

**Annual General Membership Meeting of Brandywine Estates Homeowners
December 13th, 2016 Meeting Minutes**

Call to Order: The meeting was called to order at 7:02pm by the Association President, Mike O'Reilly. All board members were present with the exception of Sara Diaz, Karen McKenzie and T.J. Kushner.

Current Board Members:

Mike O'Reilly - President
Angela Taylor - Treasurer

Mark Koontz - Vice President
Sarah Diaz - Secretary

Directors:

Gloria Pazel

Karen McKenzie

T.J. Kushner

Van Reynolds

Approval of minutes:

At 7:02 PM, Paul Mouritsen made a motion to approve the December 2016 annual minutes as presented. Mark Koontz seconded and the motion was approved by a unanimous vote.

At this time Mike O'Reilly asked new members to introduce themselves.

Treasurer Report:

- Angela reviewed the profit and loss figures for the year.
- The largest expense is the cable contract. Secondly, the lawn care is the next most expense. We did pay some legal fees related to the stable situation. The dues were increased to \$80/mo and we are at break even.
- The budget for 2017 was presented which included repairs to the tennis and racquetball courts. The current dues of \$80 per month puts us at break even on the budget.
- The \$200 special assessment was discussed. The purpose of the assessment is to clean and paint the fences. The board discussed the assessment as a contingency. The assessment will only be put into effect if and when the work is to be done. The color will be brown. The association is responsible for the painting.
- The maintenance costs of the tennis courts were discussed. We spent approximately \$2000 on the courts. This began the discussion about overall maintenance costs including landscaping. The President voiced his recommendation to increase the dues by \$10 or \$20 per month to be able to build funds. This was followed by discussion of the cable service. The majority of homeowners at the meeting use the HOA provided cable service. Angela would like to have the ability to turn off the cable for delinquent homeowners. Angela asked if anyone wanted to make a motion regarding the budget.
- Paul Mouritsen began to discuss an increase of \$20 per month. Buz stated that a motion could be made from the floor. Paul Mouritsen made a motion to increase the HOA dues to \$100/month. The motion was seconded by Mark Fox. President requested a vote. Additional questions ensued regarding what the vote was for. The President suggested modification of the motion. Buz Underill suggested a motion about the dues and another motion about the special assessment. The President stated that the motion was to raise the dues. The

Treasurer restated that there is a motion on the floor from Paul. The President called for a vote. The motion was passed by unanimous vote.

- The President suggested a second motion regarding the special assessment to be up to \$200 per home collected at \$100 per month. It would not be executed until the quotes are received. This money is specifically for the following according to the proposed budget: \$16000 for fence painting; \$2000 to repair the steps to the racquetball courts and; \$2000 for trimming of a large oak tree overhanging the tennis courts. Paul Mouritsen made a motion to levy the special assessment as stated. The motion was seconded. A vote was taken and the motion was passed by a unanimous vote.
- The Treasurer summarized the two motions and stated that effective January first, 2017, the dues would increase to \$100 per month. And the special assessment of \$200 per household for the fences, racquetball courts and tree trimming. The assessment will be billed in \$100 increments for two consecutive months once the bid is received. Dues are pre billed for each month.

Election of Officers

- The President opened up the floor for nominations of officers and directors (2). Cheryl Gold was added to the ballot from the floor to run for director. Candidates were introduced briefly to the homeowners.
- The homeowners voted.
- The President explained how monthly board meetings are run while the ballots were collected.

Committee Reports

Recreation:

- Tennis courts have been repaired.
- Keys are distributed by Mr. O'Reilly.
- Lights will be handled by the Recreation Committee.

Safety:

- No issues except speeding. The speed limit is 20MPH. We are not law enforcement. Please send concerns to the board. Please ask your contractors to obey the speed limit. Please call Brevard County Sheriff if you see speeders.

Stables:

- Last year we were in the process of going through the eviction process with Wally and crew. He defaulted on his mortgage and Patti took it back. She's been operating it since February or March and is interested to sign a lease and do whatever is necessary. Buz met with her in August to adjust the economics of that lease based on what she thought she could do. She wanted it to state September 1st. That didn't happen. The board gave her 30 days notice to have all the horses out of there or to sign the lease that expired on November 30th. One week prior to the expiration Patti requested time to have her lawyer review the agreement. As of the date of this meeting, the lawyer is 11 pages into it. The next document is ready to proceed from our end if there is no development in the next few days. We intend to hold to the September 1st, 2016 date regardless of when an agreement is reached. We believe she wants to do the right thing.

