

Brandywine Homeowners' Association
October 9th, 2018 Board Meeting Minutes

Call to Order: The meeting was called to order at 7:00pm by the Association President, Paul Mouritsen. All board members were present with the exception of Brian Verse and Gloria Pazel.

Current Board Members:

Paul Mouritsen - President
Angela Taylor - Treasurer
Buz Underill - Past President

Brian Verse - Vice President
James Coffey - Secretary

Directors:

Gloria Pazel Ron Reeves Sarah Verse Sherry Covell

The following homeowners were also in attendance: Aileen Mouritsen, Mark and Lynn Koontz and Bill Slover.

Approval of minutes: At 7:01pm, Angela Taylor made a **motion** to approve the September 11th meeting minutes as presented. The motion was seconded by Sherry Covell. The minutes were then approved by a unanimous vote of the Board.

Treasurer Report:

- The balance sheets, profit and loss sheet and the dues overdue lists were presented.
- Mr. Tirado had a second check bounce. Paul had not been able to meet with him yet.
- Most folks are caught up on dues and overall we're looking good.
- At 7:03, Jim made a **motion** to accept the treasurer's report. Ron seconded the motion and the board approved by unanimous vote.

Committee Reports

Recreation:

- Sarah has scheduled a company to come give repair estimate for the tennis court issues. They will visit Wednesday or Thursday. Mike O'Reilly has requested that the courts be resurfaced. He had stated to Paul during December's meeting that he would take care of the courts. Welsh Tennis and Nidy Tennis are the companies coming to give estimates. In the past we used Welsh and Lancelot. Mike did spray the courts for weeds at some point. The landscaping company is mowing up to the fence , but the weeds are getting inside.
- The doors to the racquetball courts are still in place.

Safety:

- Nothing to report except for the standard speeders.

Landscaping:

- Ron brought up the oaks around the entrance that are dead or dying. Tim Myers came out and looked at the trees. They are being killed by Mistletoe. All the trees have the Mistletoe infestation. They will likely be dead in 3 or 4 years. There are 14 trees to be removed. We looked at the drawings. There are still palms and pines. To remove and grind all the trees will cost \$3975. This is a 25% discount. They'll be done on the 22nd. There is concern over taking out all of those trees. All the trees are on the common area at the entrance.

- At 7:12pm, Jim made a **motion** to remove all the hardwood trees that are infested with the Mistletoe. Sherry seconded the motion and the board approved the motion with a vote of 6 to 1.
- Ron believes it is time to bid out the landscaping contract. Flawless has been unresponsive and do not do a complete job anymore. Ron has put lots of time into getting them to properly execute the contract. The board agrees to rebid the contract. The scope of work was discussed. Angela pointed out that there are 2 lines in the bill and it should be combined as we move forward. There was further discussion about area that is covered. Palmetto Tractor has been doing the pastures and the bridle paths on the east and south of the neighborhood when called. Sarah asked about adding some colorful vegetation. Ron agreed to put together the new scope of work for the Board to review.
- There was a recommendation to add sod to the entryway to shrink the amount of mulch required and allow for the mulch to be held by the sod and limit how much is washed into the street by rain. The quote was approximately \$6000. Need to price with enhancements in the scope of work. We currently pay Pierce for pest control on the grass.
- Ron brought up the issue of the electrical service that provides electricity to the common areas such as the tennis courts, racquetball courts, street lights along the dirt road, the wash rack, gazebo and irrigation controls is connected to the stables' meter. He tried to find the breaker panel but suspects it is in the stables somewhere. The streetlights were installed by a former stable owner. It was agreed to in mediation that we would separate the electrical services. We will need to contact Patty to gain access to the building. Paul will make contact. There are locked doors on the wash rack building. Buz will get the codes to Ron so he can see if any controls are in that building.
- The sprinkler pump controls also need to be moved off the stable property. They will be moved to the nearest reasonable position and perhaps be put in a "dog-house". There is an HOA pump and a stable pump that will feed off of the HOA owned well. There has been contention in the court case about who owns the sprinkler controls. This was rebutted.
- Ron has been looking at the picnic tables. The rotted wood will be thrown away. The metal frames are in good shape. It was just over \$400 for materials to do all 5 tables. Ron will get rid of the large wooden table near the riding ring. He will look into getting an estimate to have them rebuilt.

