

BAYTREE COMMUNITY ASSOCIATION, INC.

MINUTES OF BOARD OF DIRECTORS MEETING

July 11, 2014

Call to Order:

The Board of Directors met at the Golf Course Clubhouse on July 14, 2014. President David Taylor called the meeting to order at 3:05 p.m.

Directors Present:

The Board of Directors present were: David Taylor, Darrell Goolden, Ray Knight, Janice Hill and Phil Ruhlman. Marie Thibodeaux was also present representing Bayside Management Services (BMS). Tim Pickles, attorney for the Association, was also present.

Proof of Notice:

Proof of Notice was posted in compliance with Florida Statutes.

Minutes:

A motion was made by Jan and seconded by Phil to approve the organizational meeting minutes of April 30, 2014. This motion was carried unanimously.

Officer Reports:

President- Dave reported that July 4th had a few fireworks that were set off with no complaints reported. He also wants to expand the survey on the website to obtain more feedback. He also noted the golf course was doing a lot of renovations.

Treasurer – Jan stated that she went to the Bank to get the new forms signed. Management reviewed the May financial statement noting their respective balances.

CDD Report: Ed reported that several owners have signed up for the November elections and that he was running un-opposed. He noted that the \$100 increase for the beatification projects would be used to finish up the monuments.

Committee Reports:

Due Process (DPC) - Management reported there were no pending issues for DPC. However, she was monitoring between 30-40 violation cases. The 2nd quarter inspections netted approx. 125 violation letters mailed to owners. Dave stated that he and Darrell worked with Management on their drive by inspections to get a first hand look on how the inspection process works.

Professional Review (PRC) – Ray stated he had no issues and is pleased with the new Board members. He stated that the ARC automation needs to be turned over to Darrell to work on since he's the chair. He also stated that Dave still needs to do the outline of the process for the automation.

ARC - Darrell stated that he feels that Susan has worked the most but they need more volunteers to help with the process. Ray stated that he'd like to see a report on what's being approved by the ARC and the status of some cases.

By-Laws – Phil stated that he had reviewed all the documents on how the Association works with all the tiered layers. How to update the BPARCS is an issue that needs to be worked on with changes.

Community Relations – Jan stated that she's working with a few VMS to set up the 1st social event this year at a major holiday.

Website – Dave stated that he's working with our new webmaster-Richard Schoonmaker and feels that we can operate with our current web provider-AtHome.Net. We may be able to use a cheaper service since we don't use all the functions but he needs more specifics on what process that needs to be defined.

Unfinished Business:

Fence Survey Results– David stated the results of the fence survey had 86 owners responding with 54 against fences and 32 for them. He's like to see more discussions with the VMS on this issue. The BPARCS need to be changed with flags and painted driveways to name a few. He'd like to see some workshops with the VMS as well as the ARC members to go over each section in order to have them revised and approved by the Board. A motion was made by Ray and seconded by Darrell to approve having a series of meetings with the VMS for discussions of updates to be in compliance with the covenants. He also stated a better survey is needed for a fence survey so owners understand better on what's being asked for. Feedback from the audience was solicited and most didn't feel another survey was needed. This motion was carried unanimously. Dave will get with Management to set up a series of meetings.

New Business:

Garage Sales- This topic was brought up at the annual meeting. It was stated in the Declaration that no garage sales are allowed. It was discussed that possibly having a garage sale at the SCCU bank's parking lot may be an option to consider. A motion was made by Jan and seconded by Ray to form an ad-hoc committee to investigate an off site location. This motion was carried unanimously.

Reimburse Owner for Repairs- Dave stated an owner was asked to trim hedges over 5 feet and now wants to be reimbursed for \$200 that was incurred to have this work done. Management stated that once the Board makes this type of policy, it wouldn't stop other owners to come forward and want reimbursement if they didn't feel a violation letter was warranted. The Documents state that hedges should not be over 5 feet. The Association's attorney stated that unless it's defined in the documents for a reimbursement of repairs, that it would be a problem for the Board to vote on paying for this bill since the violation is warranted in the documents. Dave and Darrell stated they didn't feel the oleander trees are bushes and therefore feels the letter was sent in error. A motion was made by Darrell and seconded by Jan to reimburse the owner for the \$200 bill she incurred to trim the hedges. A vote was then taken with Dave, Darrell and Ray approving the motion and Jan and Phil opposed. Motion passed by a 3-2 vote.

Mediation on Dog Issue- The attorney stated the owner has decided not to go through with mediation on the dog issue. He stated the next step is either fining the owner or to file suit for an injunction. He recommended that the Board hold an executive meeting with the owner since this meeting would be privileged to go over the steps needed in private. It was noted the owner wants the Board to file a suit. The Board stated it would be best to have an executive session with the attorney on this issue.

Next Meeting- The Board will verify with their calendars to meet on September 16th.

Questions for Attorney- Dave asked what the process was on the changing of the BPARCS vs. the Declaration. Mr. Pickles stated the BPARCS were considered rules and regulations of the Association and therefore the Board approves them. Any amendments to the Declaration are approved by 67% of the VMS. He suggested getting the VMS involved with the changes from the beginning in order to get the vote needed to make all the changes proposed. He also noted the Board cannot appeal an issue if it's not consistent with the Declaration. Invisible fences were also discussed. The Board has the authority to make higher regulations than the County.

Questions from the Floor:

F. Zimmerman asked the attorney if he would give the same advise to an owner than the Board.

S. Schoonmaker stated the website didn't have the BPARCS or By-laws listed. Management stated they were listed previously and would check into this.

B. Bryan asked if there were any training manuals for new Board members.

B. Eksten stated he didn't want to call any attention to garage sales in Baytree.

L. Jean asked if the Board could pass an appeal if it's in conflict with the Declaration but not the rules and regulations if reasonable. The attorney stated that if the Board wanted a legal opinion on this question due to the nature of the question, he would put his findings in writing.

Adjournment:

A motion was duly made and seconded to adjourn at 4:55 p.m.

These minutes were taken by Marie Thibodeaux, BMS.