

Biscayne Pointe/Pine Ranch HOA Board Meeting Minutes

January 8, 2019

The meeting was called to order at 1830

Board Members:

- * Mr. Bobby Jarsky (President)
- * Deborah Whitley (Vice-President)
- * Mr. Sean Medsker (Secretary)
- * Mr. Mike Klickovich (Board Member/ARC Chair)
- * Mr. Brian Jenner (Board Member/ARC Co-Cahir)
- * Mr. Tyler Tracy (Treasurer)
- * Mr. Samuel De La Rosa (Board Member)
- * Mr. Dave Brown (Board Member)
- * Bret Davis (Board Member)

Neil Strom (Board Member)

Etheridge Property Manager

* Denotes individuals in attendance

Approval of Minutes: Last month's meeting minutes were approved unanimously.

Note: There were 10 HOA members (residents) in attendance at the meeting. The majority of their concern (why they were attending) was to discuss the issue of the home in the neighborhood being offered as a short-term rental.

Financial Report

Bobby Jarsky reviewed the current HOA funds. The HOA funds balances at the time of the meeting were as follows:

| | |
|--------------------|--------------------|
| Cash - Operating | \$18,065.47 |
| | \$120,000.0 |
| Reserve - Roads | 0 |
| Reserve - Drainage | \$251.55 |
| | <u>\$138,317.0</u> |
| | 2 |

One of the attending residents asked where the HOA budget was approximately this time last year. Bobby Jarsky provided some rough values as to what the balances were and discussed other funds movements that had taken place.

Bobby Jarsky noted that six residents had still not paid their 2018 association assessments (annual dues). One of the property owners owns two lots. This equates to an unpaid balance of \$2,376. Bobby Jarsky is going to collaborate with Ethridge Property Management to define a course of action in regard to unpaid annual assessments. There was a discussion that addressed the concern that board thought there was action already being taken on this matter via the hired property management company. It appears that with the swap-out of the Ethridge representatives, the matter of taking appropriate action towards the individuals who failed to pay was not executed.

Mike Klickovich discussed the issue of the asphalt road at 1944 Biscayne Blvd getting damaged by the construction crew as they built the new home on the lot. The HOA Board wants to ensure that the builder pays for the road repair. The board is planning to ask Ethridge to talk to the builder to ensure the matter is being handled. Mike Klickovich has this issue for action.

ARC (Mike Klickovich)

Two fence extensions were approved by the ARC.

Drainage Committee (Brian Jenner/Deborah Whitley)

Brian Jenner brought up that the sump pump near the beach access is broke and the issue is being worked.

Brian Jenner explained how residents are responsible for their own specific yard when it comes to water pooling unless the water is noticeably coming from another area.

Brian Jenner is going to relinquish his lead over the drainage committee to Deborah Whitley. She is planning to establish a more substantial committee.

Old Business

Annual Assessment Increase

Bobby Jarsky pointed out that we did not have enough members in attendance (counting proxies) at the general membership meeting in November to establish a quorum. At the general membership meeting there was a motion to increase annual dues (assessments). Even with no quorum established, the increase was able to be established in accordance with Section 3 of the Biscayne Pointe Covenants which allows for an increase with no membership vote as long as it is not over 10% above the potential maximum assessment for the previous year. An increase of \$4 was established (1%).

Short Term Rental Properties

The board discussed the issue of changing the covenants to prohibit the existence of short-term rentals in the neighborhood. This has been spurred on by a home on the Biscayne loop that is being used for these purposes. Mike Klickovich noted the verbiage of the covenants in Section 1 that states “All Lots shall be used and occupied solely for residential purposes and shall not be used for commercial, trade, public amusement, public entertainment or business purposes of any kind or character, other than a home office specifically authorized in writing by the Architectural Review Committee or the Architectural Review Representative; provided, however, that in no event shall any such permitted home office be one where clients, customers, sales persons or others would routinely visit.” There was some discussion as to if this could effectively prevent the use of a home to be used as a short-term rental. However, the consensus was that it would not be strong enough and the verbiage would need to be changed to positively prohibit a short-term rental.

Bobby Jarsky made it clear that any proposed verbiage change would be distributed to residents/HOA members prior to any possible vote so there was a solid understanding as to what was being voted on. As well, there was some discussion as to if a special meeting should be called to allow for a vote or could this be done via mail.

Mike Klickovich is actively forming a committee to investigate this issue and come up with a course of action.

At least 10 residents attended this meeting because of their concerns with the short-term rental.

New Business

The HOA board’s newest member, Deborah Whitley, was voted in as the HOA Board Vice President.

One of the accused residents who was showing as overdue on their annual assessment was present at the meeting. He explained how he and his wife had obtained a money order from Walmart to pay for their annual dues and placed it in a receptacle on the front porch of the board’s former treasurer. This was done almost a year ago when the assessment was due. Recently, the wife went to Walmart and located the record of the money order. The Money order was never cashed. She canceled the money order and the couple has now paid their applicable assessments. Furthermore, given the circumstances, the board dismissed any late fees and allowed for the small money order purchase fee to be deducted from the annual assessment that was owed.

Bobby Jarsky explained that he has forwarded a complaint from a resident that accused another resident of not having positive control over their dog to Ethridge Property Management.

The meeting was adjourned at 1938.