**Annual General Membership Meeting of Brandywine Estates Homeowners**

**December 14th, 2021 Meeting Minutes**

**Call to Order:** The meeting was called to order at 7:00pm by the Association Vice President, Buz Underill. Association President, T.J. Kushner was unable to attend.

**Current Board Members:**

T.J. Kushner - President Buz Underill - Vice President

Jodie Hicks - Vice President Angela Taylor - Treasurer

Brian Verse - Secretary

**Directors**:

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

**Approval of Minutes:**

Buz opened the meeting by explaining that T.J. was called out of town for work, and was not able to attend. Buz stated that the first order of business was to approve the 2020 annual meeting minutes. He reminded folks that a copy of the 2020 annual meeting minutes were sent to each homeowner with their ballots. At 7:01, he requested a motion to approve the minutes. Paul Mouritsen made a **motion** to approve the December 2020 annual minutes, and the motion was seconded by Angela Taylor. Buz then asked if there were any comments/corrections to the minutes. There were none. The motion was approved by a unanimous vote.

**Treasurer Report:**

* **2021 Budget Discussion:** Angela began by thanking the homeowners for coming to the meeting. If at any time someone had questions, please let her know. She stated that our performance relative to the 2021 budget was right where we should be. In fact, by the end of the year, we may be slightly under budget. We had projected a $4200 loss, and believe it will probably end up less than that at the end of the year. The only significant item that we were off on from last year was our general liability and Director & Officer insurance policy. We had budgeted $5000, unfortunately it was over $13,000. Despite this, we were still able to stay within budget due to not incurring any legal fees this year ($5,000 was budgeted). Angela opened the floor up to questions.
	+ Vallerie Allen asked why the insurance went up. Angela stated that it was due to two factors. 1) the general increase across the industry, and 2) when the renewal happened, the lawsuits with the stables had not concluded yet. She had hoped this year we could re-bid it at a lower rate due to the lawsuit being over, and ruled in our favor, but the rate did not go down.

**2022 Budget Discussion**

* Angela stated that the only increase for the 2022 expenses is the annual 5% increase of the cable contract. There are still a few more years left before that is re-bid. There were no legal fees budgeted, and even with keeping everything else flat (including the now higher insurance), we had to reduce the amount spent on “lawn care extras” by $7,400. This is for things like tree trimming, brush removal, and mulch. Angela stated that in order to not have a deficit again this year, the dues are proposed to go from $100 to $110 a month. Again, the primary reason for the increase is due to the cable contract rise. It has gone up 5% each year and we’ve been able to absorb that as long as possible. This year we felt the budget was getting too tight (even with decreasing the lawn care extras). Angela opened the 2022 budget up for questions/comments:
	+ Mrs. Forest asked if the budget included the upkeep of the fencing or taking it down. Angela stated that no decision has been made about the fencing. It is a subject that comes up from time to time. She does not believe anyone on the board is in favor of taking it down. T.J. and Ron did make some repairs earlier this year. Angela agreed it is a big expense when the time comes, but at the moment we are just trying to maintain them.
	+ Mr. Moye asked what the total reserves are currently. Angela stated there is ~$60k in the bank. That includes ~$12k in the money market account and the balance is in the checking account. Angela stated the generated interest in the money market account is not much, so she leaves it in the checking account.
	+ A homeowner asked if this was about the same amount that was in the account last year, Angela confirmed, we are in roughly the same position.
	+ Mr. Bond asked what would happen if the raise in monthly dues was not passed, what the reserve would look like. Angela stated it would cut into the reserves by roughly $8,000.

At 7:10 PM, Angela Taylor requested a motion to approve the 2022 budget as presented. Buz Underill made a **motion** to approve the 2022 Budget and Gloria Pazel seconded the motion. The motion passed by a unanimous vote of the homeowners.

