

BAYTREE COMMUNITY ASSOCIATION, INC.

MINUTES OF BOARD OF DIRECTORS MEETING

June 9, 2015

Call to Order:

The Board of Directors met at the Golf Course Clubhouse on June 9, 2015. President Wayne Wilkerson called the meeting to order at 4:00 p.m.

Directors Present:

The Board of Directors present were: Wayne Wilkerson, David Taylor, Phil Ruhlman and Darrell Goolden. Janice Hill was absent. Marie Thibodeaux was also present representing Bayside Management Services (BMS).

Proof of Notice:

Proof of Notice was posted in compliance with Florida Statutes.

Minutes:

A motion was made by Phil and seconded by Dave to approve the organizational meeting minutes of April 29, 2015. This motion was carried unanimously.

Officer Reports:

President- Wayne stated that he had a different head table set up that included the VMS and ARC Manager.

He went over a new program called Info Link for a message system that can send texts, voice mail and emails to owners for Association business to get the word out on important information. A motion was made by Dave and seconded by Phil to approve the new Info-Link message system at no more than \$92 a month in costs. This motion was carried unanimously.

CDD Information:

Maria Hernandez, chair, reported on the following: the upcoming 2016 budget meeting would result in no increase in fees. Their audit report showed no debt. The new gate access guidelines are on the website. No soliciting signs are installed at the back gate. Pool lights are being installed and the landscaping contract was defeated to bid out.

New Business:

Committee Appointees-

Due Process Committee – A motion was made by Phil and seconded by Dave to accept the following additional volunteers to serve on this committee-Phyllis Mather, Cindy Crouch and Tony Studds, with Ginny List as chair. This motion was carried unanimously.

Social- A motion was made by Phil and seconded by Dave to accept the following additional volunteers to serve on this committee-Martha Scholz and Elizabeth Wilkerson. This motion was carried unanimously.

ARC Guidelines and BPARCS- Wayne gave an overview of how the Board is made up, how the votes from the VMS are needed to make changes to the Declaration documents and noted that the Board approves changes to the BPARCS. The Board asked the VMS to help with the BPARC changes, since some were very controversial. He also went over some misconceptions the owners have with the ARC. An owner can go to an appeal process, but stated that the Board may want to have an attorney present. He also noted that some owners are grand fathered in with Developer approvals.

He then went over issues that would be addressed today with the proposed changes to the BPARCS: 1. Fence 2. ARC Deposits 3. Paint Colors 4. Storage of ARC Files and 5. Hedge Heights.

The prior Board asked the VMS to help with this and to get the owners vote. After speaking to the attorney, he stated the owner's vote was not binding, per the Declaration so we did the newsletter instead asking owners to get their feedback to their VMS on these issues. He also explained how the process would be handed today with bringing up one issue at a time, then have Susan Bell give the ARC position on the matter, then it would go to one VM to explain the change, then he would open the floor to the owners for comments before the Board voted on each issue. He felt this was the best way to have everyone's voice heard before a vote was taken.

1st issue- ARC Deposits with a \$25 flat non- refundable fee- A condensed discussion resulted in that the ARC wanted higher deposit amounts due to any damage on bigger projects, the VMS didn't think it was necessary for higher amounts since any damage would have to be taken care of by the owner. A vote from the VMS resulted in 5 were for the \$25 flat fee and 2 were against.

2nd issue- Painting Policies to allow more flexibility – A condensed discussion resulted in that the ARC tries to make sure that each neighborhood has colors that compliment that neighborhood since some are very unique. The VMS felt the colors were dull and muted and needed to be updated with professional help. A vote from the VMS resulted in 7 were in favor of more color flexibility and none were against.

3rd issue- ARC Files that are being stored – Wayne stated the Board wants to give owners back some of their construction files back, with proper documentation, and then send the files for Management to keep and store. A motion was made by Dave and seconded by Darrell to eliminate and shred any files not needed that are over 7 years old and keep any pertinent files that may be needed for court documentation, etc. This motion was carried unanimously.

