

**BAYTREE COMMUNITY ASSOCIATION
MINUTES OF ANNUAL VM MEETING
APRIL 24, 2023**

1. Call to Order: The Annual Meeting was called to order by President, Robert Eksten at 1:01 p.m. The meeting was held at the Golf Clubhouse
2. Pledge of Allegiance was recited by all present.
3. Roll Call: Board Members; Robert Eksten, Jackie Curley, Art Hudson, and Nick Williams were in attendance. Roma Zimmerman absent. Tom Dillon and Paula Matthes were present from Fairway Management.

Voting Members; Sue Frontera (Arundel), Maureen Ksiez (Balmoral), Bernard Bryan (Chatsworth), Christine Applegate (Hamlet), Sandy Schoonmaker (Kingswood), Thomas Harrison (Saddleworth), April Simmons (Turnberry) and Paul Panikowski (Windsor) were present.

4. Proof of Meeting Notice – Mailed to all members on March 3, 2023 and posted at both gates within 48 hours of meeting.
5. Meeting minutes from the 2022 Annual Meeting of April 11, 2022, were reviewed. Jackie motioned to approve, second by Nick. Motion carried unanimously.
6. Election of Board of Directors (2 seats open) – Arthur Hudson and Roma Zimmerman were nominated for the board. No other nominations from the floor. No election was required. Art and Roma were placed on the board with two (2) year terms.
7. Motion to Adjourn the Annual Meeting of Voting Members made at 1:05 p.m.

BAYTREE COMMUNITY ASSOCIATION
MINUTES OF ANNUAL MEMBER MEETING
APRIL 24, 2023

1. Call to Order of the meeting was made by Robert Eksten, Board President at 1:04 p.m.
2. Meeting minutes from the 2022 Annual Meeting of April 11, 2022 were reviewed. Art motioned to approve, second by Jackie. Motion carried unanimously.
3. Board remained seated
4. Officer's Annual Reports:
 - a. President-Robert Eksten presented the attached President's Report.
 - b. Vice President-Jackie Curley had no report.
 - c. Treasurer-Arthur Hudson presented the attached Treasurer's Report.
 - d. Secretary-No report.
 - e. Director/ARC Liaison-Nick Williams oversees the ARC and Due Process. Goal continues to be consistent, fair and uphold their legal obligations. Rick and the ARC Committee are doing a great job.
5. Committee Reports:
 - a. ARC: Rick Brown reported that the ARC reviewed 131 applications this year. Four proposed changes to the BPARCs and one proposed amendment to the Declaration were brought to the Board. ARC forms were revised. Meetings are still held every other Monday at 8:30am.
 - b. Social: Sue Frontera thanked the Board for their support. Great turnout to all the events. Second Reptile Event scheduled for May 21st. No event in summer, too hot. Will resume in the fall.
 - c. Newsletter: Maureen Ksiez has appreciated all the articles and information submitted for the newsletters. All items welcome, please share with her. The next newsletter will be slightly delayed to the second or third week of June.
 - d. CDD: Rick Brown reported the the CDD is taking a strong look at the infrastructure. Currently repairing sidewalks. Sealing project still open as they are correcting issues. Will be rewiring at entrance off Wickham Road. Blue/purple streetlights will be replaced by FPL, quoted 3-4 weeks.
6. Board remained seated.
7. Unfinished Business:
 - a. Votes were tallied on the proposed amendment to Declaration, Article XIII, Section 13.17.2, which passed with an affirmative vote of 315 with 20 against. And Section 13.17.4 to be added, with an affirmative vote of 309 and 24 against. Discussions took place and the VMs were thanked for their hard work in getting the votes needed.

- b. Golf Course Drainage update-Bob explained that he spoke with the attorney and sent a letter to Fore Golf. No response yet. He also spoke to Dan Silcox, golf course general manager, who has not received direction from them. Discussions took place. Wayne Wilkerson stated that he knows Charlie Staples. The Board proposed an AdHoc Committee and asked Wayne to chair. Rick Brown and Paul Panikowski will assist.

