

**ON TOP OF THE WORLD CONDOMINIUM ASSOCIATION, INC.**

**CONTINUED ANNUAL MEETING**

**FOLLOWED BY A**

**BOARD OF DIRECTORS MEETING**

**JANUARY 4, 2024**

**10:00 AM**

**EAST ACTIVITY CENTER**

**ON TOP OF THE WORLD  
CONDOMINIUM ASSOCIATION, INC.,**  
a Florida Not-For-Profit Corporation  
2069 World Parkway Blvd. East  
Clearwater, FL 33763

**BOARD OF ADMINISTRATION**  
Kenneth D. Colen, Chairman  
Charles McAllister, Vice Chairman  
C. Guy Woolbright, Secy-Treas.  
Gail Sanders  
James F. O'Neil  
Virgil C. Ratliff  
Michael Spodeck  
Vacant  
Maria Avdelas

**NOTICE OF CONTINUATION OF ANNUAL MEETING  
FOLLOWED BY A BOARD OF ADMINISTRATION MEETING**

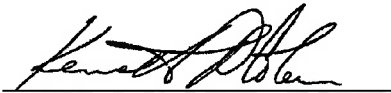
Date: Thursday, January 4, 2024  
Time: 10:00 AM  
Venue: East Activity Center, Auditorium  
2069 World Parkway Blvd. East  
Clearwater, FL 33763

**Annual Meeting Agenda**

1. Call to Order
2. Proof of Notice of Meeting
3. Election of Board of Administration
4. Recess
5. Announce Results of Board of Administration Election
6. Adjournment

**Board of Administration Meeting Agenda**

1. Call to Order; Proof of Notice of Meeting
2. Board Organization
3. Unit Owner Comments per Rule 22
4. Contracts for services anticipated in 2023-2024
5. Other Business
6. Adjournment

  
Kenneth D. Colen, Chairman

**On Top of the World Condominium Association, Inc. expects all unit owners to comply with Association Rules 21 and 22. Meeting participants are expected to conduct themselves with decorum, respect, and civility.**

## ANNUAL MEETING

### Agenda Item 1 –

- Call to Order

**Agenda Item 2 – Proof of Notice of the Meeting**

- Notice of this Continued Annual Meeting was provided at the December 15, 2023 meeting
- Notice of Continuation of Annual Meeting, followed by a Board of Administration Meeting was posted on the Association's Bulletin Board on December 20, 2023 per an Affidavit of Posting.

AFFIDAVIT OF POSTING

I, David Simms, do hereby swear, that on 12/20, 2023 at 12:45 a.m. (p.m.) a "Notice of Continuation of Annual Meeting followed by a Board of Administration Meeting" of the On Top of the World Condominium Association, Inc. to be held on Thursday, January 4, 2024 at 10:00 a.m., was posted on the community bulletin board in the East Activity Center at 2069 World Parkway Boulevard East, pursuant to Rule 11 of the Amended and Restated Rules of On Top of the World Condominium Association, Inc.

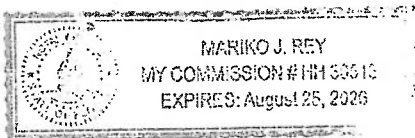
[Signature]

STATE OF FLORIDA     )  
  )  
COUNTY OF PINELLAS    )

The foregoing document was acknowledged before me on this the 20 day of December, 2023 by David Simms who:

- is (personally known to me), or
- produced \_\_\_\_\_ as identification.

Marike J. Rey  
Notary Public  
My Commission Expires: August 25, 2026



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**Agenda Item 3 – Election of Board of Administration**

The Vote Counting Committee is assembled in the back room, adjacent to the Auditorium.

If anyone is holding a Ballot please raise your hand and a volunteer will come around and retrieve it.

Polls are now closed.

A report of the results of this election will be provided later in the meeting.