4th issue- Changing Hedge Height from 5 feet to 8 feet – A condensed discussion resulted in that the Developer mandated the hedge height of 5 feet so a yard would not look like it was fenced in and that a 17 ft. line of sight is needed for driving for safety issues. Darrell noted the CDD should have the same regulation. It was noted that in Turnberry, the border on Baytree Dr. was installed for privacy issues. A vote from the VMS resulted in 4 were for changing the hedge height and 3 were against.

5th issue- Fences –Susan gave some background history that the Developer only approved and allowed fences if the home was on a Preserve, was not on the water or golf course and not if a home backed up to another neighbor in order to not destroy any views. There were also landscaping requirements if one was approved so that you would not be able to see the fence.

There was a lot of discussions on this topic ranging that fences were wanted due to not having wild animals (pigs and bobcats) come in their yard, that owners bought in knowing fences were not allowed, while some bought knowing that they were allowed on the Preserves and some restricted areas. Some felt fences should be allowed and to go back and have the same guidelines that had been in place before with adding a better style of fence that other high end communities have. A vote from the VMS resulted in 5 were for allowing fences with strict guidelines and 2 were against.

Board Votes on Issues Presented:

1. A motion was made by David and seconded by Phil to approve the following: go back to a committee for the wording on the issues and then come back to the Board to make a final vote, except for the \$25 non-refundable ARC fee. This motion was carried unanimously.
2. A motion was made by David and seconded by Darrell to approve the following: go back to a committee for more color selections and then come back to the Board to make a final vote. This motion was carried unanimously.
3. A motion was made by Phil and seconded by Dave to approve changing the hedge height from 5 feet to 8 feet. This motion was carried unanimously.
4. A motion was made by David and seconded by Darrell to approve the following: go back to a committee for allowing fences with certain guidelines and restrictions, then come back to the Board to make a final vote. All were in favor except for Wayne. The motion carried.

Unfinished Business:

CPA Report- Jan was absent for this report.

VM for Balmoral – Jan was absent to report on.

Committee Reports and Appointments:

DPC- A motion was made by Dave and seconded by Wayne to re-appoint Ginny List as Chair. This motion was carried unanimously.

PRC- Dave had no report. A motion was made by Dave and seconded by Wayne to appoint Ray Knight and Arthur Breitner to this committee. This motion was carried unanimously.

ARC Members - A motion was made by Wayne and seconded by Phil to re-appoint Susan Bell as ARC Manager. All were in favor except for Dave. The motion carried. A motion was made by Wayne and seconded by Dave to re-appoint Barbara Hudson, Nancy Green and Rhonda Viton as ARC members. This motion was carried unanimously.

By-Laws- Phil stated that the VMS would meet for changes to the Declaration, pending the BPARC changes.

Community Relations- Jan absent. A motion was made by Wayne and seconded by Dave to appoint Beth Wilkerson, Kathy Hillson and Martha Scholz to help on this committee. This motion was carried unanimously.

Website- Rick stated the ARC requests would need to be changed and redesigned. Phil stated he would get with Dave to help get this done.

BPARC Change- Dave stated another change that was needed for the BPARCS was to change the 45-day to 14-day turnaround on ARC applications. Susan stated if an application isn't responded to in 14 days, that application is automatically approved. She cautioned mailing time, meeting time, vacation schedules are an issue and doesn't recommend the change. Management stated that most communities have a 30-day time frame for approvals. A motion was made by Dave and seconded by Phil to change the turn around time from 45 days to 14 days so the ARC can respond faster to applications. This motion was carried unanimously

Questions from the Floor:

It was noted there were handouts on golf cart safety.

D. Matadial stated that some hedges between homes infringes on property lines.

Adjournment:

A motion was duly made and seconded to adjourn at 5:47 p.m.

These minutes were taken by Marie Thibodeaux, BMS.