Board members and an Amendment to the Association documents.

Some of you may already know that we did have a mediation session to try to get a resolution in the on-going fire insurance saga. However, the attempt was unsuccessful; so we will proceed to trial as quickly as possible, hopefully before the year is over. The immediate result of this means that there will be another special assessment at some point next year. There should not however be more than two further assessments, totally approximately \$600.

Your Board has worked hard to keep costs down but you will see an increase in the maintenance fee, mainly due to a large increase in our bad debt recovery and also a change in the payment method for well monitoring caused by demolition of the burned building.

On a bright note, the whole complex looks great and everything is going well. Enjoy your stay and buy some additional weeks.

Richard E. Garrett, CBC Board President

Legal Update

On Friday, Sept. 18 we participated in a mediation of our lawsuit with Axis Insurance. Axis basically restated their earlier offer of approximately \$200,000 and further advised that if we refused to accept this, when they won the case they would move against us for in excess of \$220,000 in expenses they have incurred in defending our lawsuit. Per ratification from the Board we refused their offer. That concluded the mediation.

We now have also received a trial date schedule from Judge Rosman with a 3-week window from Nov. 16 thru Dec. 7 and are hopeful the matter can be presented to a jury during that time frame. Complicating this is that Axis is now seeking an

adjournment so that they may conduct further discovery. Our counsel is opposing this effort as Axis had previously advised the Court that they were prepared for trial.

Looking ahead, if we prevail and obtain a judgment against Axis for a \$\$ amount nearer our costs, i.e. \$3 million, it seems likely that Axis will appeal. If they take that route that will mean a further delay of 1-2 years and will cause a need for further assessments as mentioned in our last newsletter.

We wish the news were better, but it is what it is. We'll keep you advised regarding a trial date and any other significant changes in the lawsuit.

John Vary

OFFICIAL CALL TO ANNUAL MEETING

The Annual Meeting of the Caribbean Beach Club Condominium Association, Inc. will be held at 11:00 a.m. on November 6, 2009, at the Resort, 27600 Estero Boulevard, Ft. Myers Beach, FL. We will be discussing many important topics including the 2010 proposed operating and reserve budget. Election of Directors for the year 2010 will also take place.

The agenda for the meeting will include the following:

1. Election of three (3) owners to act as members of the Board of Directors.
2. Review of the 2010 operating and reserve budget. Approval by the Board of Directors.
3. Transaction of such other business as may properly come before the membership.

We hope you can join us at this very informative meeting. If you cannot attend in person, please sign, fold and return your proxy/ballot so your voice may be heard. A Board of Director's meeting will be held after the Annual Meeting to elect officers.

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From the Manager's Desk . . .

Despite the hardship caused by the fire and Axis lawsuit over the past 6-1/2 years, and the assessments you had to pay for the construction of the new building, the Board of Directors has managed to maintain an adequate reserve to keep the facilities in excellent condition. Each year you are charged for a resort reserve to maintain the buildings, furniture, roofs, pool and parking areas. As a result your resort is in as good a condition today as it has ever been. Certainly there are things that have to be done and improvements you would like to see, but these are being taken care of on a day-to-day basis by your staff. We welcome and look forward to the comments of owners and exchangers.

Those of you who haven't been down recently will see a new coffee dispensing counter, neater and cleaner with a cold water fountain next to it. The trash area was relocated and enclosed by order of the City. All walkways have been recoated with a more pleasant color, anti-slip sealant and paint.

Joyce and Layla have done an outstanding job in the front office, one which would have qualified us for Silver Crown rating with RCI. Unfortunately, overall we missed that level by .2 of a point because of improvement needed (according to RCI exchangers) in the area of unit maintenance and housekeeping. This comes about primarily as a result of the small size of our units, compared to those the exchangers are used to. Tony and our new maintenance man, Dan Miller (who replaced Robb Kettler) are doing everything possible to meet those goals, as is Rosie, who is back from maternity leave. We are also employing a part-time assistant for Rosie, who will clean early check-outs and save money by reducing the number of units cleaned by the Cleaning Service on Saturdays.

