

Brandywine Homeowners' Association
September 11th, 2018 Board Meeting Minutes

Call to Order: The meeting was called to order at 7:01pm by the Association President, Paul Mouritsen. All board members were present with the exception of Buz Underill, Sherry Covell 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: Jodie Hicks; Beth Dickinson; Theresa Tauroney; Van Reynolds; Larry Wells; William Slover; Mitch McDonald; and Mark and Lynn Koontz.

Approval of minutes: At 7:01pm, Paul Mouritsen made a **motion** to approve the June 12th meeting minutes as presented. The motion was seconded by Sarah Verse. 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 check bounce. Paul stated that he would contact him find out what is going on.
- The Knifleys have paid their dues so we will not be going to small claims court.
- We have roughly \$56000 cash
- At 7:05pm, a **motion** was made by Ron Reeves to accept the treasury report. The motion was seconded by Brian Verse and approved by a unanimous vote of the Board.

Committee Reports

Recreation:

- There is a small depression in the center tennis court. Van explained that it is roughly 18 to 24 inches in diameter and a few inches deep. The surface material is slightly cracked. He strongly recommended it be fixed along with the cracks. The court was built in 1984 and resurfaced around 2001. It currently only needs a local repair. Angela will look up who did the resurfacing and Sarah will obtain an estimate.
- A fall picnic was discussed. The board agreed to hold off until the springtime.

Safety:

- Gloria sent Paul an email. Paul explained that Brevard county will not pay for speed humps. Since they have to approve them Paul thinks they are not likely to approve. There isn't enough traffic to warrant approval. We may have to pay for it ourselves if we do it. We'll wait to see what Gloria finds out.
- It isn't just kids speeding through the neighborhood.
- We discussed people driving four wheelers through the neighborhood. They have at times been doing wheelies in the street. Some residents intend to speak to these individuals if possible to request they not ride in the neighborhood.
- We have had no burglaries in the last month.

- One resident said they saw a stranger on their property while monitoring their surveillance system.

Landscaping:

- Piles of palm fronds and such are being stacked in various places around the stables by Lois who has been feeding the cats near the stables. Ron spoke to John who is the new supervisor for Flawless. They agreed to pick up the piles. Mrs. Tauroney has piled some fronds behind her house and they have not been picking them up. Ron will continue to follow up. Mark Koontz spoke with some of them also to provide guidance. We could put the contract out for bid if they don't perform.
- Ron handled the broken sprinkler head at the front entrance.
- Bill Slover broke and fixed a sprinkler head near the front sign.
- There's a pine tree behind Mr. Sockbeson's house. When it rains, the trunk is under water. Ron recommended it be removed as it will fall over at some point before it becomes an issue. Ron presented an estimate from Tim Meyers for \$750 to remove the pine tree at the north end of the pond. Paul Mouritsen suggested a motion be made to approve the \$750 to remove the tree. Brian Verse made the **motion** and Sarah Verse seconded. The Board approved the motion by unanimous vote. The affected homeowners will be contacted if the tree removal will impact them.
- Mark Koontz mentioned another tree that is dead near the new construction lot on Brandywine Lane. Ron will take a look at it.
- Brian Verse asked about the condition of the grate in the lake. It has been fixed.
- Ron mentioned he's going to ask Flawless to mow a couple of the horse rings. They're small and need to be mown.
- There's a small area at the north end where there is a pen. Gaining access to that area was discussed. Some of the fence can be taken down that is in disrepair. Ron will try to find someone to remove the appropriate fencing to gain access.
- Ron will get an estimate for removal of those and the bike racks.

Architectural:

- New home on Brandywine is in progress. Mr. Teimouri is responsible for all fees associated with the documentation of the land swap. The title company has the applicable documents so it is expected to be completed without issue. It is expected that Mr. Teimouri will install considerable landscaping to the front of his lot. A homeowner suggested looking up the plans on the county's web-site using a permit search by address. Paul will look up his address from the permit application.
- Roofing requests have been approved for several neighbors.

Equity Preservation Committee:

- No updates.

Stables:

- Mediation that began last December continued on for 5 months before we told Jim Beadle to stop mediation. Our insurance company attorney and Patty's (Plaintiff) attorney met on the 9th of August in front of a judge. She sued the HOA, claiming 6 separate counts. We counter sued asking for dismissal. Three of the counts were dismissed "with prejudice." Three requests for dismissal were denied. "Motion to dismiss is denied as to counts 1 and 3 and plaintiff counter defendant shall answer same within 30 days from the date of this order." In the hearing the judge stated that the plaintiff would have to pay for access. He recommended returning to mediation and work out a lease. Plaintiff chose not to do that. Judge issued an order requiring a response by the Plaintiff within 30 days. Jim Beadle stated that he was served with a request for discovery today. They want the documents from the board meetings where the stables were discussed. They want opinions from the

members as to whether or not proceedings were incorrectly executed. They are not entitled to those documents.

