Myakka Valley Ranches Improvement Association

Board Minutes March 14, 2011

David Hodgkinson, President, called the meeting to order and declared a quorum. Board members

present: Deb Houston, Vice President, Jackie Vizzi, Vivian Zabik, Cynthia Pepper, Trudi Lawrenz,

Keith Bradley, Susan Welden, Gary James and Stan Dacar. Absent with apologies: Richard

Johnson.

Introductions are made.

Guests: 6 members, and 1 guest of a member

New Business:

David motions to send a donation to Venice Wildlife Center in memory of Coie

Townsend, who was an active Association member and member of the Security

Committee. Coie participated in Disaster Preparedness exercises, and attended many

Board meetings, Keith seconds, all agree.

February Minutes: see attached

David asks for a motion to approve February 2011 minutes, Deb moves, Vivian seconds,

all approve. Beverly, Secretary, is given a copy of January 27, 2011 Perpetual Easement

grant for Lot #237 as recorded Feb. 1, 2011 in Sarasota County for Association records.

Residents' Questions:

a) Beverly, Secretary, requests the Board assign the Deed Restriction Committee the task of looking

into adding an exotic animal provision to the Deed Restrictions. There was an accident involving a zebra

and a subsequent law suite, and recently several incidents with 3 water buffalo knocking down their

pasture fencing and going on neighbors' property. Now, neighbors have more concern after one bull

water buffalo killed a young pony that was a pasture mate of the water buffalo.

David motions that the Deed Restriction Committee give consideration to exotic animal

ownership and containment of such animals in MVR, Deb seconds, all agree.

b) Ken Roland, member guest, Lot #223, stated he mailed a certified letter to Association PO Box,

which was never delivered. Ken questioned who is proof reading Trails N'Tales? Beverly, Secretary,

apologized for mix up as she had contributed the notice to T N'T containing the wrong PO Box number.

Ken gives David a copy of his letter and one to Secretary for Association records.

REPORTS

1. Finance: see report

(a) February financial report:

Rosemarie, Treasurer, answered several questions that Trudi, Director, has concerning the list of lots

included with the Financial Report. The list is comprised of members; who pay 2011 dues on a payment

plan but have not yet completed payments, of members in foreclosure, and of properties where the

Association has placed a lien. Lot # 134 is having a lien placed and also owes the Association for 2010

mowing.

Vivian motions to approve February Financial Report, Deb seconds, all approve.

Discussion ensues about the payment plan list and those members listed who still owe dues for 2009-

2010, and 2010-2011.

Trudi motions the payment plan accounts that have not completely paid their dues for the

previous year can not be given a new payment plan for the upcoming year until the

previous year's dues are paid in full. Jackie second.

Stan amends Trudi's motion to add those accounts are sent a certified letter to notify

them about this policy. Trudi agrees with Stan's amending, Vivian seconds. 8 yes votes, 1

no vote. Motion is passed.

(b) the process for dealing with late payment of dues: see attached policy

 Discussion ensues about the use of the phrase "reasonable time" in the policy. The Board concludes

the wording to remain as is.

David motions to approve as written, "Process on Collection of Annual Dues" March

2011, Vivian second, all approve.

 (c) the prepared list of lot owners who have not paid dues and are referred to Attorney:

David motions that the list be noted and that those still on the list at the time of the

Annual Meeting be considered delinquent and thereby unable to vote at the Annual

Meeting, Cynthia seconds. All agree.

 (d) list of lot owners on 2010-2011 payment plans who are not up to date:

David motions that those who have failed to make their final payment on their payment

plan by the Annual Meeting be considered delinquent and that following the Annual

Meeting the Attorney be asked to collect the outstanding dues. Discussion ensues.

David amends his motion to add; the end of the Association year, April 30, as the date by

which if dues are not paid, those on payment plans will be turned over to the attorney to

collect. Deb seconds, all agree.