One of the chief attractions, which compensates for unit size, is the friendliness of our owners. It creates a feeling of congeniality not found in other resorts. Many of us have owned since the '80s. I would like to reestablish an "Owner Newsletter" for the website. We could publish anniversaries, births, illness, moves, etc. which would keep us in contact with our friends. For instance, in the last 6 months, Anne Thomson (wife of Board member John Thomson), Peggy Vary (wife of Board member John Vary) and my wife, Marline, have been hospitalized and are on the way to recovery. Our past president, Jim Jennings, the volleyball champ of Weeks 5-10 and the picture of health, has undergone triple bypass surgery and is planning on coming down in November. If news such as this interests you and you would like others to know, email me at caribbean_2@comcast.net or fax me at 239-463-9579.

As always, I am available and welcome your comments, suggestions and complaints. Looking forward to seeing you . . .
Ed

Proposed Amendment to the By-Laws of Caribbean Beach Club Association, Inc.

Proposed amendment to Article IV., Section 5, to read as follows:

ARTICLE IV. DIRECTORS

SECTION 5. Disqualification and Resignation of Directors: ... Effective upon the date of adoption of this amendment, no Unit Week Owner or co-Owner who is employed by the Association or its Management Company, whether under contract or as an independent contractor, shall be eligible to run for or serve on the Board of Directors. Any such employee who is serving out a Director's term on the date of adoption of this amendment shall be permitted to complete that term, but will not be eligible to run again or be appointed to fill any vacancy.

PLEASE NOTE: NEW TEXT INDICATED BY UNDERLINING; DELETED TEXT INDICATED BY STRIKETHROUGHS; UNAFFECTED TEXT INDICATED BY "..."

Candidate Resumes. . .

Thomas B. Andres - I am once again asking for your vote to serve you and our Association as your representative for the next two years. I have served as your treasurer for approximately the last six years. During that time, I have done whatever I could to hold down both the annual maintenance assessment and special assessments. Holding down costs in our current economic times and still maintaining the resort to the standards in which we have all become accustomed to is a challenge. I will always listen to the owners who wish to express their views to me. Using my accounting background and business experience, I will continue to vote for what I believe is best for the Caribbean Beach Club.

Anthony J. Annunziato - I would like to thank everyone for giving me the honor of serving on the Board for the last two years. By working here for the last three years, I have had the privilege of meeting the majority of you and listening to your concerns. By being here on a weekly basis, I am able to oversee our budget costs and resort needs and ensure our money is spent wisely.

Living in Ft. Myers saves the association air fare, lodging and car rental during Board meetings. I hope you give me the support to serve on the Board and continue to work at CBC. Thanking you in advance for your support.

Richard Garrett - I have a BS from State University of New York, College of Environmental Science and Forestry. I worked as a senior Forester for NYS Department of Environmental Conservation for 34 years. I retired in 1993 and now have my own private consulting forestry business. I am a past member of the New York Air National Guard. I have owned and vacationed yearly at Caribbean Beach Club since 1980. My Board of Directors experience includes being Vice President of Tully and Lafayette School Boards, President of the College of Forestry Alumni Association for four years and I continue to serve on its Board of Directors. I am a long time member of the Apulia Fire Department. I am currently president of our Board. I believe my long association with the developments at CBC (the fire, the lawsuit and it's movement) has enabled me to contribute to the Board's agenda over the past years. Thus I feel strongly that continuity on the board is important at this time and I am prepared to continue to serve the owners' desires if reelected.

Bob Kingsnorth - Grace and I have owned time/vacationed at Caribbean Beach Club since 1981 - we own 5 March weeks. It is still my opinion that, OUR BOARD OF DIRECTORS MUST BE TRANSPARENT. THERE SHOULD BE NO EVIDENCE OF CONFLICT OF INTEREST. DIRECTORS SHOULD NOT BE EMPLOYEES OF OUR MANAGEMENT COMPANY.

My experiences as an owner/maintainer of 50 residential rental units together with service on Municipal Waste Management and Social Housing boards, has exposed me to many of the problems our resort is currently experiencing. I served 22 years in the Canadian Air Force, retiring in 1984 as a Technical Sergeant; am a founding director of the North Bay, Ontario Taxpayer's Association; and a 29-year member of Lions Club International, having served as District Governor for Northern Ontario. Having sold our rental properties, I now have time to serve the Caribbean Beach Club Association as a Director.