8. New Business:

- a. VMs/AVMs reminded that neighborhood meetings are required at least every two years. Sandy stated this was being done and commented that the previous Board would hold VM meetings in appreciation of their efforts.
-Balmoral AVM, David Meier/1499 Southpointe and Chatsworth AVM, Rafael Cedeno/984 Chatsworth were nominated. Jackie motioned to approve, second by Art. Motion carried unanimously.
- b. Bob explained that the Declarations are due to expire. The attorney drew up the Notice of Preservation which Bob signed.
- c. Overdue assessments were assessed late fees in April.
- d. Due Process: Board reviewed 3 properties in non-compliance.
-455 Baytree-Clean sidewalk. Nick motioned to find \$25/day, second by Jackie. Motion carried unanimously.
-814 Chatsworth and 885 Chatsworth have continued reports of dog off leash. This is in violation of the governing documents as well as Brevard County Ordinance. Incidents of dogs chasing residents and seen on golf course property. Discussions took place and decided attorney opinion was required. Advise homeowners to call animal control. Nick asked that a Final notice be sent advising the owners that the Board would be seeking legal action if not corrected. Phone number for Brevard County Animal Control to be placed in next newsletter.

9. Items from the floor:

- a. Jeff Studs asked if the back gate arm could be moved back. Rick commented that it would not be practical due to all the electrical, etc.
- b. Maureen Ksiez asked if Voting Members can use the blast emails to get information out to owners. The Board stated that it would need to be urgent information and must be approved by the Board.
- c. Rick Brown commented that residents playing golf noticed violations in rear of properties and asked if we could start citing violation in the back of homes. Discussions had, no solution.
- d. Jackie Curley commented that the BCA website has outdated information and would like to work with Richard Schoonmaker to clean it up.
- e. Mr. Toro commented that emergency generators are being run at night for long periods of time. Discussions had that this could be considered a violation of the Brevard County noise ordinance and to call the Sheriff's office. Comments that generators are to be run for 5-10 minutes not 30 minutes at a time.

10. Motion to Adjourn the Annual Meeting of the Members made at 2:14 p.m.

**BAYTREE COMMUNITY ASSOCIATION
ORGANIZATIONAL MEETING OF
BOARD OF DIRECTORS
APRIL 24, 2023**

1. Call to Order. The Meeting was called to order by President, Robert Eksten at 2:14 p.m.
2. Proof of Notice of Meeting confirmed
3. Meeting minutes from the 2022 Organizational Meeting were approved by the Board unanimously, no discussion.
4. Bob proposed that the directors keep the existing positions. Nick motioned to accept, second by Jackie. Motion carried unanimously.
5. Appointment of Committees:
Jackie motioned to keep existing committee chairs, second by Nick. Motion carried unanimously.
 - a. ARC: Rick Brown
 - b. Budget: Board Treasurer
 - c. By-Laws: Board Secretary
 - d. Due Process: Nick Williams
 - e. Nominations: Board of Directors
 - f. Community Relations/Social Committee: Sue Frontera
 - g. Professional Review: Board President
 - h. Newsletter: Maureen Ksiez
 - i. Website: Richard Schoonmaker
 - j. Golf Course Liaison: Wayne Wilkerson placed
6. Motion to Adjourn the Organizational Meeting of the Board made at 2:25 p.m.

President's Report for April 24, 2023 Annual Meeting

My annual report this year will be a bit different in that I wish to highlight what I'm grateful for as your President as opposed to listing accomplishments.

These are the six things for which I'm most grateful:

1. I'm grateful for the exceptional BCA Board I head. Jackie, Nick, Art, Roma and I all do our best to keep Baytree a premier community. And, there is more work involved in doing that than you might think.
2. I'm grateful for our continuing excellent relationship with the CDD Board. We truly do work in concert to maximize the benefits to residents.
3. I'm grateful to Sandy and the services to residents done by the VM's & AVM's. I especially appreciate the hard work they've done with our Proxy ballots.
4. I'm grateful for the work of the ARC Committee, headed by Rick Brown, for the excellent and meticulous work of seeing to it that Baytree keeps it's premier look.
5. I'm grateful to Maureen Ksiez and Sue Frontera who have done an excellent job with our newsletters and social events. They both work hard – but Maureen must have help from Brian - or stick to a strict 4 hours of sleep regimen to put out such a professional looking newsletter!
6. Finally, I'm grateful to the vast majority of Baytree residents who maintain their properties to a high standard. We all benefit from those efforts!

