

**Beneva Pines Homeowner's Association**  
**Annual Meeting**  
**October 22, 2021 - 6:00 PM**  
**New Covenant Family Church, Sarasota, Florida**

**MEETING AGENDA**

1. Call to Order
2. Calling of the Roll to Determine Quorum (32)
3. Proof of Notice per Florida Statute
4. Reading and disposal of previous annual meeting minutes
5. Reports of Officers
6. Committee Reports
7. Nominations & Election of Board Members
8. Presentation of 2021-2022 Budget
  - a. Vote by officers to approve 2021-2022 budget
9. Vote on Carry Over of 2020-21 budget surplus
10. Member Forum
11. Adjournment

**Call to Order:** Amanda Harrison called the meeting to order at 6:10 pm.

**Proper Notice and Verify Quorum:** Amanda Harrison verified that a quorum had been met (32 households) per the sign-in sheets (18) and the proxy forms (10) submitted.

Attendees consisted of Nancy Demarte, Jim Matysek, Rosa and Will Schnetzler, Donna Nolt, Barbara and Robert Haber, Jan and Tom Roberston, Rene and Richard B. Zimmerman, Donald Roberrtson, Peggy Carter, Theresa and Chuck James, Markus Bates, Susan Laura, Tonia Hobaugh-Toca, Cindy Schalk, Jamie M. Izaguirre, Dave Surrena, Mel Neel, Martha Kim, and Jackie Bleile.

Proxy forms were collected from Robert Schuler, Guenter Caprano, Gregg Polasky (2 homes), Don and Liz Berg, James Castorani, Steven Simpson, Helmut Lemke, Eric and Janet Ballard, and Louise Berner.

**Board members in attendance:** Jane Vickers, Dave Henry, Ceri Duplica, and Gudrun Novak

**Board members absent:** None

**Proof of Notice per Florida Statute:** It was verified that proper proof of notice of the meeting had been provided.

**Reading of Previous Minutes:** Amanda Harrison stated that printed copies were available for all homeowners at the front of the church. A motion was made by Ceri Duplica and seconded by Gudrun Novak to approve the minutes. The motion carried.

**Board Welcome:** Amanda Harrison, welcomed everyone and introduced the board. She noted the large number of attendees and thanked them for their participation.

### **Committee Reports**

**Treasurer, Jane Vickers:** Jane stated that the fiscal year ended September 30, and that income was higher than budgeted as expenses were lower. Four houses sold and we collected \$450 in estoppel fees, usual maintenance costs including electricity remained steady. There is one house for sale at present which is pending. She stated that a copy of the budget will be available for all homeowners.

Jane stated the Association is fiscally sound, no special assessments have ever been needed to make improvements, if improvements are needed, the Board welcomes your suggestions. Jane presented the proposed 2021-22 budget which requires the Association to spend funds on normal operations and maintenance, that expenditures not exceed its revenues.

Expenses were \$1,607 less than budgeted due to no large tree trimming, which can be a major expense in years when needed. We had the usual pond, lawn and landscape maintenance and we did restock the pond with 18 carp. Electric and Admin costs remained steady. We end the year with \$9,248 in hand, which will be the 2020-21 carryover amount.

The proposed budget requires that the HOA will spend funds on normal operations and maintenance and the expenditures will not exceed the revenue. As there was a surplus of approximately \$1,607 last year we are proposing to carry it forward. Historically, we spend less than our budget and build our cash balance over 2-4 years. This is how we are able to fund special projects like the tree or pond maintenance, and Jane expects this pattern to continue.

The annual dues have been steady at \$250 a year since 2002, apart from 2009, when we tried a Property Management company and paid \$325. At the \$250 level we have been able to maintain funds at a level that provides for good maintenance as needed, and the HOA has not required any special assessment of the homeowners during this period.

### **Vote on Carry-over of 2020-21 Budget Surplus**

It was stated this is a very important part of the meeting, the Association does not assess additional funds and is able to continue to make improvements. Amanda asked for a show of hands, one vote per lot, to carry-over the budget surplus. Gudrun Novak made a motion and Dave Henry seconded to approve the carry-over of the 2020-21 budget surplus. The vote passed by 100% of those in attendance.

## **Proposal to modify HOA amendments**

Amanda proposed modifying HOA amendments to include provisions regarding rental properties in the neighborhood. She discussed the impact of large corporations buying up properties across the country and renting them out. The negative aspects of rentals is decreased property values and that renters often don't feel that they need to abide by community rules. The corporations that own the rentals are disconnected from the community and are interested only in profits and not the betterment of the neighborhood.

Two initial proposals were submitted for discussion:

1. That we place a cap on the number of properties that can be rented at any one time to 5% of the total residences, and
2. That when a home is sold, the new owner must physically occupy the property for a minimum of two years. Current homeowners would be exempted.

Mel Neel questioned the 5% cap and Amanda explained that 5% represents only three houses, which isn't bad.

Tonya Toca questioned why we aren't posting this proposal on the HOA website but Amanda explained that the proper way of presenting it is at a public meeting with a quorum.

Martha Kim stated that she thinks restricting rental abilities would be a violation of homeowner's rights. Amanda explained that if this was put before the community and 60% voted to approve then our bylaws would be changed and therefore not a violation.

Marcus Bates suggested that we require renters to sign off on the HOA rules before they are allowed to move in. Theresa James noted that they often do sign something but that it is generally unenforceable.

Cindy Schalk proposed that we move forward with Proposal 1 then come back before the community to vote based on what the lawyer comes up with. Amanda also proposed that we contact our lawyer to get his input on both proposals then we can come back before the community during a special meeting

Dave Henry seconded her proposal and all in attendance, excluding Martha Kim, voted in favor.

Chuck James stated that we need to move quickly on this as there are several houses up for sale in the neighborhood.

## **Member Forum**

Amanda brought up the signs at the entrances to the subdivision and thought they should be updated to make them more modern.

Mel Neel agreed to do some research on getting new signs, including costs and potential designs. She will present her findings at a future meeting.

George Vickers stated that he didn't think there is anything wrong with the existing signs and that we should leave them as they are.

Amanda stated that the sign issue will be revisited once we have more information regarding cost.

Ceri Duplica stated that the pond is currently looking very good and thanked George Vickers for his work on it.

### **Adjournment**

Cindy Schalk motioned to adjourn the meeting. Jane Vickers seconded the motion. The meeting was adjourned at 6:50 pm.