



VENTURE OUT AT ST. LUCIE, INC.  
A Florida Condominium

**STATEMENT OF ASSOCIATION POLICY**  
**Retention Policy for Recordings of Meetings**

**EFFECTIVE DATE:** April 16, 2012

**SUBJECT:**

The Condominium Act, F.S. 718.112(2)(c), establishes the right for an owner, at a meeting of the Board of Directors, to record the proceedings., said reference which states in part "*Board of administration meetings.— Meetings of the board of administration at which a quorum of the members is present are open to all unit owners. A unit owner may tape record or videotape the meetings.*". Further, the minutes of a meeting, once accepted, are the official record of the meeting, and;

the Florida Administrative Code 61b-23(7)(b)3 which states, in part, "*Audio and video recordings made by the board or committee or at their direction. Except, however, recordings of board of directors, unit owner, or committee meetings shall be maintained as official records at least until the minutes of the meeting which was the subject of a recording are approved by the body authorized to approve said minutes. After said approval, the recording may be discarded; however, if the body authorized to approve said minutes elects to preserve the recording, it shall maintain its status as an official record under this provision. It is not the intent of this rule to require that such recordings be made but to require that if they are made that they be maintained at least until minutes of the meeting which was recorded are approved. This accommodates associations which record meetings only as an aid for preparing minutes of the meeting.*"

**PROBLEM:**

While the Condominium Act is clear in regard to the owners' (and therefore a Director's) right to record the proceedings, it provides no guidance as to the retention and ultimate disposition of recordings made by Board members. Under the law, such a recording is not an official record when replaced by the minutes and the Board may allow erasure of the recording or it may vote to keep it for a specific period of time.

**STATEMENT:**

Current policy under the Association's Official Documents is that, while recordings of proceedings may be made, there is no requirement in place that demands any Board member or Officer of that Board make such a recording. The Board of Directors of Venture Out at St. Lucie, Inc. has the

fiduciary responsibility to ensure that any Director who makes such a recording is provided guidance for the disposition of that recording. The Board also has the right & responsibility to establish rules related to process for such disposition.

**POLICY:**

Therefore, it is the policy of Venture Out at St. Lucie, Inc.

1. that any Director who wishes to record the proceedings of a meeting of either the Board of Directors or of the Owners is within their rights to do so, and;
2. should any owner other than a Director make such a recording, the recording is a privately owned recording that is not Association property nor part of the Association's official records, and;
3. since recordings of proceedings by Board members are made on an informational basis or as an aide to the Secretary in preparation of the minutes, and;
4. since the recordings do not constitute an official record of the Association, all such recordings shall be erased upon approval of the minutes at a subsequent meeting, and;
5. once the minutes are so approved, said minutes constitute the sole official record of the meeting, and, any & all recordings for the subject proceedings not erased as prescribed do not replace or supplement the official record.

Venture Out at St. Lucie, Inc., a condominium

Adopted by the Venture Out at St. Lucie, Inc. Board of Directors, this 16<sup>th</sup> day of April, 2012.

SIGNED:

BY: \_\_\_\_\_  
William Lembach, President

ATTEST:

BY: \_\_\_\_\_  
William Tranmer, Secretary