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## Presidents Report

Thank you to all of the Board, VM's and AVM's and residents for attending.

I have had a number of calls and emails from residents upset about the drainage on their property and have asked that the Board contact the CDD to do something about it. As we all know, the golf course drains mostly toward the sides away from the center of the fairways. That allows the course to drain quickly so that play can continue. It was designed that way and there isn't very much that the golf course can do about it.

Unfortunately, houses surround most of the golf course and thus the water drains between and in some cases directly onto the home owners property. This causes many problems including water in the homes of several of our residents. In many situations, the pool and deck contractor did not provide adequate measures that would not allow water from the runoff to enter the patios and put the homes at risk of flooding.

Another problem is the sheer amount of water. The streets and drains are full during hard prolonged rain and simply will not handle the amount of water that they get. This causes back up and flooding into the yards and garages in some cases.

Recreating infrastructure to accommodate this is cost prohibitive and not viable. That leaves us with what to do.

First, the storms that we have had over the last few weeks are virtually unprecedented. Getting 7-8 inches of rain over a short period of time will overwhelm any reasonable drainage system, large or small.

There are some things that can be done however. One would be to plan a defense. One of our Voting Members has backup water absorbing snakes that swell when water hits them and forms a very impressive barrier. My next door neighbor has a portable sump pump that he uses to help clear water from his patio. Another neighbor uses extra drains that were incorporated into his underground gutter drains.

Whatever you do, you should start by having a qualified drainage expert survey your property and see what if anything can be done to correct a correctable drainage problem at your home. If you learn that nothing can be done, we must all be proactive to create a suitable defense.

Remember that it isn't just us, thousands of homes in Brevard County are water damaged by the recent storms and not too much can be done to prevent weather, so be diligent and prudent in assessing your situation and where possible take appropriate steps. Finding a solution at the golf course level or the drainage infrastructure level probably isn't possible.

#### Pavilion

You have copies of the proposed Agreement that has been worked out between the BCA and the CDD. I assume you have had a chance to read it and make notes on anything that you don't understand. Jerry Darby, our Voting Member for Balmoral Southpointe and Jan Hill have worked with Mel Mills of the CDD and the attorneys for both the BCA and CDD to get it to this point.

The purpose of having it on the agenda today is to see if there are questions concerning the overall intent or spirit of the Agreement by the Board and to make sure that we are all aligned before I bring it to the CDD tomorrow. The Agreement is not signed at this point and can't be until we have costs and proposed plans. I would like to have each Board member speak to that and then the Voting Members. At the appropriate time, I will ask any of the residents to speak as well. That will be under Questions or Discussions from the Floor.

#### Baytree Magazine

We have with us today Ms. Francisca **Mariani** who is the publisher Director of the magazine and she has asked to speak to us under our Public

Relations Committee report along with Martha Scholz who is our Social Chair.

We have Brian Iten who has volunteered to act as Voting Member for the Windsor neighborhood. This will be discussed under New Business.

Scotts (Due Process)

Finally, we have our Due Process report concerning properties to be fined. We also have in attendance Mr. and Ms. Scott who have asked to address the Board on a fine that has been voted on approved and an appeal heard and denied. I will introduce that topic under Due Process report with a background of the process. I will ask Director Mather and our Property Manager Jim Kenny to assist me with that overview before hearing from the Scotts. I will ask Due Process Committee Chair Rick Brown to review the Due Process meeting he had with the Scotts and the outcome of that meeting.

Not here to discuss the professionalism of our Management Company or if this process did or did not follow our written protocol as dictated by our Covenants.

This must remain civil and professional. Anything other than that and I will discontinue the discussion and close the meeting.

1. Were the residents aware that they were in violation and that fines would be imposed if the violation was not corrected and did the residents receive proper notice that they were in violation, and is the fine reasonable.
2. Were they properly notified?
3. Is their objective here today;

Deny that they were in violation

Deny that they were not given proper notice

Ask the Board to reduce or vacate the fine

The Board today is not being asked to vote on the issue. We will hear the Scotts and afterward I will ask the Board for comments.

If it is felt that we were negligent or errant

1. Violation observance
2. Three violation notices
3. Violation presented to the Board with documentation including pictures of the violation
4. Fine recommendation by our Liaison Director to the Board
5. Board voting and passing with 100% votes on imposing the fine
6. Our Due Process Committee reviewing the fine and upholding it
7. The resident allowed to Appeal the decision
8. The decision upheld by the Board
9. Allowing the resident to address the Board

Then we should vacate the fine entirely. If we feel that we were prudent in the above process, reasonable in our effort to inform the resident, and believe our fining process, Due Process Committee and our Board acted on behalf of the greater good of the neighborhood and its residents, then we have to do nothing and the fine stands.

If this is the case and the seek counsel on the issue, then that would be the only place that this fine could possibly be mitigated between the attorneys with approval from the Board.