

Bay Tree Community Association, Inc.
C/o Fairway Management
1331 Bedford Dr., Suite 103
Melbourne, FL 32940
(321)777-7575

Board of Directors
Meeting Minutes
October 24, 2016
Bay Tree National Golf Course

1. **Called to Order-** Meeting was called to order by the President, Wayne Wilkerson, at 1:33 pm.
2. **Pledge-** The Chair led the group in the Pledge of Allegiance to the United States of America.
3. **Roll Call-** Directors Present: Wayne Wilkerson, Richard Mathers, Jan Hill, David Taylor, and Phil Ruhlman. Jim Kenney, Fairway Management.
4. **Proof of Meeting Notice -**Was posted at Community gate 48 hours in advance of the meeting.
5. **Approval of Minutes-** Motion was made by Phil, 2nd by Richard, to waive the reading of the minutes of July 11, 2016. No discussion, motion passed unanimously.
6. **Reports of Officers:**
 - a. **President-** Wayne announced that code enforcement would be the main focus of today's meeting to clarify the violation process.
 - b. **Vice President-** David commented that it should be considered to hold the board meetings in the evenings to be more convenient for those who have jobs.
 - c. **Treasurer-** Jan reported that the cash position for Bay Tree Community as of September 30, 2016 was \$167,308, with a net income of \$25,162 (Ahead of budget). CD was rolled over. Jan will meet with voting members in November to discuss the 2017 budget and then a Budget meeting will be scheduled to approve the proposed budget.
 - d. **Secretary-**Phil discussed revising the Declaration to line up with the Florida Statutes. He will draw up the new amendment after receiving approval from the Voting Members.
7. **Community Development District:**
 - a. Nancy O'Hare provided an update that the landscaping plan has been approved for the area along Kingswood fence line. There will be a county meeting on November 1, 2016 regarding the area at SCCU. Discussions took place on the best way to notify residents of attending this important meeting. Wayne to notify Voting Members via InfoLink. Sandy suggested doing a mailer, Jan suggested a sign at the gate.
 - b. The CCD Board will have 2 openings to fill at their next meeting on December 7, 2016.
 - c. Lighting at the back gate has been approved.
8. **Committee Reports:**
 - a. **Architectural Review-** Sandy Schoonmaker advises that ARC meetings will no longer be held on the 1st and 3rd Mondays-they will be every other Monday going forward.
 - b. **Due Process Committee-** Wayne motioned to appoint Rick Brown to the DPC, 2nd by Phil. Passed unanimously.

c. Other Committee Reports:

- Richard Schoonmaker/Webmaster has requested that Fairway Management supply him with meeting agendas prior to the meetings for the website, as well as a copy of the approved minutes.
- Richard presented that it was time to renew the Baytree website at \$404.77 total for 2 years. Jan made the motion to approve, 2nd by Wayne. Passed unanimously
- Sue Kirwan asked that meeting agendas be sent to the Voting Members AND the Alternate Voting Members, Wayne asked Fairway to handle.

9. Unfinished Business

10. New Business

- a. New Attorney- Jan and David have been compiling information on attorneys to consider. The discussion was tabled as they were missing one resume and want to have all the information before deciding.
- b. 7980 Daventry, hurricane shutters (see pictures and correspondence)-David has spoken with the homeowner and questioned the need to fine this particular one. Board discussed the violation and majority agreed that the hurricane shutters need to be open when home is occupied.
- c. Clarification to ARC guidelines regarding repainting homes the same color-Sandy proposed that homeowners still be required to submit an ARC with the color for the association's records and waive the fee. Wayne made motion to accept, 2nd by Phil. Passed unanimously.
- d. Clarification of intent of the Declarations regarding driveway widths-Sandy proposed that driveways not extend past beyond the width of garage for front facing garages. Side facing garages were questioned and wording was discussed to possibly state that they would be determined on a case by case basis. Jim Kenney suggested the wording be suggested by the new attorney. Tabled until new attorney hired.
- e. Code Enforcement-Richard discussed code enforcement and the fact that the governing documents do not line up with the Florida Statutes. Richard provided a clear procedure for code enforcement, violation inspections, Due Process and fining.
 - Sue Kirwan asked the board to notify homeowners of the changes with enforcement changes
 - Rick Brown asked what time frame the Due Process would hold the meetings if requested
 - Ginny List questioned why there is no phone number on the violation letters. It was explained that email is the most efficient way for an owner to communicate with Fairway and allows for clear documentation. If email is not possible it was discussed that the mailing/physical address is also on the letter for owner to write a letter or go to the office.
 - Ginny also clarified her role when a DPC meeting is requested. Meetings will be set up as needed. Location to be determined.
 - Cathy Anderson asked if the board would consider using funds to do self-help to properties that do not come into compliance. Board was mis-informed in the past and Jim Kenney clarified that self-help is allowed.
- f. Violations Report-12 properties were sent to the board to vote on fining those who have not come into compliance:

- 8146 Andover-Clean roof. Wayne motioned to fine \$50/day, 2nd by Richard. Passed unanimously
- 1414 Arundel-Replace mailbox structure. Richard motioned to fine \$50/day, 2nd by Wayne. Passed unanimously
- 250 Baytree-Clean driveway, clean sidewalk, remove weeds, trim trees. Richard motioned \$50/day for each of 4 violations, 2nd by Phil. Passed unanimously.
- 345 Baytree-Non-matching roof tiles. Phil motioned \$25/day, 2nd by Richard. Passed unanimously
- 8144 Belford-Paint where stucco repaired at garage and Clean exterior of rear building. Phil motioned \$25/day, 2nd by David. Passed unanimously
- 400 Berwick-Paint exterior where discolored. Jim Kenney advised that the homeowner submitted an ARC application today. Hold to verify completion.
- 402 Berwick-Clean sidewalk. Richard motioned \$50/day, 2nd by Phil. Passed unanimously
- 462 Birchington-Clean driveway, clean sidewalk and walkway. Phil motioned \$25/day for each of 2 violations, 2nd by Richard. Passed unanimously
- 7977 Bradwick-Clean driveway, Clean sidewalk and walkway, Store trash and recycle bins. Richard motioned \$25/day for each of 3 violations. 2nd by Phil. Passed unanimously
- 7997 Bradwick-Remove tape on garage door. Phil motioned \$25/day, 2nd by Richard. Passed unanimously
- 7980 Daventry-Open hurricane shutter when home is occupied. Richard motioned \$25/day, 2nd by Phil. Passed 4-1 (David opposed)
- 8173 Old Tramway-Remove dead palm fronds, Remove weeds. Wayne motioned \$50/day for each of 2 violations. 2nd by David. Passed unanimously.

11. Items from the Floor- None

12. Next Meeting- TBA

13. Adjournment- Being no other business before the Board, meeting was adjourned at 3:26 pm.

Minutes Prepared by:
 Paula Matthes, LCAM
 Fairway Management