

**BRANDYWINE HOMEOWNERS ASSOCIATION, INC.  
P.O. BOX 37 DELEON SPRINGS, FLORIDA 32130**

Minutes of the 36<sup>th</sup> Annual General Membership Meeting, held on Thursday, November 8, 2012 at 7:30 PM at the Deland Clarion Inn.

CALL TO ORDER-The meeting was called to order at 7:30 PM by President Bill Stone.

INTRODUCTION OF DIRECTORS-President Stone introduced the Board members.

ESTABLISHMENT OF A QUORUM-A quorum was established having 75 members represented either in person or by proxy.

PROOF OF NOTICE-Secretary Liliane Benucci read the proof of notice, verifying that notice of the meeting was mailed or hand delivered to all members at their last known address.

ROLL CALL-Board members present were Stone, Jonas, Hill, Fletcher, Benucci, Alonzo, and Myers.

READING OF THE MINUTES- Liliane Benucci read the minutes from the 2011 General Meeting. Motion was made by Jim Schrader and seconded by Lorin Myers to approve the minutes as read. Carried.

### **COMMITTEE REPORTS**

FINANCIAL-Treasurer Fletcher reported that 2011-2012 was once again a successful year financially, with a net income of \$7,405. We were very fortunate to have had no exceptional expenses during the year. Nature was kind to us with no major storms impacting our area, thus no tree removal or other storm-related expenses. We have continued to fund a reserve account to further insulate our membership against unexpected major expenses. The reserve fund stood at \$16,000 at the end of the fiscal year and we have added an additional \$4,000 since the start of the new year.

During the year your board has been vigorously enforcing the collection of delinquent dues. At present we have two property owners with outstanding first quarter dues and six outstanding liens for long-term arrears. During the year legal actions were moved forward on three liens and this action resulted in full payment of the outstanding dues and the recapture of legal fees. We will continue these efforts where it is financially feasible.

A major step forward was undertaken and completed during this last year. All association bookkeeping and membership records are now maintained digitally using QuickBooks software, a well-recognized small business accounting package. Last year the board approved the purchase of a laptop computer and ancillary equipment as well as the software. During the past year Lorin Myers, our Finance Coordinator, has labored many hours to accomplish this task. Currently all association bookkeeping activities are recorded in QuickBooks. This includes dues payment records, banking transactions and membership records. Additionally reporting functions, monthly reports, mailing list, etc., are all available from a single source without the need to reference multiple paper records.

Fletcher wanted to recognize the effort spent and results achieved by Myers this last year; he has moved us forward. Fletcher indicated he would also be remiss if he did not recognize the help in this effort provided by member Al Sirutis. Sirutis helped Myers with the initial set-up of the new laptop, software support, and developing backup procedures. These backups included a stand-alone hard drive and cloud storage of critical QB data.

Fletcher further noted that for the last five years, Sirutis has provided software and administrative support to Myers. Sirutis has maintained, using his own resources, a master database of the membership. This database has produced various lists we needed to function. Thank you, Al, for a job very well done.

There is an additional reason we have had a good year financially. Three of our members, led by Ken Jonas, with lots of help from Jim Schrader and President Bill Stone, have provided hands-on services to our community that have saved us \$1,500 to \$2,000, probably a low estimate. Without this selfless work many projects and repairs would have been contracted out with direct out-of-pocket cost to your association. Many thanks to these three.

## **GROUND AND MAINTENANCE**

Jonas reported that this part year has seen many of the usual minor maintenance issues, but fortunately no major issues that would have required major expense. A few of the issues of projects that were address this year were as follows:

- ✓ Replacement of the old wooden section of walking trail off Saratoga Road, which was very slippery when wet, with patio blocks.
- ✓ Pressure washing of all of the concrete portions of the walking trail.
- ✓ Seal coating of the asphalt portion of the walking trail.
- ✓ Replacement of the posts at the entrance to the walking trail off Valley Forge Road after they were hit by a vehicle and broken off.
- ✓ Cleaning and repainting of the signs at both entrances and improved lighting at the Route 17 entrance.
- ✓ Improvements to the discharge area of the culvert pipe in pond #2 to prevent further erosion of the area.
- ✓ Repair of various leaks and replacement of several sprinkler heads at both entrances throughout the year.

