

**Brandywine Homeowners' Association
January 12th, 2021 Board Meeting Minutes**

Call to Order: The meeting was called to order at 7:00 PM by the Association President, T.J. Kushner. All members of the board were present.

Current Board Members:

T.J. Kushner - President
Jodie Hicks - Vice President
Brian Verse - Secretary

Buz Underill - Vice President
Angela Taylor - Treasurer

Directors:

Gloria Pazel, Ron Reeves, Sarah Verse, Shawna Slate, Zohe Quintero

Immediate Past President: Paul Mouritsen

The following homeowners were also in attendance: Brent Gardner, Josh & Iliana Richolson

Approval of minutes: Paul Mouritsen made a **motion** at 7:02 PM to approve the November minutes as presented. The motion was seconded by Gloria Pazel. The minutes were approved by a unanimous vote.

Treasurer Report:

- Angela stated the list of accounts receivables looks long, but due to the holidays she expects homeowners to catch up in January.
- Knifley now has a dues credit; with Chung and Gates having the highest past-due balances. Paul again, stated that Gates never returned his calls. Angela stated they get a statement each month with the highlighted amount due. Paul suggested to place a lien on the property. If there is no objection from the board, Angela will contact Jim Beadle and have him draft a letter to the Gates. There were no objections.
- Angela asked if there were any questions regarding any of the other balances, there were none.

Committee Reports

Recreation:

- T.J. replaced all three timers at the tennis courts. He used a slightly higher-end timer this time. It is the cheap plastic knobs that tend to break first. He found metal knobs of similar style that are made for guitars. He said he will wait and see if/when the new knobs break to get the guitar knobs.
- He also bought all new contactors for the lights (3 sets). It was ~\$25 a piece. Angela has the receipts. He plans to replace them soon. The broken contactor was only ~5 years old, the others had been replaced ~11 years ago.
- T.J. noted that the wind had shifted one of the lights off center. The next time a truck is brought out to change a bulb, we'll have to get them to adjust it.
- Sarah said there was talk at the annual meeting about fixing up the gazebo. T.J. said he and Mike O'Reilly were going to take a look at it, but haven't made it over to inspect. Paul suggested it be taken apart and rebuilt, it is at least 25 years old.

- Zohe asked about new doors for the racquetball court. T.J. said he did look at that as well. The doors are off the hinges, and all of the lights need replaced. T.J. recalled the history of getting fiberglass doors fitted, and then they were kicked in. At some time full-size doors were there.
- Jodie suggested out-swing doors. T.J. noted that you need the door to be flush with the inside wall and wasn't sure that could work.
- Ron contacted a handyman a little while back, and was quoted ~\$250 to make new doors (the hinges are still good). Ron suggested not locking them at all this time around. Paul suggested we move forward with the doors since it is under the individual \$400 cap. The board agreed to proceed.

Safety:

- No Report, usual speeders.

Landscaping:

- Ron stated the front entrance mulch has been ordered.
- Ron and Buz walked the West-end pond area, and came to an agreement on what to cut out. From the November meeting, the board approved \$5000, however the estimate came back at \$6000. Zohe asked if there were multiple estimates. Ron said he did have another, but that was for grinding out the pepper trees. It was cheaper, but would leave the pond a mess. The board had previously agreed to cut them vs. grind.
- Angela suggested we get it done, the board has been discussing this for months. Paul agreed.
- At 7:14 PM, Angela Taylor made a **motion** to approve an additional \$1000 for the pepper tree removal. The motion was seconded by Ron Reeves, and approved by a unanimous vote.

Architectural:

- Buz stated he got an application for solar panels from a resident on Quail Run. He's just working with them to find the best position for them. This is the 1st approval he's gotten inside the neighborhood.

Equity Preservation Committee:

- At the November meeting, there was a discussion about forming a true committee of board members to assess the neighborhood.
- T.J. said he had a spreadsheet from years ago that they used. He will email that out. Will discuss more during New Business.

Stables:

- Paul stated that before T.J. goes over the proposed lease from Patti, he wanted to remind everyone that at the May 14th 2019 meeting, the board voted to no longer negotiate with Patti. Since then the board has won the lawsuit. The judge combined the rulings, and Patti had months to appeal it, to which she did not. Wayne Alderman offered Patti a settlement for the damages, and she accepted. What that value was, we will not know. In summary, the two lawsuits are complete, and based on the vote in 2019, Paul recommends that the board do not reconsider based on the 5 years of trouble she has caused.