- 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.
- Paul recounted his discussions with Patty about the agreement. He stated that she agreed to certain language and said she would take care of it. She has not made any progress since.
- We are continuing to pay \$50 per month for electricity. We're continuing to pay until we rewire the items that depend on the use of the power provided via the stable property. Legal fees to date are \$8000 and since the insurance company now represents us, that shouldn't increase. Van asked about the \$1250 stable repair costs from the profit and loss statement. This represents fencing or tree trimming or tennis court maintenance.
- Paul recommended a motion to update the electrical wiring to remove our dependency on the stables' power supply. A new electrical box will need to be installed. The gazebo, street lights, tennis courts and sprinklers are all on that. The board took a vote to pursue making these changes and all members agreed to do so.
- Mr. Wells made a statement that potential buyers of his home were concerned about the stables and that it may be affecting property values. Paul asked Mr. Wells to direct anyone who wants information about the stables to him. Any homeowner that has a horse can use the pastures. There have been approximately 12 homes that have sold in the last year. Use of pastures is free to homeowners. Use of the stables is not an option.
- Paul is no longer in favor of many of the items he offered in mediation.

Old Business:

- Entry Sign: Bill Slover presented sign estimates from two sign companies (**Archived**). One sign is a complete replacement and the other is a rebuild of just the wooden portion of the current sign. The current sign is built with a concrete block wall in the center of it. The posts at each end go down 4 feet into the ground. The stone work is attached to the wall. Unlikely we can preserve the wall in the center while removing the stone work. Demo cost for the entire sign is approximately \$2000.
- SIGNACCESS Incorporated estimated \$17500 for a new sign which included removal and disposal of the old sign. Confusing language was noted in the proposal for another \$1990 to remove and dispose of existing sign. Paul recommended getting cleaner estimates for presentation later in the year to the homeowners. They also estimated \$8994 to replace the wooden portion of the current sign with no changes to the structure.
- ART-KRAFT SIGN COMPANY INC. estimated \$15194 (not including stone base) for the new sign design. They also estimated \$7885.90 plus permit costs to do the repair of the current sign.
- The development was branded as a horse community. It was recommended to keep that branding by the original developer. A smaller sign might bring down the cost. Opinion is that a smaller sign would not look right.
- The committee will continue updating estimates until the annual meeting where sign options will be presented. There was continued discussion about how the current sign is constructed.
- Estimate for repair of the landscaping after install should be included.

New Business:

- Stable road grading. Ron received 2 estimates. One from Meyer's lawns and one from Palmetto Tractor. In years past, the stable owner would take responsibility for grading those dirt roads. In early 2000s we spent 7 or 8 thousand towards the the grading. It doesn't get very much use. The question is whether or not it should be

fixed. It looks poor and it's the entire road.

Palmetto Tractor estimated \$1275 to grade and put 2 loads of shell on the road.

Shell doesn't seem to last.

Meyer's estimated \$2500 to grade and put concrete fines on the road. Ron expects that this will harden the surface. Ron will get more information on this.

Paul asked Ron to get an estimate to use reclaimed asphalt - "Millings" - to resurface the stable road.

- Vary's fence construction. We have architectural guidelines but have no penalties to impose. There were no pilasters on his design. Jim Beadle says board should either 1) talk to owner and ask him to install pilasters or 2) take him to court. Paul and Buz will visit the home owner and see what his response is. A lawsuit will cost money but

- Racquetball court visitors. Kids have been using the courts as hangouts. Lots of trash inside. Doors have been replaced but they are not very sturdy. One of the doors is locked.

We will present it at the annual meeting as an option to take it down. There was an estimate of \$14000 to dispose of it from DBI.

- Fallen fence boards. Brian has fixed several sections of the fence. He intends to fix a few more. The wood is rotted and falling apart. We will try to keep the fences near the roadways looking decent as best as we can. When the stables situation changes, that will be a needed discussion.

- Town Center. There have been articles in Florida Today. Paul believes the plan is not accurate. Paul met with Cristy Fischer (cfisher@westmelbourne.org) who is the Director of Planning and Economic Development for West Melbourne (WM). WM annexed Mr. Farrell's land a few years ago. Sawgrass lakes is part of WM. County doesn't reflect Platt land being annexed. On the 2nd of August, there were plans for the development pre-approved. There are no plans to access this area from Brandywine Lane. The parkway is already set up for this. Hotel access will be behind Byrds Western store. They intend to access from the parkway. They do not know what hotels are coming.

Paul presented a copy of the Florida Today article and the picture was used for discussion. (See attached.)

This project does directly abutt Brandywine Estates.

Angela recommended we make sure to address our concerns with the town.

Paul expects this will take a while since his recollection is that this portion of the parkway took 17 years.

There are security concerns about intruders.

There was discussion about gating our community.

The Norfolk Parkway comes very close to the St. Johns Parkway but does not yet connect.

There was discussion about the county and city limits.

Paul will keep us informed about scheduled town meetings.

Discussions continued about fencing our neighborhood with either fence or shrubs or trees.

We may ask the town to require the developer to plant the shrubs/trees.

Mark Koontz mentioned the drainage. He stressed that the engineering needs to be done properly to keep our neighborhood dry.

Paul is looking for an assistant or liaison to help with attending town meetings.

Angela suggested Mrs. Basta may volunteer to help. Bill Slover may also help.

As requested, Jim presented Valerie Allen's email asking about the impact of the new development on the property values in our neighborhood. The board agreed that it would increase our home values.

- Next meeting on October 9th at the residence of Paul Mouritsen.

Adjournment: At 8:46pm, Paul Mouritsen adjourned the meeting.