

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

Minutes of the 37th Annual General Membership Meeting, held on Thursday, November 7, 2013 at 7:30 PM at the Deland Clarion Inn.

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

INTRODUCTION OF DIRECTORS-President Jonas introduced the Board members.

ESTABLISHMENT OF A QUORUM-A quorum was established having 97 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 Jonas, Weber, Hill, Fletcher, Benucci, and Myers. Director Alonzo was absent.

READING OF THE MINUTES- Liliane Benucci read the minutes from the 2012 General Meeting. Motion was made by Jim Schrader and seconded by Al Sirutis to approve the minutes as read. Carried.

COMMITTEE REPORTS

FINANCIAL

Treasurer Fletcher reported that 2012-2013 was once again a successful year financially, with a net income of \$6,117. 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 \$15,782 at the end of the fiscal year and we have added an additional \$3,292 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 four property owners with outstanding first quarter dues and seven outstanding liens for long-term arrears. During the year legal actions were moved forward on two 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.

In addition we began early in the year charging for the preparation of closing certificates, which has resulted in \$700 additional revenue.

As Fletcher reported last year, a major step forward was undertaken and completed. All association bookkeeping and membership records are now maintained digitally using QuickBooks software. Currently all association bookkeeping activities are recorded in QuickBooks including payment records, banking transactions and membership records, monthly reports and mailing list. This is now a mature and proven method for our association.

There is an additional reason we have had a good year financially. Two of our members, Ken Jonas and Jim Schrader, have provided hands-on services to our community that have saved us a great deal of money. Without this selfless work, many projects and repairs would have been contracted out, resulting in direct out-of-pocket cost to your association. Many thanks to these two members who have, for many years, contributed their sweat equity to our community. Consequently, we have come to call them the “Brandywine Boys.” They do a great service and they seem to have fun! Fletcher indicated that anyone who would like to join the team should give Jonas a call.

GROUND AND MAINTENANCE

Jonas reported that our HOA has undertaken a couple of larger projects this year in addition to the usual repairs to the irrigation system and reporting of streetlights that were not working.

Our biggest undertaking of the year was the cleaning out and repairing of the eroded banks in the retention area near the condos, also known as retention pond #1. Over the past 35 years or so, erosion residue had built up an island near the Route 17 end of the pond and was causing severe erosion of the south bank as the storm water found its way around that island. The project included the removal of the trees and brush that had grown over time and then the removal of many yards of silt and dirt which had accumulated. The material removed was used to rebuild the eroded sections of the banks.

The banks were then seeded and a fence was installed on both sides from the condo fence line to the highway right of way in an effort to trap blowing trash before it enters the retention area. Total cost was approximately \$5000.

At the same time FDOT was contacted in regard to our concern of trash entering the area from the highway drainage system. They were extremely cooperative and immediately constructed a trash collection system where their drain pipes discharge into our retention area.

We have also been in contact with the Volusia County Engineering Department in an effort to bring the Shopping Center storm water retention system up to code, insure that it is working as designed, and to minimize the amount of storm water that enters our system from theirs.

The next undertaking was the replacement of two of the support posts holding up the walking bridge which had rotted off at the ground. Although this project was done at minimal cost to the residents of Brandywine, it would not have been the case if not for the hard work of Jim Schrader and myself along with some help from Dick Fletcher in 95 degree heat.

In addition, there were many hours spent by the committee keeping things working throughout the year. All of this, once again this year, saved your HOA labor costs that probably would total in the thousands of dollars.

LAWN CARE & BEAUTIFICATION

Jonas reported that we think that the common areas in Brandywine have improved over the last year. A lot of this is due to the crew from Clean Cuts who are always very cooperative in accomplishing the committee's goals.

We tried to concentrate much of our efforts on the cul-de-sacs this year by getting nearly all of them trimmed and mulched. In addition we planted several Indian Hawthorn bushes on a couple of them and installed PVC posts on three of them in an effort to keep vehicles from driving on the cul-de-sacs. We also replaced a few bushes at the Route 15 entrance.

We also cleared the area along Brandywine Road near the first pond when you come in the main entrance. This was suggested by one of our residents and has proved to be a great improvement affording a nice view of the ponds as you enter our community.

We want to congratulate all those residents who received the Beautification Award this year. Their hard work keeping their yards looking so nice has a terrific impact on the appearance of our community. At the same time, we would like to remind everyone that the Covenants do require that your yards be edged. When walking the neighborhood there are many yards that are encroaching on the pavement due to lack of edging. Let's

all make an effort to correct this and our whole community will look oh so much better than it already does.

ARB/TREE REMOVAL

Alonzo indicated that the Architectural Review Board received 15 requests this past year. Ten were for various home improvements and five for tree removal. All requests were approved. The ARB form is available on our web site under “documents and forms.”

STORAGE FACILITY

Schrader reported that we currently have 17 units actively using the storage lot. The storage lot is free and is available to all members in good standing for the storage of their boats, RVs, and utility trailers. Common infractions include expired or missing tags, flat tires and unregistered trailers. New keys were given to all lot users due to a lock change.

