Myakka Valley Ranches Improvement Association

Minutes of Board Meeting – April 16, 2012

1. Call to order, by President at 7:06 p.m.
2. Identify Board Members Present: Deb Houston, Jim Holthaus, Jackie Vizzi, Vivian Zabik, Chris Thomas, Dan McKillop, Andy Behn, Larry Brotherton, Ryan Jekonski and Bob Chenard. We have a quorum.
3. Introduced members present in audience.
4. Meeting is to be conducted following Roberts Rules, with Vivian Zabik acting as timekeeper.
5. Jim Holthaus brought copies of the Code of Conduct for board members, will be distributed at the end of the meeting, will be discussed at the next board meeting.
6. Election of officers, Jackie Vizzi nominates Bob Chenard for president, Bob Chenard respectfully declines. Dan McKillop nominates Deb Houston to continue to hold the position of president, Deb Houston asks for any further nominations. Vivian nominates Dan McKillop, Dan McKillop respectfully declines. Deb Houston asks Chris Thomas, Chris indicates that he would only do it if Dan chairs the meetings. Deb asks Ryan Jekonski, he declines. Deb accepts to continue, Bob accepts position as vice president. Approved unanimously.
   * Deb nominates Jim Holthaus to continue in position of treasurer, Jim accepts, approved unanimously.
   * Dan McKillop will ask his wife to act as secretary – discussion is tabled. Deb will also put something in the trails and tails requesting a volunteer from the general membership.
   * Deb Houston bring up D.O.T. has notified the association that they cannot find any record of permits for the signs at the entrance of the valley as you turn off of S.R.. 72. County has lost some records due to water damage; Ryan Jekonski is going to reapply for permits for signs. Will need a state permit for each sign. Chris indicates that it was his understanding that the permit was for a wooden structure, not a block structure. Permit was given prior to 1985; those records are not accessible due to the mold issue.
   * Roadwork – David Hodgkinson.
   * Construction will fall to Gary James and Andy Behn.
   * Signs – John Kolb.
   * Mowing (common area only) – Andy Behn.
   * Trails and ditches – Jackie Vizzi.
   * Parks – Chris Thomas.
   * Website – Victor Lorand.
   * Security committee – Chris Thomas, Ryan Jekonski and Ken Roland own.
   * Sunshine committee – Paul Wolbers.

**21:20 - Minutes of the Board meeting held on March 12, 2012** Deb Houston asks for motion to accept the minutes as printed. Jackie Vizzi makes the motion to accept, Jim Holthaus seconds. Deb Houston asks if there is any discussion, Vivian asks for old business to be added as an agenda item going forward. Dan McKillop clarifies that what we would want to see is an agenda item called old business with the pending items itemized. Approved unanimously.

**23:55 - Financial Report.** Deb Houston asks for motion to accept financial report as printed. Vivian Zabik makes motion to accept, Jackie Vizzi seconds. Deb Houston asks if there is any discussion. Jim Holthaus reminds the group that they may appear different then they have in past due to new accounting person. Dan asks that late fees and attorney fees not be lumped together and split out. Still have one case on special road assessment. Dan notes that the bookkeeper / treasurer looks like she needs time to verify balances. Jim Holthaus indicated that the report is incomplete due to time constraints; Dan McKillop makes the motion to table the approval of the financials until the bookkeeper has a chance to do her verification of remaining balances, and Jackie seconded it. Discussion on amount of accounts and road reserve ensue. Finance committee needs to be reestablished per Jim Holthaus. Jim Holthaus assures Linda the 1996 vote at the annual meeting will be on the tasks for the finance committee look into based on Keith Bradley’s comments regarding the creation of the road reserve account and its subsequent demise in 2008. Keith also brings up question regarding inventory and tax depreciation, Liz McArthur speaks to question, most of what we have does not qualify for capital expenditure, bookkeeper will look into this. Deb Houston calls the motion, all in favor, Ryan Jekonski abstains. Dan McKillop will assist the finance committee with question posed by Keith Bradley on the 720 statutes and volunteers to be on the finance committee; Linda Monet agrees to stay on finance committee.