**Agenda Item 4 – Recess**

Recess is called allowing the Vote Counting Committee time to count all the Ballots received in the election for your Board of Administration



**Agenda Item 5 – Announce Results of Board of Administration Election**

**Agenda Item 6 - Adjournment**

Meeting adjourned at \_\_\_\_\_

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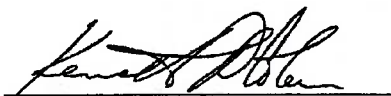
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## **BOARD OF ADMINISTRATION MEETING**

### **Agenda Item 1 –**

- Call to Order
- Proof of Notice of Meeting  
Notice of Continuation of Annual Meeting, followed by a Board of Administration Meeting was posted on the Association's Bulletin Board on December 20, 2023 per an Affidavit of Posting.

AFFIDAVIT OF POSTING

I, David Simms, do hereby swear, that on 12/20, 2023 at 12:45 a.m. ~~(p.m.)~~ a "Notice of Continuation of Annual Meeting followed by a Board of Administration Meeting" of the On Top of the World Condominium Association, Inc. to be held on Thursday, January 4, 2024 at 10:00 a.m., was posted on the community bulletin board in the East Activity Center at 2069 World Parkway Boulevard East, pursuant to Rule 11 of the Amended and Restated Rules of On Top of the World Condominium Association, Inc.

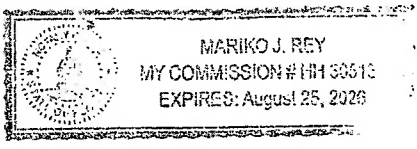
[Signature]

STATE OF FLORIDA     )  
  )  
COUNTY OF PINELLAS    )

The foregoing document was acknowledged before me on this the 20 day of December, 2023 by David Simms who:

- is personally known to me, or
- produced \_\_\_\_\_ as identification.

Mariko J. Rey  
Notary Public  
My Commission Expires: August 25, 2026



**Agenda Item 2 – Board Organization**

Nomination of officers:

Chairman \_\_\_\_\_

Vice Chairman \_\_\_\_\_

Secretary \_\_\_\_\_

Treasurer \_\_\_\_\_

Agenda Item 3 – Unit Owner Comments per Rule 22

– Douglas Westervelt

11/6/24

December 18, 2023

To: Kenneth Colen, Chairman  
and/or C.G. Woolbright, Secretary and Treasurer  
On Top of the World Condominium Association, Inc. -Clearwater  
2069 World Parkway Blvd East  
Clearwater, FL 33763

From: Douglas Westervelt  
2002 Australia Way East  
Building 1, Condominium  
Clearwater, FL 33763  
727-486-8872

The purposes of this correspondence are 2.

1<sup>st</sup>) I hereby again ask to speak in address to Members and to the Board's new Members to be announced at the Board's Meeting for Members continued from December 15, 2023 to January 04, 2024, at 10AM.

My message to the Board's new Members will be the same as I'd meticulously pre-scripted and I spoke on, with all due decorum, to the Board's present Members at the Board's 2 meetings held on 12/15/2023. A copy of my same address that matched these two 12/15/2023 meetings agendas is enclosed.

2<sup>nd</sup>) I hereby offer my support *for you to act to sanction the repetitive pattern of gross ill founded unwise and no decorum disruptive shenanigans of Hope Tera and Michael Payne* at the Board's meetings held on 06/15/2023 and 12/15/2023. Moreover, these two persons are the President and Vice President of the Residents for Residents club. I know from 2 very long in person meetings, + 2 in persons verbal interactions with Hope Tera at meetings of the Resident's for Resident's club over which she presided which I attended, plus via the substances of what these two speakers spoke at the Board's meetings held on 06/15/2023 and 12/15/2023, and via what others who are affiliated with these two persons in their capacities as the President and Vice President of the Residents for Residents club, spoke for at the Board's 06/15/2023 and 12/15/ 2023 meetings, *is not in the best interests of all OToWCAC Members* because, their advocacies are either:

- x) generally errant – wrong, and/or
- y) generally financially harmful, and/or
- z) wrongly prematurely made, absent wise due process.