- T.J. stated that before the annual election, Patti found out there would be a change in the board, and sent a text message to T.J.; stating that she would like to talk. T.J. met with her up at the stables, and she did most of the talking. T.J. told her he was not aware of the entire dealings over the last few years, but told her that if she brought the board a signed lease, he would present it. Patti did just that. She drew up her version of a lease and signed it.
- T.J. compared what she presented vs. what the board had presented (in various forms) previously. There were 4 major differences that he could see:
 - 1) Terms: She has offered a 10 year lease with two 10 year options. The board had previously offered 5 years, 10 years, and 20 year options.
 - 2) Rent: She proposed zero rent, The board had previously offered up to \$500 a month.
 - 3) Performance Bond: She offered a \$3500 bond, The board had previously requested a \$10,000 bond.
 - 4) Other details: Patti does not want to weed-eat around the pasture fences, and wants to spread the manure instead of having a dumpster.
- Paul stated that previously there was too much manure with 20 horses, and that is when the dumpster was used.
- Zohe suggested, if negotiated, only allow a certain amount of manure to be spread. Anything above and beyond would need a dumpster. Paul said Florida has specific limits to how many horses (manure) can occupy per acre. Previously, neighbors had complained about the smell when Dominic spread it.
- T.J. reiterated that when Patti was there previously, she did keep the barn in good shape, making necessary updates/repairs. She even made a flier for the neighborhood so people could know the horse's names by pictures.
- After the annual meeting, T.J. walked each pasture, and looked at every board/post. He counted broken/damaged pieces and made a running list of what needed to be repaired. It came out to 153 boards, and 32 posts. Using Tractor Supply prices, he came up with material costs of \$3300 (which includes gates, hinges, screws, paint, etc). T.J. estimated ~\$3,000 in labor to repair the boards, posts, paint, etc. @ \$20/hour. Total to get the fences usable rolls up to ~\$ 6,300. Ron stated that his handyman is \$35/hour.
- T.J. stated that Patti has offered to purchase, paint, replace and dispose of old boards (she counted 178 boards, 38 posts). Also offering to grade/remove vegetation around the riding rings, grade/level the north pasture (behind Buz). T.J. stated that the money she received from the settlement is being used for these proposed repairs.
- Buz stated that the performance bond she had before was to guarantee her performance. He recalled that after a hurricane, she was supposed to pay 50% of the stable road repair. Since she didn't have the money, the bond was used to pay her 50%.
- T.J. understood the previous requested rent money was to be used as a pool to make repairs if/when she doesn't perform. He reiterated that she does not want to pay rent, but is offering to make fence repairs. T.J. pointed out that we pay \$4800 a year to cut the grass. That cost would not be needed if horses are in the pastures. Patti is offering to cut the pastures no more than 15 times a year.

- Paul reminded the board that the last time this sort of arrangement was made, it took the board quite a bit of effort to get them to make repairs to the fences.
- Buz recounted the history of Dominic and how he offered to take over the grounds maintenance in lieu of rent, and why it is not in the best interest of the board to go that route again.
- Paul reminded the board that in the beginning of mediation, Patti agreed to paying rent. And then over time, we even offered to give her a year without rent, and she initially agreed to it, then ultimately didn't.
- T.J. said the offer on the table is what we currently have. Based on the changes she's made to the large barn, she currently has room for 19 horses.
- Buz said the lease presented should not be acceptable to the board; noting the insurance isn't adequate, and she's also not insuring the wash rack.
- T.J. believes she is attempting to restructure the business so she can sell it.
- Angela asked what the new members thought of this discussion. Jodie said she doesn't miss the horses, and doesn't believe there are any guarantees moving forward with her. Zohe believes having something is better than nothing.
- Buz doesn't believe she wasn't realistic about selling the barns previously because she thought she would get a windfall of damages from the lawsuit. Now that it won't occur, she may be more inclined to sell. She has cost the board a lot of money and aggravation.
- Ron doesn't believe we can expect different results from Patti this time around.
- At 8:04 PM, Paul Mouritsen made a **motion** to not negotiate a lease with Patti. The motion was seconded by Buz Underill. The motion was approved by an 8 to 2 vote.

Old Business:

- Scanning of the HOA documents:
 - Angela did not get quotes to scan documents, but she did receive 3 quotes to re-type our HOA bylaws, covenants and deed restrictions to a more legible/searchable format.
 - The highest quote was \$400, the lowest was a little over \$100.
 - Paul believes the county will need to re-certify them.
 - The board agreed to move forward with the re-typing.
- Buz noted that he believes it's ~\$1 a page to scan large plan documents.

New Business:

- D&O Insurance Renewal
 - Angela stated that our current provider for D&O Insurance is dropping us (unrelated to the stable lawsuit). There was a change in their coverage criteria. However, because of the lawsuit, the re-quoting process returned much higher quotes. The only quote Wren could get is \$9,700 (where it was \$1,700 previously).
 - Buz was looking at alternate quotes, however he had not heard back from them as of 6PM this evening. The renewal is due by 1/17/21. If he hears anything tomorrow, he will contact Angela at work.

- Buz suggested a motion to approve the \$9,700 quote, and if a quote comes in cheaper in the next day or so, we go with that.
 - At 8:14 PM, Paul Mouritzen made a **motion** to approve the total insurance premium renewal of \$13,600 (includes \$9,700 D&O). The motion was seconded by Buz Underill. The motion was approved by a unanimous vote of the board.
- Fence Repair
 - T.J.'s repair spreadsheet was discussed in detail earlier.
 - Paul reiterated that at multiple annual meetings, the homeowners were not in favor of a special assessment to replace the fences in their entirety.
 - Paul suggested making the repairs outlined in the spreadsheet over multiple years, fixing the most visible first. There are a number of areas that fit into this category, for example, the area next to Bill Slover's old house.
 - Ron had explored repairs via fence companies previously, and they suggested a handyman. He said he'd ask his handyman to quote the repairs.
- Equity Preservation Committee
 - Although it did not get brought up at the annual meeting, the board had talks about beginning to monitor the neighborhood again with an equity preservation committee.
 - TJ said last time this was done, there were 3 people that would drive around and look at each house, looking for obvious issues/violations.
 - The committee would give homeowners sufficient notice before they drove around.
 - Gloria and T.J. offered to assist Shawna.
 - It was suggested every 4 months be a good interval with notification letters.
- RV in driveway
 - Brian has been in contact with Josh Richolson, they just haven't met to pick out a spot yet. Will get it moved this week.

The Richolson's had a question about cutting a tree down that is affecting their foundation. Buz said to go online and get the tree removal form, and send it to him. He'll come out and take a look.

The next meeting will be held on February 9th at 7 PM at the Verse residence; 4807 Hidden Palm Place.

Adjournment: At 8:37pm, the meeting was adjourned by T.J. Kushner.