In addition, we were able to address the issue of a retention area near Concord on Burgoyne Road not handling the spring rains as it is supposed to without incurring any expense by the HOA. This was accomplished by negotiating with Volusia County and getting them to accept responsibility, as all the drainage going into that area originates from two storm water catch basins along County maintained Burgoyne Road.

Other issues which kept the committee busy this year included dealing with the new trash collector, Republic Services, and Volusia County Solid Waste Officials in an attempt to cut down on the damage their trucks were causing to our cul de sacs and plantings. When Republic Services first started as our refuse hauler, we experienced considerable damage to several areas, as well as broken irrigation lines caused by their trucks driving over curbs and over landscaped areas. These problems do seem to have dropped off as of late.

We have also found it necessary to lock the electric panels near both entrances as we experienced unauthorized persons opening them and exposing them to the elements, which could result in very expensive repairs. In addition, we had to re-attach the ropes that secure the fountain in pond #3 after unknown persons were witnessed participating in a tug of war across the pond until the ropes either broke or came loose from the fountain float.

Jonas took the opportunity to thank Jim Schrader and Bill Stone for all their help with these projects this year. Together he is sure we have saved the HOA many hundreds, if not thousands of dollars in labor expenses by handling these maintenance issues ourselves. Doing these projects gives us a sense of pride in our community and we are always happy to welcome anyone who is interested in joining our little group of volunteers. We even seem to be able to have a little fun at the same time!

## **LAWN CARE & BEAUTIFICATION**

Jonas continued by announcing that we have continued our efforts again this year to try to do what we can to keep our community a pleasant and pretty place to live. During the past year we have spruced up a couple of cul de sacs on Kings Mountain and Lexington Roads, as well as both entrances into Brandywine. This included removing old, out of control or dead shrubs and either replacing them or changing the landscaping theme away from plantings that require irrigation.

The Committee continues to be pleased with our contractor, Clean Cuts, and their efforts to maintain the appearance of Brandywine. While we agree that there will always be room for improvement, their services remain an excellent value for the community. We were also able to negotiate a new 2-year contract with Clean Cuts with a very minimal increase of less than 1% in cost to our members.

The Committee would also like to congratulate the ten recipients of the Beautification Award this year and thank them for their hard work that helps make Brandywine a beautiful community.

Jonas also thanked Jennifer Stone who came up with a very nice certificate, which we now present to each recipient of the award as a memento for their hard work. Be sure to check our web site for photos of the award winner each month.

## **ARB/TREE REMOVAL**

Stone indicated that the Architectural Review Board received 27 requests this past year. Seventeen were for various home improvements and ten for tree removal. All requests were approved. Stone reminded everyone that you need approval to remove any tree over 6" in diameter or to make any exterior home improvements. The ARB form is available on our web site under "documents and forms."

## **STORAGE FACILITY**

Stone reported that we currently have 28 units actively using the storage lot. One unit has an expired tag, but all other units are in compliance with lot rules. The storage lot is free and is available to all members in good standing for the storage of their boats, RVs, and utility trailers. The lock to the lot gate was cut last July. The Sheriff's Office was called and no other damage was discovered. The lock was replaced and new keys have been distributed to most of the lot users. If you haven't received your new key, please contact Bill Stone (new contact is Ken Jonas).

## **WELCOMING**

Stone reported that we welcomed ten new members to our neighborhood this year. New owners are greeted in person and given a folder of important HOA documents and forms.

## **RULES ENFORCEMENT**

Hill thanked all the residents of Brandywine who follow the rules set in place. She remarked that in an effort to keep Brandywine the beautiful, peaceful community it is and in an attempt to keep property values as positive as possible, our Rules Enforcement Committee has observed infractions and listened to others with reports of violations in the Brandywine area. They have then addressed these issues as fairly as possible to all neighbors adhering to the Covenants, Rules and Restrictions as set forth in our deed-restricted community.

The BHOA Rules Enforcement Committee has sent at least 50 letters this past year to Brandywine homeowners regarding such matters as disabled vehicles, dangerous trees, property appearance, upkeep or maintenance of the yard or home, violation of parking vehicles including autos, boats or trailers, signage and placement of garbage or recycle containers. One huge and obvious request has been the "clean up after your dog" signs, now posted in various strategic places. Several calls were also made to Volusia County regarding code enforcement issues.