Architectural:

- Angela asked about a home on Sugar Creek with red gutters. The home has a red door and red trim. There was no approval for the gutters. No action.

Equity Preservation Committee:

- No updates.

Stables:

- Paul recapped that the results of the hearing on the claims made against the HOA. Three have been dismissed with prejudice. Three were not dismissed. One was about access to the stables. Paul and Angela gave answers to our attorney to file. We are denying the counts. We don't expect anything to happen until the spring at this point.
- The judge that has been overseeing our case is moving on and we will be getting a new judge. Jim says we will hear something in March or April of next year.
- We discussed filing a motion to attempt to expedite the case. There were 31 questions that we responded to from Patty's attorney. Many of the questions were things that we would have no way of knowing, events dating back to the 1980's. Mr.

Alder filed our responses against Patty's claims. One claim is that the HOA put her out of business. We denied all claims.

- Our judge has been re-assigned. We will have a new judge. We filed for ejectment. We believe Patty has no right to access without a lease. She claims that we ruined her business. She further claims that she doesn't need a lease. We are being defended by Mr. Alder. Mr. Beadle is handling our claims against her. The court will determine what the cost of access to the property. If we prevail in both cases, a lease should be negotiated. If there is cost to try to expedite, we should not file. The last judge recommended we go back to mediation to work out an agreement. We believe it will cost us more to expedite. Our responses will be filed Thursday the 13th of October. Buz explained the risks of attempting to expedite the processing of the case. Paul will discuss what the path forward would be to accelerate with Jim Beadle.
- Mr. Alderman is Patty's attorney and he appears to not be charging Patty. We could file several motions to cause him to spend more time, it might change things a bit. We've been going down this path for years.
- We've been trying to simply respond to her claims. We will notify the owners in December the actions that have been taken and the results. We're really primarily dealing the the access issue. If we begin to file motions, it will add more work to her lawyer.

Old Business:

- Entry Sign: Sherry passed around estimates. She presented updated estimates for partial replacement and full replacement of the entry sign. Kendall Sign did not quote the newest design. The second estimate is a completely new sign with stone. An alternate approach of removing the stone and reusing it was not bid by any sign company. Contractors would need to be contacted for estimates. Replacement means only replacing the wooden portion of the sign. It could be done with aluminum or high density urethane. Buz believes he can get a better estimate, assuming the replacement only. We discussed the sign size and structure. It is large and some of the stone is falling off. The sign itself is approximately 8'3" by 5'4". The horse design will be replaced with an oak tree. The tennis racquet will be removed. We could contract the removal and preparation of the sign and then bring in the sign company to put the new sign up. Urethane can get "crusty" over time. Aluminum with UV protected vinyl overlaid will hold up better. Estimates for replacement includes removal of the old wood. Estimates for a totally new sign is approximately \$20,000. Landscaping is not included. A new sign would also require approximately \$500 in fees. Replacement sign will cost between \$6000 and \$9000. Buz will also get an additional estimate for replacement. We may need a special assessment if we decide on a complete replacement of the entire sign. We had an original estimate last year for \$8000 and this year's budget had the \$8000 allotted. The committee will clean up the quotes for the replacement of the existing shape of the wooden portion of the sign and make a final decision at November's Board meeting.
- Stable road grading. Buz has access to millings. It will cost \$350 per truck to transport. We require 12 to 14 truckloads to complete the entire road. It will cost \$6400 to have the road graded, including tractor work. This is the total cost of the repair. Millings are free.
At 8:30pm, Ron Reeves made a **motion** to approve \$6400 for the repair of the road with millings. Sherry Covell seconded and the motion and the Board approved by unanimous vote.
- Mr. Vary never had pilasters in his fence. We haven't said anything in over 5 years. No action.
- We discussed demolition of the racquetball courts. This is off the table financially for now.

New Business:

- Discussed the new interchange over I-95. Projected completion date will be 2021.

Final Comments:

- Next month's meeting will be held on Tuesday, November 13th at 7:00pm at the residence of Sherry Covell. The annual meeting will be held on December 11th at the church on Brandywine Lane. The contact information will be sent to Brian Verse.
- Budget for 2019 will be approved for presentation at the next meeting.
- Paul gave our contact information to West Melbourne so that we can participate in the "Town Center" public meetings.

Adjournment: At 8:38pm, the meeting was adjourned.