2009		2010	
Week Number	Saturday to Saturday	Week Number	Saturday to Saturday
1	Jan. 03-Jan. 10	1	Jan. 02-Jan. 09
2	Jan. 10-Jan. 17	2	Jan. 09-Jan. 16
3	Jan. 17-Jan. 24	3	Jan. 16-Jan. 23
4	Jan. 24-Jan. 31	4	Jan. 23-Jan. 30
5	Jan. 31-Feb. 07	5	Jan. 30-Feb. 06
6	Feb. 07-Feb. 14	6	Feb. 06-Feb. 13
7	Feb. 14-Feb. 21	7	Feb. 13-Feb. 20
8	Feb. 21-Feb. 28	8	Feb. 20-Feb. 27
9	Feb. 28-Mar. 07	9	Feb. 27-Mar. 06
10	Mar. 07-Mar. 14	10	Mar. 06-Mar. 13
11	Mar. 14-Mar. 21	11	Mar. 13-Mar. 20
12	Mar. 21-Mar. 28	12	Mar. 20-Mar. 27
13	Mar. 28-Apr. 04	13	Mar. 27-Apr. 03
14	Apr. 04-Apr. 11	14	Apr. 03-Apr. 10
15	Apr. 11-Apr. 18	15	Apr. 10-Apr. 17
16	Apr. 18-Apr. 25	16	Apr. 17-Apr. 24
17	Apr. 25-May 02	17	Apr. 24-May 01
18	May 02-May 09	18	May 01-May 08
19	May 09-May 16	19	May 08-May 15
20	May 16-May 23	20	May 15-May 22
21	May 23-May 30	21	May 22-May 29
22	May 30-Jun. 06	22	May 29-Jun. 05
23	Jun. 06-Jun. 13	23	Jun. 05-Jun. 12
24	Jun. 13-Jun. 20	24	Jun. 12-Jun. 19
25	Jun. 20-Jun. 27	25	Jun. 19-Jun. 26
26	Jun. 27-Jul. 04	26	Jun. 26-Jul. 03
27	Jul. 04-Jul. 11	27	Jul. 03-Jul. 10
28	Jul. 11-Jul. 18	28	Jul. 10-Jul. 17
29	Jul. 18-Jul. 25	29	Jul. 17-Jul. 24
30	Jul. 25-Aug. 01	30	Jul. 24-Jul. 31
31	Aug. 01-Aug. 08	31	Jul. 31-Aug. 07
32	Aug. 08-Aug. 15	32	Aug. 07-Aug. 14
33	Aug. 15-Aug. 22	33	Aug. 14-Aug. 21
34	Aug. 22-Aug. 29	34	Aug. 21-Aug. 28
35	Aug. 29-Sep. 05	35	Aug. 28-Sep. 04
36	Sep. 05-Sep. 12	36	Sep. 04-Sep. 11
37	Sep. 12-Sep. 19	37	Sep. 11-Sep. 18
38	Sep. 19-Sep. 26	38	Sep. 18-Sep. 25
39	Sep. 26-Oct. 03	39	Sep. 25-Oct. 02
40	Oct. 03-Oct. 10	40	Oct. 02-Oct. 09
41	Oct. 10-Oct. 17	41	Oct. 09-Oct. 16
42	Oct. 17-Oct. 24	42	Oct. 16-Oct. 23
43	Oct. 24-Oct. 31	43	Oct. 23-Oct. 30
44	Oct. 31-Nov. 07	44	Oct. 30-Nov. 06
45	Nov. 07-Nov. 14	45	Nov. 06-Nov. 13
46	Nov. 14-Nov. 21	46	Nov. 13-Nov. 20
47	Nov. 21-Nov. 28	47	Nov. 20-Nov. 27
48	Nov. 28-Dec. 05	48	Nov. 27-Dec. 04
49	Dec. 05-Dec. 12	49	Dec. 04-Dec. 11
50	Dec. 12-Dec. 19	50	Dec. 11-Dec. 18
51	Dec. 19-Dec. 26	51	Dec. 18-Dec. 25
52	Dec. 26-Jan. 02	52	Dec. 25-Jan. 01

Caribbean Beach Club

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