

Brandywine Homeowners' Association
November 12th, 2019 Board Meeting Minutes

Call to Order: The meeting was called to order at 7:00 PM by the Association President, Paul Mouritsen. All members were present.

Current Board Members:

Paul Mouritsen - President
Angela Taylor - Treasurer

Bill Slover - Vice President
Brian Verse - Secretary

Directors:

Gloria Pazel Ron Reeves Sarah Verse

Immediate Past President: Buz Underill

The following homeowners were also in attendance: Mark & Lynn Koontz, Jodie Hicks, Jennifer Macchella.

Approval of minutes: At 7:01 PM, Buz Underill made a **motion** to approve the October 22nd meeting minutes as presented. The motion was seconded by Ron Reeves. The minutes were approved by a unanimous vote of the Board.

Treasurer Report:

- Angela stated that the Seaberg Residence is on the market for \$300K. Angela said the Seabergs were hoping for a quick sale and a 60-70 day close. At that point, the HOA will get the owed back dues.
- Angela asked Paul if he had touched base with Jim Beadle in regards to the Knifley's lien. Paul had not heard back from Jim, but said we can proceed to small claims court without his permission. Angela did confirm there is a lien on the property. Paul stated that there is no minimum amount needed to start the process, but believes \$5,000 is the maximum. Angela received a check from Mr. Knifley in the amount of \$100.
- Buz questioned the decision to go to small claims court when the next step should be to "perfect the lien" and file for foreclosure in order to collect the lien. Paul will talk to Jim Beadle about the next step.
- Angela stated that she heard from Mr. Gates. He put a check in the mail for the balance of his dues.
- Angela stated that she has not heard anything further from the Legge, Crutcher, and/or Vary households in regards to their outstanding balances.
- Mr. Mallak brought himself current.

Committee Reports

Recreation:

- Mike O'Rielly sent Brian Verse an email saying the padlock to the main tennis court gate is broken. He swapped the padlocks with the East gate temporarily. Mike believes it is ~\$100 to get a new lock made to the existing keys (Brevard Bike and Locksmith). Brian and/or Sarah will take the lock down and look into getting a new one. No motion is required for ~\$100 expenditure.

Safety:

- One of the two street lights discussed last meeting were noted as being fixed.
- There is a street sign that was knocked/run over at the SE corner of Grassmere Dr. and Blackberry Dr. Mark Koontz stated that he called and left a message with the Brevard County Roads and Bridges Dept. He suggested that others do the same in an effort to expedite the repair. Brian Verse said he would call as well.

Landscaping:

- Tree trimming is scheduled for 11/19 and 11/20 near the trailer parking area (Flawless Landscaping).
- Ron Reeves asked about the utility trailer near the white fence. Jennifer Macchella said that was theirs and she would get her son to move it.
- Gloria asked about the RV parked under the powerlines. Brian said he had emailed the owners and they agreed to move it once the tree trimming was complete.
- Ron said Patti is not returning his phone calls in regards to getting the electrical relocated from her barn. Ron stated the electric company is moving forward with permitting. If need be, we will proceed without her cooperation.
- Ron is working to get estimates to remove the old irrigation equipment and cap the well. The irrigation equipment has not run for years.
- Ron asked if we wanted to get new mulch installed at the entrance. It is about that time of year again. Last time the estimate was \$2,128 for the mulch and trimming of the trees. Ron will call Flawless tomorrow and get an updated quote.
- Buz asked if anyone had given thought to installing stone instead. It is pricier, however it does not wash away like mulch and is easier to see/treat the weeds. It is a more permanent installation, not needing re-installed like mulch.
 - Angela asked if the rocks would stay put on the sloped hill. Buz believes it would based on its size (57 stone is the style he is referencing).
 - Ron said he would look into getting that quoted (with the mulch).

Architectural:

- Buz stated that he was contacted about Mark Thomas's lot on Sugar Creek Dr. There was a conversation about guidelines for building on that lot.