WELCOMING

Weber reported that 16 new owners and six new renters were welcomed to Brandywine this year. In nearly all cases, they have been visited in person and given a packet of information and governing documents. They are told how to access the Brandywine website and are encouraged to be added to the email communications list to receive Brandywine news.

Weber also noted that in addition, letters were sent to 17 long-term renters to establish contact with the directors, to remind them of the HOA rules and regulations, and to let them know how to obtain governing documents.

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, which are 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

Myers reported that we currently have about 130 members receiving email news from our Brandywine account. Quite a number of members are printing out the email and sharing it with neighbors who don't use email. The email account is also used to answer questions from members, correspondence between members and the Board of Directors, prospective buyers, title companies and vendors of the association. Myers encouraged members to use this email for any inquiries regarding the homeowners association. The website is updated monthly with dates for events and meetings and there are local phone numbers for utilities, emergencies and board members. There are minutes from the board meetings and the most current rules documents. Many prospective buyers have found it an easy resource to familiarize themselves with our community. The website address is **brandywinedelandhoa.com**.

BRANDYWINE SHOPPING CENTER

Myers reported that a storefront was leased to an adult entertainment club in the shopping center last month. Winn Dixie filed an injunction claiming it was a violation of their lease and would do irreparable damage to their future revenue at the location. A temporary injunction was granted and the original signage is now blank. The attorneys for Winn Dixie believe that they have a pretty solid case for the permanent injunction.

Most recently it was rumored that fixtures have been moved out of the property. We have offered to provide speakers to give testimony for Winn Dixie when and if that case is continued. We have concerns in the long term with the shopping center as Winn Dixie's lease is up in about another year. The current owners have been quoted as "not concerned" whether Winn Dixie renews or not. Winn Dixie may be considering whether they have a sufficient customer base to keep the location. Winn Dixie vacating the location could be detrimental to the types of establishments that are not allowed and the atmosphere at the shopping center.

BYLAWS and CC+Rs

Myers reported that the committee met on January 21 and March 19, 2013. Discussion on both dates focused on the necessity of amending the governing documents and the feasibility to amend down the voting provision from 75% of the total membership. And if a motion was proposed to amend the voting provision whether to base the provision on the total membership or the quorum. The documents currently require 75% of the total membership in good standing or approximately 210 affirmative votes to amend the governing documents. The consensus of the committee was that there is no immediate necessity to amend the documents. It was also the consensus of the committee that if a motion to amend the voting provision were proposed that it should be based on a percentage of the total membership. The committee advised the board at the April 9, 2013 meeting not to pursue amending the voting provision or the governing documents at this time.

PLANNING COMMITTEE REPORT

Fletcher reported that the long saga of what we previously called THE BLUE TARP HOUSE has continued in 2013. You may recall that in the spring of 2012 this property was before the code board on two occasions. Many of you attended the second meeting, which resulted in large recurring fines. 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, 2012; he did not attend. The owner was given 45 days to permit fixes. Again, attendance by approximately **50 Brandywine members** at the board meeting carried the day. When he did not comply, the county started to take steps to take down the house, but this action stopped when the lender sued for an injunction and asked to have a say at a second hearing. The county granted this request and the bank was given 30 days to decide its course of action.

During this period the owner made arrangements to be released from the loan and presented to the county plans for renovation of the property. The county-issued building permits for this renovation based on the initial plans and a schedule which called for completion by March 2013. As we all know, some work such as a new roof was completed but little more happened.

Little has happened in the last six months; the permits have lapsed for lack of work and the county building department stated that they do not want to extend the permits. The building department tells us that the owner has not made any specific request of them but has told them he intends to complete the project.

Our attorney has been in touch with the county attorney handling the matter and the last we have heard is that their approach will be to foreclose on the code enforcement liens. Our attorney is working with the county this week on the details of this action.

PRESIDENT'S COMMENTS

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

OLD BUSINESS – No old business

NEW BUSINESS

Finance Coordinator Contract Report to Membership: Weber offered the following information:

The Brandywine Homeowners Association is a corporation, is governed by Florida state statutes, and is served by caring individuals so it is imperative that its finances be in order. Being in charge of the finances is time-consuming and takes a level of bookkeeping skill beyond the scope of most individuals. It involves not just paying the bills, supplying monthly reports to the board and keeping up with members' dues, but also dealing with title companies and lawyers and their jargon and procedures.

Lorin Myers has served in this capacity under a variety of titles for seven years. At the August 2013 board meeting, his annual contract as Finance coordinator, which includes a \$400 monthly fee for services, was approved.

Brandywine has a history of paying the person who takes on the financial responsibilities so this is nothing new.

What is new is that the state statute requires the board to inform the membership of this contract since Lorin was also serving as a director on the Board.

Report of the Nominating Committee: George Marshall, Holly Rabits and Lorin Myers were nominated for the three board seats that were up for election. There were no nominations from the floor so Marshall, Rabits and Myers were elected by acclamation for a two year term.

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

Announcement of the Organizational meeting November 12 at 6:30 p.m.

Respectfully submitted, Liliane Benucci, Recording Secretary.

approved Nov. 8, 2014