To the best of my knowledge *these 2 individuals are not qualified to lead the Resident's for Resident's club because their actions evidence their apparent lack of adequate education and experiences in even 1 of the 5 essential knowledge & experiences disciplines\** required *so as to wisely lead the Residents for Residents club.*



Encl: copy of my pre-scripted verbal addresses to Members and Board Members at the Board's 12/15/2023 meetings.

\* (economics, and/or finance, and/or accounting, and/or law, and/or top management)



Addresses on 12/15/2023 to: 1<sup>st</sup>, the Board's Meeting for the OToWCA-C's Members; and 2<sup>nd</sup> to the Board at their Meeting of the Board's Members immediately to follow.

I am Douglas Westervelt.

I've been a Member of the OToWCA-C for > than 20 years.

***Except for every Boards financial mismanagement of our Association since 1988, past Boards have otherwise quite well managed our Association.***

*My written script of this my verbal address today cites all the facts numbers which the time I'm allotted to speak precludes citing!*

**I rise for 3 reasons.**

The 1<sup>st</sup> is: ***to concisely spotlight and explain for you in very simple terms that which is the principle peril to us Members!***

That is the Board's ***material financial mismanagements*** imposed on all of us Members, which we continue to experience right now, ***evidenced not just on my say but affirmed by the Board's auditor's report for the fiscal year (FY) just ended on June 30, 2023.***

The 2<sup>nd</sup> is to: **A)** demand that the new Board implement the 3 very simple remedies I'll state;

and **B)** to demand that the officers of the Residents for Residents club ***halt aiding and abetting of the Board's financial mismanagement***, masked by their and their club's 4 members who spoke at the Board's June 15<sup>th</sup> Meeting and the 2 meetings of their club that I attended. Attributable to their gigantic knowledge voids in economics, finance, accounting, law, and top management these Rs for Rs club officers and activists are unqualified to lead the management of our association. **3 examples of Rs for Rs club's officers and their activist members *errant misleadings* vs. how the Board has wisely managed are:**

- i) Rs for Rs club Member's criticisms of the Board's management of Summit;***
- and ii) their criticisms to insults of Parkway Maintenance's maintenance;***
- and iii) worst of all Residents for Residents club leaders advocacy of advanced \$ assessments on us Members, that's a reserve fund, for zero financial need, and based on NO Board policy!***

The 3<sup>rd</sup> reason I rise is to again provide the same advance ***"or else"*** notice to the Board's Members elected today as I've provided each of the past 2 years. ***That is if you do not act to end the Board's financial mismanagements, I will extend my 2021 Florida civil lawsuit and 2023 Florida criminals complaints to federal criminals complaints.***

***As the Board's rules limit the time of Members addresses, at the end of this brief address I'll provide you with my phone number; so feel free to call on me in support of your most fundamental financial interests, which remain still ignored and abused by every Board since 1988.***

Simply explained, and **confirmed by the Board's auditor's report** just completed dated October 18, 2023, the Board's financial wrongdoings which pose great peril to us Members are 2.

The 1<sup>st</sup> is: the Board's **sham fraud budgets** on which the Board has imposed assessments on us Members, both last year and still currently ongoing this present fiscal year. And you dear Members **do not have to be a CPA to see these wrongs**. The Board's past FY's budget was comprised of 24 lines of different categories of costs; of which 10, **41% are the exact same number**, in the amount of \$59,616, or the exact even 2x this amount. **For this current FY the Board repeated their approval of assessments of us based on the same fraudulent sham budget**, based on the same \$59,616, or an even multiple or 1/2 of that \$ amount for 10 different categories of operating costs. **If you won't even baa at being assessed based on fraudulent sham budgets, what does that testify to about you versus a mere sheep?**

**Moreover, 2<sup>nd</sup>, the financial peril I'm calling out for you is not just theoretical.** The auditor's report affirmed 2 major fraudulent wrongful assessments imposed on us by the Board last year for no needs, **which total \$2,277,295, = to 11.68% of total assessments**. This 11.68% excess assessments were done via the Board's wrongful approval of 2 line items assessments; 1 for Summit, and the other for Property & Casualty Insurance (P&CI). **Assuming we Members could have earned just 3.3% on the Board's wrongful no need assessments, the Board's FY 2022-2023 financial mismanagement cost us Members near 15% in no need**