- The goal is to reach a fair agreement for both parties. We want them to have a nice business. She seems overwhelmed with the contract. The board recommended she have a lawyer review it. She has been reluctant. The eviction process has started from all the common areas.
- A homeowner asked why the lease is 25 pages. Buz explained that there are liabilities and we need to protect the homeowners. The most important thing is the economics. If she does what she's supposed to and carries the insurance she's supposed to and takes care of the things the way she should then there shouldn't be a problem. It's more than ingress and egress. The board is willing to negotiate on all facets of the lease. We are awaiting specific feedback or comments on specific paragraphs.
- Patti has a good work history but this is a business. We expect dollars generated for the Association from that asset. One proposal from Patti was 33 percent of each horse's fees. The board wanted to avoid counting horses and offered a lesser fee. The former owner was paying an \$1800 mortgage and able to cover expenses. The Association wants protection and compensation. The owner feels the document is punitive. The President wants to work through it. The stables are improved but there is currently no liability coverage.
- The last proposal was \$500/month. Performance is also required.
- Occupancy rate is not known. The demand seems high. Homeowners desire an agreement and the budget can be revisited when we get income from the stables.
- It was noted the front sign needs to be repaired and that was not in the budget.

Landscaping:

- No updates. TJ is absent.

Architectural:

- No updates.

Equity Preservation Committee:

- President reviewed the responsibility of this committee to watch the neighborhood for folks storing boats and maintaining their properties. Violations can be enforced with fines and/or liens.
- A petition was routed through the neighborhood for the purpose of changing the deed restrictions regarding the roof shingles to allow a 225lb/square shingle to be used. The 300lb/square shingle is no longer necessary to achieve the same look.
- Other issues to change in the deed restrictions were reviewed. Yard signage type and size was modified to include the verbiage "commonly utilized in Brevard county , Florida to advertise residential real estate for rent or for sale." The purpose is to be more flexible with the types of signs.
- Finally, the restrictions regarding parking and storage of boats, trailers, etc., was requested to be modified to specify "No boats, trailers, mobile homes or other recreational vehicles, commercial vehicles or heavy equipment may be parked or stored upon any lot unless hidden from view by fence, garage or other opaque covering. This shall not apply to temporary parking of vehicles used for construction, repair or servicing of any improvement

on the lot. Nor shall it apply to the temporary parking of boats, trailers, motor homes or other recreational vehicles. Temporary parking of boats trailers and recreational vehicles shall be defined as no more than seven consecutive days and no more than ten cumulative days in a 3 month period.” The underlined changes were proposed by Buz Underill.

- There was discussion about removing “opaque covering” from the last change. The goal is to maintain curb appeal.
- At 8:06pm, a motion to approve the deed restriction changes for the shingles and the yard signage as presented and to approve the modification to the storage restriction, minus the words “or other opaque covering” was made by Mike O'Reilly and seconded by Gloria Pazel and was approved by unanimous vote.
- Buz Underill discussed mailboxes being included in the architectural design requirements. At 8:07pm, a motion was made by Gloria Pazel to add the word “mailboxes” to the architectural design requirements and it was seconded by Angela Taylor. The motion was approved by a unanimous vote.
- Homeowners are reminded that approval is required by the Architectural Design Committee for things like painting and tree removal. Trees are required to be maintained per the Deed Restrictions.
- The meeting was opened up to the floor and homeowners discussed security and surveillance possibilities to maintain security in the neighborhood. Mark Koontz discussed the cameras that he uses personally for the information of the members.

The results of the election for the 2017 officers and directors were presented as follows:

President: Buz Underill

Vice President: Mark Koontz

Secretary: Jim Coffey

Treasurer: Angela Taylor

New Directors: Paul Mouritsen, Ron Reeves

Adjournment: At 8:20pm Mike O'Reilly adjourned the meeting.