**Election of Officers for 2022**

* Buz introduced the candidates identified on the ballot:
	+ President: T.J. Kushner (not present)
	+ Vice President: Mike O’Reilly & Jodie Hicks
		- Jodie Hicks notified Brian Verse before the meeting that she wished to withdraw her name from the ballot
	+ Secretary: Iliana Richolson
	+ Treasurer: Angela Taylor
	+ Directors: Buz Undrill, Shawna Slate, Gloria Pazel
* Buz stepped through the positions on the ballot and asked if there were any additional nominations from the floor for each. There were none.
* Since each position had the required number of nominations; At 7:13PM, Buz Underill asked that a motion be made to accept the ballot/slate by Acclamation. Mr. Whitson made the **motion**, and it was seconded by Paul Mouritsen. The motion was approved by a unanimous vote.

The election results are as follows:

* President: T.J. Kushner - Vice President: Mike O’Reilly
* Secretary: Iliana Richolson - Treasurer: Angela Taylor
* Directors: Gloria Pazel, Shawna Slate, Buz Underill

(Ron Reeves and Zohe Quintero are existing directors and have one more year on their term)

**Committee Reports**

**Recreation:**

* Sarah stated she has attempted to work with Nidy to get an estimate to repair the hole in the center tennis court. They have not returned any calls recently. She stated Buz was able to locate someone locally that believes they can repair it with minimal cost.
* Mike O’Reilly asked if the board was aware of the lights that were out. Brian stated that he just got an email from a homeowner. Brain asked how many were out. Mike said it was the center section, 3 on each side. It may just be a breaker. He will forward the information on to T.J. and see if he can evaluate.
* A homeowner asked about the hole in the court. Sarah stated it was a small hole in the center court on the south side. Mike said this has been done before, as it is the original asphalt surface. Buz stated it was original from the mid 80s. Buz thought they would be out this week to look at it.

**Safety:**

* Gloria began by saying she’s received many compliments on the “Please Slow Down” signs.
	+ Mr. Whitson believes the signs have helped.
* Gloria stated that she has not heard of any crime this year. She did say earlier in the year a golf cart had overturned in a swale with kids on it, but that was it.
* Paul asked that Gloria talk about the recent issue with a homeowner’s dog. Gloria said the dog lives in the first house on the right as you come into the neighborhood.
	+ Mrs. Tauroney told the story of her cat that was attacked by the dog in the first house. The dog had gotten loose and attacked her cat by the back door of her house. The cat did not make it. Mrs. Tauroney said the dog is still around, she saw it recently by the tennis courts. She wanted to let the homeowners know that if this happened once, it could happen again; please be aware. She said she did notify the Sheriff’s Office/Animal Control.
	+ A homeowner asked if the board should send a letter out. Paul stated that the HOA has no authority over animals. When an issue arises, he asks that homeowners call animal control.
	+ Mike O’Rielly suggested sending an email reminding homeowners of the leash law, and if you see a dog running around, call the county, they will respond quickly.
	+ Buz stated that there is nothing in our deed restrictions about managing or restricting the number of dogs someone has, nor can we enforce leashes. That is a county ordinance, the county takes precedence over the HOA. The only thing we can do is help the county: If you see a dog without a leash, call animal control and report it.

