

# BISCAYNE POINTE HOMEOWNERS ASSOCIATION

Annual Member's Meeting

November 5, 2019

## Minutes

### CALLED TO ORDER:

The meeting was called to order at 6:00 p.m. by President, Bob Jarsky. Bobby introduced the 2019 Board of Directors.

### ESTABLISHMENT OF A QUORUM & Proof of Notice:

There were 49 lots represented at the meeting, either in attendance or via Proxy. The Biscayne Pointe Documents require that forty-eight (48) lots be represented to establish a quorum for the meeting.

Therefore, a quorum was established.

Upon Property Manager arrival, Cheryl Kelley, presented proof of notice of meeting.

### APPROVAL OF MINUTES:

The November 29, 2018 Annual Meeting Minutes were reviewed, Sean Medsker moved to approve the Minutes, Tyler Tracy seconded. Motion passed, unanimously.

### PRESIDENT'S COMMENTS:

Bob Jarsky, President of Biscayne Pointe, addressed the owners in attendance and introduced himself and the other Board Members. Bob moved into a PowerPoint slideshow for the owners to go over some accomplishments throughout the year of 2019.

Items discussed:

- Any issues, such as; drainage, street, violations report to Property Management.
- All modifications to all lots, such as drainage, must be submitted to ARC for approval  
Talk to your neighbor first on fence installations/lot modifications.
- ARC board needs addl. Volunteers
- Violations, common; Trailers in driveway, lawn maintenance, trash cans in view
- American Flag at entry, why no longer in place, since 2013
- Street Lights, outages/issues, report to EPM, property mgmt.
- Hwy 98 Improvements, FDOT meeting, 2 impacts, 6 lanes & noise abatement walls

### FINANCIAL REPORTS:

Bob Jarsky briefly discussed the association's Financial status and where the association was at year end of 2019 regarding financials and Board actions in 2019.

The Income Statement for the period ending October 31, 2019 reflected the following:

|                   |                |
|-------------------|----------------|
| Total Revenues:   | \$61,783.64    |
| Late fee/Interest | 180.90 & 26.93 |
| Total Expenses:   | -\$23,754.35   |

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Net-Operating Income: \$ 38,237.12

It was noted that the association had carry over funds from the previous year which helped offset the expenses for 2019.

The Balance Sheet for the period ending, Oct. 31, 2019 reflected the following:

|                        |              |
|------------------------|--------------|
| Operating Account:     | \$32,328.21  |
| Road Reserve Fund:     | \$140,024.99 |
| Drainage Reserve Fund: | \$ 5,251.56  |
| <hr/>                  |              |
| Total Assets:          | \$177,604.76 |

The Aged-Receivables through 10.31.19 were also discussed, briefly. There are currently 2 accounts in arrears, totaling \$1,258.00 past due association fees. It was noted that 2020 assessment billing would be going out in December and due at the end of the January.

**Presentation and Approval of 2020 Budget:**

2020 Proposed Budget presented and discussed; the budget does not include a dues increase. Ralph Tillman motion to approve, John Puller seconded, unanimously approved.

**OLD BUSINESS:**

Proposed Amendment to Covenants; Article IV Amendment to CCR, requirement to minimum lease of 12 months.

Bobby Jarskey, President, presented an overview of the short-term rentals, the current home in Biscayne Pointe, currently advertised/rented on AirBNB, the neighbors, owners and board concerns, and the history of arriving at this meeting and vote on Article IV Amendment, see attached.

Speaker, owner, of Airbnb, Grant Niehus, requested to speak to owners, Grant gave an overview of amendment change attempted last year, and his current stand on the AirBNB renters and issues, Owners have brought to board. Grant stated one incident that caused the issue, letter April 15<sup>th</sup> regarding letter sent to owners. Neighbors spoke to the contrary, stating incidents that have taken place by the short-term tenants. Grant stated he would enforce the rules with his tenants. History of letters sent by past Assoc. attorney and timeline of negotiations were discussed. Request sent by owners for term on Airbnb/short term rentals, with allowance on this home only a temporary grant to continue until June 2021, up to board vote.

Cheryl Kelley, Property Manager, called Jay Frasier, BP Attorney, during the meeting. Jay stated, Board has the authority to grant a variance to the Article IV Amendment.

Amendment as drafted and mailed to all owners, with limited proxy, was called for a vote With a Quorum present, @ 39, General Proxies, 29 owners present at meeting, 68.

2/3 vote of quorum present is required, (41)

Vote held, 47 proxies voting yes, with 19 owners present voting yes, 4 No's (1 abstained)

Which counts as NO. 66 yes votes.

Therefore, the Amendment passed, EPM will have the amendment notarized and sent to Attorney, Jay Frasier, for filing with State of FL.

## NEW BUSINESS:

Election of New Board Members – 3 2019 members up for re-election, Bobby Jarskey stepped down, Mike, Brian and Sean, to roll off this year, therefore: 4 new board members nominated:

The following were election to the Board of Directors:

- Cynthia Granfield
- Ralph Tilnet
- Tammy Shultz
- Robert Hause

## NEIGHBORHOOD SAFETY:

### OPEN FORUM:

Regular Board of Directors Meetings –

The Board of Directors currently holds monthly Board Meetings which owners are welcome and encouraged to attend. Notice of these meetings are posted at the entrance by management 48-hours prior to the meeting and is also posted on BP Website. This schedule is subject to change and owners should monitor the meeting postings for changes in meeting schedule, dates, times, etc.

- Potential for future sound mitigation Fence improvements, no funds currently allocated
- Beach Area, resurface of boardwalk /future improvements possible include beach shower
- Yard Sale Saturday Nov. 9<sup>th</sup> 7 am to 1 pm
- Volunteers for Christmas Lights 10 am 12/7

Owner stated: Requests board to listen and talk to save attorney fees

Thank you for your attendance, by Bobby Jarskey

Neal, Mike and Bryan will stay on ARC.

### ADJOURNMENT:

There being no further business, the meeting was adjourned at 7:46 p.m.