2. Business Objectives/2011-2012 Budget: see report Business Objectives and Budget Options

Due to two committees requesting large expenditures in 2011-2012, the Finance Committee offers two

budget proposals that require Board consideration for presenting to the members at the annual meeting.

One with $390.00 dues includes Saddle Trail Committee culvert, the other for $429.00 includes both the

culvert work and the Security Committee's replacement camera system at the gate.

Discussion ensues concerning the cost of the two projects. Keith questions the quotes for the culvert

work. Vivian asks why the Security Committee didn't get back to the Board with answers to questions.

Beverly, Secretary, questions how the $2,500.00 expenditure, Board and membership approved for last

year's budget; became $12,000.00 without the Board's knowledge? Jackie responds the proper

documents for approvals to have property access have been signed, and there are competitive bids for

the material and labor.

Recommendation: Jackie motions that the Board approve the Objectives and decide

either to select one Budget for recommendation to Members or to allow Members to

choose between two options of the Proposed Budget for 2011-2012 at the Annual

Meeting. Vivian seconds.

Cynthia, Chairperson of Deed Restrictions Committee, notes the $2,000.00 budget she requested for

the Financial Committee is missing. David will see to the correction. Discussion concerning the Financial

Committee consisting of three Directors, and the Treasurer, who is the only non-Board member,

ensues. Keith references Sunshine Laws; a maximum of two Directors are allowed on a statutory

committee that makes final decisions regarding expenditure of funds.

Keith motions the Finance Committee members should be changed to conform to Florida

State Sunshine Laws. Trudi seconds. 2 yes votes, 6 no votes, 2 abstain. Motion does not

pass.

Jackie voluntarily removes herself from the Financial Committee. Ken Roland, member guest,

volunteers to join the Finance Committee, which restructures the Committee to meet Florida state

statute. Discussion resumes about which budget to offer, or to offer both budgets for a membership

vote. There is additional debate on this matter. Keith suggests the revised Financial Committee meet for

several minutes to consider the two budget proposals and the recommendation as moved earlier. David

accepts Jackie's resignation, and acknowledges Ken as a Finance Committee member. David requests

a suspension of the Board meeting for a maximum of three minutes, all agree. David, Vivian,

Rosemarie, (Treasurer), and Ken Roland meet in an adjoining room. Meeting resumes after all return.

 David motions to amend Jackie's motion, that the Board approves;

a) the Business Plan Objectives for presentation to the members at the annual meeting.

b) including $2,000.00 for Deed Restriction Committee in both budget proposals.

c) and will present both budget options to the membership (one having $390.00 dues, and

one having $429.00 dues). The $390.00 dues budget will allow the members to choose, as

a Non-Road Reserve expense, either $12,000.00 for Saddle Trail culvert work, or

$11,439.15 for Security camera replacement at front gate. Vivian seconds. 8 yes votes, 2

abstain. Motion is passed.

Prior to the annual meeting, David and Rosemarie will adjust budgets as motioned. David announced

both committees will be expected to explain their proposed expenditures at the annual meeting to the

membership.

3. Annual Report: see report

Recommendation: that the Board approves the Annual Report for presentation to the

members at the annual meeting. David motions, Deb seconds, all approve.

4. Disaster Planning Committee:

Vivian announced: a) scheduled hurricane exercise on Saturday, June 25th. The Board notes.

b) Sarasota County Emergency Management and the Sarasota County Technical Institute (SCTI) is

conducting their next CERT Basic Course. Classes will be held at the SCTI Fire Science Academy on

Circus Boulevard east of Beneva Road in the World Trade Center classroom. Individuals or

neighborhood teams are welcome. Pre-registration is required. Cost for the course is $50.00.

Recommendation: that the Board agrees to pay the CERT course fee for any Lot Owner

completing this course. Vivian motions, Keith seconds, all agree.

5. Roads Committee: see report

Roads Plan is on the web site for comment and all Directors have a copy.