Jackie moves to create an ad-hoc committee to deal with the reserve vote, Chris Thomas seconds it. Andy Behn agrees to head, Harold Joslin and Chris Thomas will assist as well as Liz McArthur. Andy Behn indicates that justification needs to be strong to ensure projects are needed. Chris seconds motion, all in favor. Need to pick a date, notify general membership fourteen days in advance of projects to be discussed. Needs to be ready to discuss at the next board meeting in May. Items needed are the date for the meeting, ballot creation, mailing, letters and proxies. Jim Holthaus brings up the issue that some of the items on the list may fall into the expense category rather than capital. Linda Monet brings up the fact that over the last couple of years we have had to have a special meeting after the annual meeting is there a way to avoid this. Approved unanimously.

**Term contract bids** Saddle trail maintenance, one bid. Grass cutting, two bids. Dan McKillop moves to accept bid A for saddle trail maintenance, Vivian Zabik seconds it. Jackie Vizzi states she may change the needs of the saddle trail mowing at the next board meeting. Linda Monet brings up the fact that the mowing of the saddle trails is against our by-laws, Jackie Vizzi brings up that this will be discussed at the next board meeting. She suggests tabling this bid until after the next meeting. Jackie did note that the trail committee is working with the deed restriction committee. Approved unanimously. Larry Brotherton suggests we find out about insurances, licensing, workers compensation and scope of work be the same for all bids. Dan McKillop suggests that if find out they do not have these things, we can fire them.

Zero bids for ditches and drainage.

Jackie moves to accept bid C because insurance coverage is one million as opposed to half a million, Deb Houston seconds. Larry suggests that fertilization is not on bids and was on the scope of work. Much discussion on contract term limits, rates and scope of work.

Much discussion on 720.303 paragraph 12 regarding no compensation as director or committee member, Jackie withdraws motion to approve, Jim Holthaus seconds. Dan McKillop moves you need a second on this motion to accept bid A, unanimous approval. Larry Brotherton and Andy Behn will look into contracts for contact terms.

**Variance request** Deb Houston asks for motion to have building guy look atlots 86 and 86A, Vivian Zabik seconds motion. Chris moves to grant variance as written, Ryan Jekonski seconds it. Vivian suggest for a committee to review each variance request and come to the board for review. Discussion on what the variance is for, also discussion on the road easement that goes through property regarding saddle trails. According to Becker and Poliakoff the road easement still exists. Trudi Lawrenz nor Jim Holthaus had supporting documentation present at the meeting. The variance is for the existing garage only. Chris restates his motion to be more specific for the garage only, Vivian Zabik seconds it. All vote for with the exception of Andy Behn.

Chris Thomas and Keith Bradley make presentation relative to opening the park to boat launch traffic. The board / Vivian Zabik suggest that Chris Thomas and Keith Bradley address the membership at the reserve meeting in June.

**Resident’s questions** Bill Still addresses the board on their duty to address horse trails being closed. Lynn Reid wants to have damage control at horse crossing added to the boat ramp suggestion.

**TNT** Deb Houston will discuss new members. Disaster radio drill Saturday April 14, 2012, another will be held May 8, 2012. Lynn Reid requests that Jackie will do name and contact for new board members.

**Legal update** Road assessment case update. Asking for board approval for next step of representation. Need attorney to testify that our attorney fees are just. Vivian Zabik moves to approve letter to move case forward, Dan McKillop seconds it. Approved unanimously. Dan McKillop moves that the board direct association council to make a motion for attorney’s fees relative to the M.R.T.A. claim. Deb Houston seconds, discussion follows relative to Florida Statute 57.105. Approved unanimously. Dan moves that board make qualified offer to Keith for settlement for $500.00 for each count, Deb Houston seconds it. This gives association right to collect a certain amount of attorney’s fees from declination of offer forward. Jackie suggests that we table and take to attorney as an offer for settlement. Jackie Vizzi moves to table motion, Dan McKillop seconds it. Where in 720 does it address emergency meeting. John Corcoran addresses lawsuit, responses with update.

Due to disruption adjournment didn’t take place, meeting disbanded.