For the most part our neighbors have adhered to all of these rules and requests. We continue to invite your contacts, welcome any comments and, of course, help in these ways for any of the neighbors who may not be aware or are not able to take care of certain issues themselves.

Hill thanked everyone for their help in continuing to keep this one of the greatest neighborhoods to live in.

## **NEIGHBORHOOD WATCH**

Benucci reported that due to personnel cutbacks and job consolidations our contact with the Sheriff's Office Community Service Sergeant has been limited. You are reminded to continue to be mindful of your surroundings and report any suspicious activity to the Sheriff's Office at 736-5999. Most of the incidents reported this year have occurred at the Mallards.

## **WEB SITE / E-MAIL**

Stone reported that Brandywine's web site has been up and running for more than a year now. The site is a convenient place to go to see our association documents, download forms, and get up-to-date information about our neighborhood. The site is updated after every monthly director's meeting with the approved minutes, new beautification award, upcoming important dates, and other updated information. Stone said he uses the web site on a regular basis to help answer questions and as a place to refer people forms. He urged members to go to our web site for a look and see what you think. Also, we would like to have input on anything that might make the site better or more useful. Our web site address is **brandywinedelandhoa.com**.

## **PLANNING COMMITTEE REPORT**

Fletcher reported that during the last six months the board has been working with County government concerning what we have come to call THE BLUE TARP HOUSE. In April the owner was called to a code enforcement board meeting, which members of your HOA board also attended. The owner was given 45 days to comply with the board's ruling to fix the property. When he failed to comply with all the demands he was called back to the code board on May 16 – he did not attend. Many of you attended that meeting and our show of resolve carried the day and major fines (\$1,000/day) were set.

Subsequently, the County building department was asked to review the building and the County's Chief Building Official declared it **uninhabitable**. The owner was called before the CLCA (Contractor Licensing & Construction Appeals) board on September 5 – he did not attend. The owner was given 45 days (until October 3) to permit fixes or permit demolition. Again, attendance by approximately **50 Brandywine members** at the board meeting carried the day. When the owner failed to comply the County requested bids for demolition and selected a vendor.

Regrettably, the mortgage holder came forward at this same time and filed a suit against the county and asked for an emergency injunction to stop demolition. The bank's position is that the county failed to notify them of the demolition action. The emergency injunction was denied but the County felt the prudent course was to let the bank have an opportunity to present its case to the board, rather than have them pursue further legal action. Hence yesterday (November 7, 2012) the CLCA board reheard the case with the bank's attorney presenting their case and our attorney speaking for your board. The CLCA board voted to give the bank 30 days to determine if they want to demolish the house or let the county demolish it. Hopefully we will see some action by December.

Fletcher thanked member Wayne Sanborn for his help in this matter, his experience in government and his local contacts really helped move this action forward.

## **PRESIDENT'S COMMENTS**

President Stone thanked all the Directors for all their help during the past year.

**OLD BUSINESS** – No old business

**NEW BUSINESS**

**Governing Documents and Amendments:** Myers announced that the board has deemed it necessary to amend our governing documents. Currently, and since inception, our documents require 75% *affirmative* votes of the members in good standing to amend. This was a necessary provision for the developer to secure their investments during the several phases of the development; however, this provision is hampering our ability to amend.

We currently have a total of 273 members in good standing, and we are averaging about 80 voting members in person or by proxy at our annual meetings. At tonight's meeting we have 75 members voting in person or by proxy. The voting provision proposal will be determined by the board at regularly scheduled monthly meetings. We have set a goal that in November 2013 we will have approximately 210 affirmative votes to amend the voting provision to a number that is more reasonable. We certainly need your support.

In subsequent years the board could propose amendments that would enable the association to keep in step with Florida statutes, local laws and municipal ordinances and clarify any current provisions that may be applicable.

**Report of the Nominating Committee:** There are three board members whose terms are up tonight, Liliane Benucci, Diane Hill, and Larry Alonzo. Liliane and Diane have agreed to run for another term and Renee Weber has placed her name on the ballot as a third nominee.

There being no additional nominations from the floor, the three candidates were unanimously elected to a two-year term.

**ADJOURNMENT-** Jim Schrader moved, Lorin Myers seconded to adjourn the meeting at 8:30 pm. Carried.

Respectfully submitted, Liliane Benucci, Recording Secretary.