Recommendation: that the Roads Maintenance Plan 2011 Onwards be approved as the

basis for road maintenance in 2011/2012, and be presented to the membership at the

annual meeting. David motions, Cynthia seconds. All approve.

6. Saddle Trails Committee update on Lot #237 culvert placement:

a) Jackie passes to Beverly, Secretary, a copy of the Perpetual Easement prepared by Mary Lynn

Desjarlais, PA, and recorded on February 1, 2011 which grants a 15' wide saddle trail easement to the

Association along Lot #237's east boundary.

b) Jackie reports bids for the culvert work at the county ditch to the north of lot #237 are received; one

low, one very high, and one with some problems. There are various undetermined costs, but the

midrange cost should be $12,000.00 total. Both lot #237 and #142 have given their permission to the

project. Keith states concern that no one has reviewed the bids or engineer's proposal. Jackie passes

the quote and bids to Keith. Keith notes the engineer' cost is a separate cost and questions if that is

included in the $12,000.00, also there are several items on engineer's report and material and labor bids

that need clarification. Trudi asks if Lot #142 has signed a document giving his permission to proceed on

his property adjacent to the culvert. Jackie responds there is a signed note indicating the lot owner is

informed of the project and does not have a problem with it. Trudi says she believes the engineer needs

to carry two million dollars of liability insurance. Keith suggests because of involvement of the county's

ditch easement, concern about shared responsibilities, and the Perpetual Easement's added liability to

the Association; this matter should be checked with the our attorney on the Association's behalf. The

Board notes the update on Saddle Trail at Lot #237.

Vivian motions that the clearing of the saddle trail at the east boundary of Lot #237

requires the use of a stump grinder and equipment. Estimated to cost $700.00, Jackie

seconds. 8 yes votes, 1 no vote. Motion is passed.

7. Security Committee:

 There is an opening on the Committee. Ken Roland volunteers as a member. David will speak with the

Committee Chair, Bill Still, about Ken's appointment. The Committee has lost a member, Coie

Townsend. They send their sympathy to Bill, her husband. Her contributions to the Committee will be

missed.

8. Deed Restrictions Committee:

Cynthia motions to confer with Association attorney about matters under consideration

by the Committee, the consultation not to exceed the balance of 2010-2011 Committee

budget. Stan seconds, all approve. Keith will accompany Cynthia to attorney visit.

9. Construction applications:

a) Stan visited Lot #160. Pump house location requires a variance from the Board, and landscaping to

block it from the road.

Keith motions to approve the variance with stipulations that vegetation is added to

screen the structure and house from the road. Jackie seconds, all approve.

Owner's 2006 variance for the house location can't be located, and is not recorded with the County. The

written variance for pump house will include the original variance for the house. Trudi suggests since

most residents don't file their variance with the county as required; filing by owner, or by Association

could be made clear in future changes made to the Deed Restrictions.

b) Horse Barn at Lot # 191W:

David motions to approve Lot #191W request to build a horse barn. Jackie seconds, all

approve.

10. Complaints: Lot #154:

County agency reports are passed to Directors about a dog jumping its front fence and attacking a MVR

resident passing by. It appears the front fence height has been increased, and may no longer comply

with the Deed Restrictions. John Corcoran, member guest, reminds the Board of his past effort to have

the County re-evaluate its 1995 approval of this resident's animal shelter.

 Keith has seen the new addition to the fence and believes it is the front, first fence location.

Keith motions the Association send a letter citing the allowed height of the fence as in

Deed Restrictions.

David will write the owners a letter informing them to send a variance request to the Board for the higher

fence with the height noted.

11. Trails N'Tales:

Board suggests including in President's Message; an apology for incorrect information in February's

Trails N'Tales nomination notice for Directors, and background on the Annual Meeting budget proposals.

12. Legal Update: no report

13. New Business:

David asks Deb to work with Rosemarie, Treasurer, to identify and consider insurance options for

Association insurance as the current policy runs out the end of May, 2011.

Deb motions to adjourn meeting, Cynthia seconds, all agree. 9 PM.