I could go on, but you get the point: we all need each other for Baytree to be all that it can be. Does the Board have difficult moments? Yes, of course. But, the BCA will always strive to fulfill our mission statement of protecting property values and the quality of life for all residents.

Bob Eksten

BCA President

BAYTREE COMMUNITY ASSOCIATION, INC.
BOARD MEETING APRIL 24, 2023
TREASURER'S FINANCIAL REPORT

This financial report is based on the three-month period ending March 31, 2023.

• **Profit and Loss/Budget Performance**

- Income for the period totaled \$44,469.21 compared to a budget of \$44,638.72 resulting in a \$169.51 underrun compared to budget. This unfavorable variance is primarily driven by a \$174.99 underrun in Late Fees.
- Expenses for the period totaled \$10,575.19 compared to a budget of \$10,492.53 resulting in an overrun of \$82.66. Overruns in Accounting & Tax Preparation, Admin/Office Expenses and Postage were offset by an underrun in BCA/CDD Cooperative Efforts Expense resulting in the net overrun of \$82.66. All remaining expense accounts are under running their respective budgets.
- Net income for the period totaled \$33,894.02 compared to a budget of \$34,146.19 resulting in an unfavorable variance of \$252.17. This unfavorable variance is the total effect of the underrun in Income combined with the overrun in expenses.

• **Balance Sheet**

- Cash Accounts ended to period with balances as follows: Operating Account = \$50,693.72 and Money Market Account = \$32,163.52 totaling \$82,857.24. At the last Board meeting it was agreed that \$5,000.00 should be moved from the operating account to the money market account. This transfer was accomplished in February 2023.
- Accounts Receivable at March 31st stands at \$2,830.00 of which \$2,755.00 is over 60 days late and \$75.00 is over 90 days late. With the exception of the \$75.00 all remaining amounts due represents unpaid resident annual assessments of \$95.00 each or 29 separate residents overall.
- Current Liabilities of \$220.00 is reflected as Prepaid assessments since they were believed to be over payments of the annual assessments. These payments were returned to the respective residents in April. However, subsequent to refunding these amounts it was determined that they were in fact late payments of the annual assessments. It is the policy of the BCA to collect a late payment amount for assessments paid after the due date. In the future these amounts will be retained and reflected in a late fee income account

At the last Board meeting it was requested that we research the possibility of investing some of the money market funds in short term Certificates of Deposit (CD's). The bank that the BCA is using (AXOS)

offers CDs for 6 months at \$50k and \$100k with current fixed rates of 3.75% and 4.25% respectively. They also offer a 9-month CD of \$100k at a current rate of 4.50%. These amounts and time periods do not support the funds available to invest or the duration for which the funds can be committed. We do have the option to explore other financial institutions for investments that may meet our requirements.

The BCA continues to have discretionary funds available for expenses over and above those already budgeted if desired as follows:

Discretionary cash analysis:	
Total Cash @ March 31, 2023:	\$82,857.24
Plus: Accounts Receivable:	2,830.00
Less: Minimum Cash Balance:	(20,000.00)
Current Liabilities @ March 31, 2023:	(220.00)
Remaining 2023 Budgeted Expenses	<u>(36,594.81)</u>
 Total Discretionary Funds at March 31, 2023	 <u>\$28,872.43</u>

In summary the BCA continues to maintain a strong balance sheet, a solid cash position and good performance to budget.

This report was presented to the Baytree Community Association Board of Directors at its regularly scheduled meeting held on April 24 2023.

BAYTREE COMMUNITY ASSOCIATION, INC.
ANNUAL BUDGET COMMITTEE REPORT

A Baytree Community Association (BCA) budget workshop was held on November 14, 2022 and was attended by Fairway Management, the BCA President and Treasurer and several Baytree VM'S. The BCA Treasurer presented a proposed 2023 budget and after some examination and discussion it was agreed that the proposed budget was acceptable and should be forwarded to the full Board for approval. The full Board approved the budget as presented at its regularly scheduled meeting on December 12, 2022.