**Stables:**

* As previously mentioned by Angela, Buz stated the lawsuits with Patti are over. The HOA prevailed on both issues. The current situation is that we have two parcels of land within our boundaries that we don’t have control over; Patti still owns them and did not sell them. She has access to them, but no one else. Earlier this year, she took down the South Stable, and modified the North Stable to eliminate stalls.
* Buz stated that we have learned that Patti has acquired land in Canada. She intends to move North and wants to get rid of the stables. In October, the board made a formal offer to buy the parcels for $5,000. Patti countered with $80,000.
* Buz stated the offer was contingent upon homeowner approval at the annual meeting, and wanted to discuss the pros and cons of acquiring the parcels tonight.
* Buz stated there are a lot of folks that would like to see the horses come back. One option would be to do a land lease on another parcel and put a small (~12 stall) stable there and lease it to another party. Priced out earlier this year, it was ~$110k, which included a well and a septic tank. This would allow a bathroom for residents in the common area. The capacity of the pastures we have is about 10 horses. Patti had too many previously. This could be built via a land lease with a 3rd party, or the association could do a one time assessment to raise the money and pay for it themselves. Another option would be to acquire Patti’s parcels (cheaper than what it would cost to build the 1st option). Buz believes the $80k she is asking is far too much given the now missing South barn and the limited capacity of the North barn.
* No decision needs to be made tonight or if the association desires, an agreement could be voted on to counter-offer her $80k.
* Buz said the main risk we have by her continuing to own it, is that it could become an eyesore where she stores junk. There is not much we can do in that situation other than put a fence around it (at the HOA’s expense).
* Mr. Evans asked if there was any way to get an appraisal on those parcels. Buz said it’s a unique situation, but the best way would be to estimate the cost-replacement value. That is what it would cost to replace what is there.
* Mrs. Allen asked if she pays the taxes on those parcels, and if she stops paying could they be bought at auction. Buz stated she does, and that is an option, however taxes are cheap, and she might not default, but that is a potential approach.
* Paul asked: If the HOA bought the stables, what would we do with it? The HOA is not in the business of running a horse stable. He does not believe the land has any value to us.
* Mike O’Reilly stated that he’d like to see the horses come back, from a “value to the community, maintenance of the fences, and mowing of the pastures stand point.” Paul believes the cost to do that greatly exceeds what anybody here wants to spend. Mike objected, and does not believe that is how everyone feels.
* Mrs. Conklin asked what we would use the land for if acquired. Buz said it would only be used for another stable. The land would be in the HOA’s control, the horses could be back, and possibly generate some revenue.
* Mike O’Reilly asked what the general consensus of the room was: “Would the people want the horses back if the cost was minimal?” Angela asked for a show of hands. The response was overwhelmingly positive. Only a couple homeowners were against it. Mike suggested putting together a business plan and bringing options to the homeowners that make sense. Send out some emails, get appropriate homeowner feedback, and if it makes sense, then make a counter offer to Patti. Mr. Moye seconded Mike’s idea for a business plan before moving forward.
* Wendy Reeves asked if anyone in the equestrian community was interested in the parcels. Buz believes Patti poisoned the well over the last few years, and is not sure how much interest there is. He did have an individual interested but is not sure how serious he is now that COVID has hurt his business.
* Zohe Quintera believes there is a need for stables in this area, and if the stable has a well and bathrooms, it would benefit the HOA to now have that in the common area.
* Paul believes the minimum cost to acquire the land (or build another stable) will be at least $1,000 to $1,500 per homeowner. Buz reminded the homeowners that the fences will need significant work as well.
* Mr. Evans asked what the process would be if we did have an agreed upon price. Buz said if we hypothetically agreed on $40k, and the association was in agreement to purchase the parcels, each home would be assessed ~ $400, one time. Then the association would have to decide what step to take next. They could do nothing and own the property, or look for a 3rd party to enter a lease agreement to run the stable.
	+ Angela stated that even though the HOA may own the property at that point, there is no guarantee the HOA will generate revenue on it. It may just sit. But if we own the property, we can keep it from piling up junk.
* Iliana Richolson asked if someone from the community could buy the property. Buz said they could as long as the HOA approves it and grants access to the owner’s customers. Zohe said she tried to buy it, but Patti was not interested in dealing with her. Buz stated that we have a signed contract from her for $80k. That contract could potentially be re-assigned if you know someone who wants to buy it.
* Mike Domizioli reiterated that buying the land and using it for something other than horses should be included in whatever plan is developed.
* Paul reiterated that any decision requiring approval by the homeowners association (including a special assessment) will require a special meeting similar to the one we are having tonight.

**Landscaping:**

* Ron Reeves was not in attendance, but Brian Verse relayed his report. Ron is working on getting estimates to re-paint the white fence along Brandywine Lane. He has gotten two quotes for paint, and one from Flawless to cut back the trees/brush. He is hoping by the January meeting to have all the quotes so the board can vote on that.
* New mulch was put down at the front entrance this week.

**Architectural:**

* Buz had nothing new to report.

**Old Business:**

* None

**New Business:**

* None
* Mrs. Allen asked about the Town Center, and what the latest was on that. Paul stated that the development is moving along, and the apartments are almost completed. There is a hotel scheduled to go in between the apartments and the powerlines. He stated that they are still a few years away from completing it. Paul said the city of West Melbourne is managing that. Mrs. Allen asked if there was any plan to put a road off Brandywine. Paul said currently there is not one.

**Adjournment:** At 7:50pm Buz Underill adjourned the meeting.