**assessments for just last year alone!** (Proofs notes: \$1,060,143 excess assessed for Summit in FY 2022-2023 was without need because Summit escrowed \$1,986,800; + the \$1,217,152 excess assessed for P&CI for no need = \$2,277,295 total FY 2022-2023 excess assessments + \$19,497,685 total FY 2022-2023 assessments = 11.68%. \$2,623,104 assessed for FY 2022-2023 P&CI - \$1,405,952 the actual cost of P&CI=\$1,217,152, the Board's excess FY 2022-2023 P&CI assessment, which is an 86.5% excess assessment for P&CI cost, on premium \$ amount surely known!)

**As to my 3<sup>rd</sup> reason for this address: if you are elected to the new Board there are the 2 matters which you must remedy; or you will face my legal pursuits of you too!!!**

**1<sup>st</sup>) you must insist that the new Board act to end assessing us Members based on sham fraudulent Budgets!**

**and 2<sup>nd</sup>) you must insist that the new Board either:**

**A) develop and have us Members approve a policy, both \$ limit and purpose(s) specified, for the Board assessing us Members major assessments in advance of any need; or**

**B) absent a Members approved new policy on excess assessments for no need in the next fiscal year, you must insist that the Board's FY 2024-2025 budget assessments include no such excess assessments for no need; and also eliminates any such existing reserve fund! E.g. on**

06/15/2023 the Board approved assessing another \$1,967,328 million for P&CI this FY 2023-2024, vs. \$1,405,952 FY 2022-2023 P&CI cost = +\$561,376 increase = almost 40% more! Really?

**Because: absent such new policy approved by us Members in effect enables the Board to assess us unlimited \$ without any financial need, thus continuing and adding to the Board's FY 2022-2023 clandestine establishment of \$2 million+ of new reserve funds, without any policy reason, or limit, or approval, or accountability to anyone; except just ME! Unlike what Chairman Colen once represented, the Florida Division of Condominiums does not approve the Board's budgets and assessments!**

And last but not the least is, in addition to the new Board reforming the Board's 3+ decades of financial mismanagement of the OToWCA-C, my advice to the Board's new majority of Members: (who note, for the 1<sup>st</sup> time ever at the Board's unusual agenda Meeting just held on August 7, 2023 likely thanks to my civil lawsuit and 2023 criminals complaint, the Board's majority became Members who are also Members of the OToWCA-C):

**undertake a review and changes to the Board's rules.**

**Begin by allowing any OToWCA-C Member to address any Board Member in writing, not just Chairman Colen and Secretary & Treasurer Woolbright; because these 2 Board's officers both have clear conflicts for their financial interests to maintain their status quo control over access to other Board Members, who are without these 2 Board's officers conflicts of financial interests. Even if the required reply is not written by a no conflict of financial interest Board Member, or written by a representative of Parkway Maintenance and Management, require a reply to our association's Members correspondences signed by a no conflict of financial interest Board Member!**

Should you wish to talk with me, Doug Westervelt, my cell phone number is: 727-486-8872.

Repeat!

727-486-8872!

**Agenda Item 4 – Contracts for services anticipated in 2023-2024 Operating Budget**

The Management Company anticipates entering into agreements with vendors for work in the 2023-2024 budget year, in accordance with the approved 2023-2024 Association budget. Such anticipated contracts will be for services to be performed for such work as Roofing, Paving and Railing which are annual recurring capital improvement items as well as operational expenses.

As discussed at the December 15 meeting, it was suggested to bring this agenda item to the next Board meeting. Please note, these are contracts for work that is anticipated in the 2023-2024 Association budget and therefore this is for Association budgeted work.

It is suggested that the Board authorize someone, such as the Chairman and/or Vice Chairman, to have the ability to execute such Association contracts, provided they are within the Association's budgeted funds, and present and ratify such executed Association contracts at the next scheduled Board meeting.

**Agenda Item 5 – Other Business**

**Agenda Item 6 - Adjournment**