Equity Preservation Committee:

- Based on some complaints, Bill was keeping an eye on Mr. Knifley's boat. It has been seen coming and going, but appears to be on the street more than in his driveway. Bill stated he does not believe there is anything in the HOA documents about parking on the street.
- Brian stated there were a # of fence boards that have broken that can no longer be fixed. He asked Ron if the spare white boards were still in the racquetball court. He suggested putting them up and putting new paint on them.

Stables:

- Paul said there was a hearing on Thursday (11/7/19); it was a judgement that Patti can have access to her two buildings. - Something we agreed to and signed documents allowing her access to ~ 9 months ago (via the title company mediation).
- During mediation 2 years ago, we agreed that she could have access, but her customers/clients could NOT have access without paying for it.
- The hearing was essentially to have the judge agree to items the HOA and Patti had already agreed to.
- Mr. Alderman, Mr. Beadle, and a new attorney from the title company was present at the hearing. Patti was not.

- Jim Beadle is of the opinion that if this continues (Patti's counter suit against the HOA for putting her out of business), it will go to trial, but unsure of the timetable.
- It is believed Patti wants the HOA to purchase the buildings.
- There has been a couple interested buyers approach Paul, but he has told each the same: The HOA will not talk lease details until there is a signed purchase agreement with Patti.
- Paul believes the HOA's position needs to change with respect to the pasture fence repair. He is proposing, and will discuss at next month's annual meeting, that all costs to repair/replace the pasture fence be worked into the next lease agreement. This is a very high dollar cost, and believes the homeowners are not interested in a special assessment to cover the cost.
- Paul recapped the history of the electric within the barn, how the HOA was paying Patti \$50 a month for electric, and ~ 6 months ago she turned it off and began returning our checks. The plan is to separate the HOA's electricity from within the barn. Patti was notified of the work, but has since stated she is not comfortable with allowing the electrician access. It is the board's decision to move forward with the electrical re-work without access to her barn. Ron will talk to the electrician and see what additional cost will be incurred to do the work without access to her panel. This will require extra exterior digging near the barn. The board will wait to see if additional funds will need to be approved.
- In the meantime, Bill suggested calling Patti one more time. Ron said he would call her again tomorrow. Paul stated he tried calling her three times the previous week without a returned call.
- Buz asked who was paying Patti's attorney fees. Paul believes, based on discussions during mediation, that Patti's attorney was not charging her. Buz questioned what her incentive to settle was if she has no cost of continued litigation. Paul said he did not know, and has given up trying to understand her rationale. Ron reiterated that this was why the board decided to stop negotiations and go to court.

Old Business:

- None

New Business:

- Annual Meeting Planning
 - Paul plans to discuss including the repair/replacement cost of fencing into the lease with any new owner.
 - Paul asked if there were any comments with respect to the minutes from last year's meeting. -None were made.
 - Brian suggested the items of interest will probably be the stables, tennis court lights, and the staining of the curbing at the entrance to the neighborhood.
 - Paul stated that the county does not have the budget to fix the Brandywine Lane drainage, so it is unknown when that will occur.
 - Sarah asked if we wanted to bring up the Playground estimate at the annual meeting. Paul said that will be discussed.
 - Brian said he has plans to get the key for the church.
 - Angela stated she will send Paul a list of all the new homeowners within the last year so that he can welcome them.

- Angela received a notice of hearings (preliminary plat approval) of the West Melbourne Town Center in the mail. She asked if anyone else received it. Except for Paul, no one else had, but Paul stated it is on the City's website as well.
 - Jennifer Macchella asked if there has been discussions of adding a gate to the community with the increased traffic in the general area. Buz stated that the HOA can't do that because these are county roads. His initial plan was to make it a gated community, but the focus studies showed that homeowners did not want to pay for the additional cost and maintenance of the roads.
 - Buz believes at some time down the road there will be access to the parkway thru police foundation.

- The next meeting will be the annual homeowner's meeting on December 10th at 7 PM at the Old Regular Baptist Church on Brandywine Lane.

Adjournment: At 8:00pm, the meeting was adjourned by Paul Mouritsen.