

Georgetown East Association, Inc.

April 12th, 2022 Board of Directors' Meeting Minutes

Gerard began the meeting at 6:36 pm: Victoria Romero Lara, Jane Rakestraw, Gerard Bribiescas, Dan Kistel, Alan "Roof" Douglass, and Robert Kelly, LCAM were present at the Ameri-Tech office conference room. JP Antona and Roth Block were present via webinar. Proof of Notice was posted on two neighborhood bulletin boards April 9th, 2022 in accordance with Association By-Laws.

Approval of Consent Agenda

Dan Kistel moved to approve the consent agenda. Jane second. All in favor.

1. January 11, 2022, Board of Director Meeting Minutes
2. February 8, 2022, Board of Directors Organizational Meeting Minutes
3. March 8, 2022, Board of Director Workshop Minutes
4. Manager's Report
5. Ratify Mu-Grow Brothers Mulch Estimate

President's Report

1. Dan: It's been an interesting two months learning about the community. Most of the things I'm involved in are already on the agenda. I've never chaired a meeting with parliamentary procedure. I asked Gerard to preside until I am better acquainted with these procedures.

Treasurer's Report

1. Gerard: We will need to review the utility statements to determine which one is higher than normal and identify where there may be leak.
2. Gerard: I'm concerned about the \$150 delinquency that is over 90 days. We should start the attorney process.
3. Bob: At 30-day we send a statutory notice. Then the attorney will send notice at 45 days with notice a lien will be filed.
4. Gerard: January is a grace month, but late fees should start after that.
5. Bob: I will talk to Jenifer to make sure the late fees get attached to it.
6. Dan: When it hits 90 days, it's no longer a collection but a lien.
7. Roth: Dartmouth is actually 4 payments. Last payment is 12/2021.
8. Gerard: I don't want it to get to \$1000 before we address it.
9. Bob: At 90 days, they go immediately to the attorney.
10. Dan: If we have a water/sewer problem, do we direct Bob to contact MuGrow.
11. Bob: Any new plantings? New plantings will bump the irrigation up.
12. Gerard: New plantings in February but the increase started at the beginning of the year.
13. Roth: Water/sewer came down from where it was in February. Last time we had a leak, it cost us like \$2000.
14. Dan: We can look at the meters to see if they are spinning and locate a leak that way.

Follow-Up Business

Residents Address Board on Follow-Up Business Topic

1. Jackie Mallozi - Over the past year there has been increased conflict in the community. Mainly due to document revisions. I have a feeling that there was little transparency. We should record meetings. Prioritization of beautifications is reducing funding.
2. Joe Mallozi - I've been denied the opportunity to participate in the architecture committee. I hope you'll allow me to be included in the future.

Amended and Restated Articles of Incorporation & By-Laws:

1. Victoria: I move that Attorney Ellen Hirsch with Wetherington Hamilton PA file the amended and Restated Articles of Incorporation with the State of Florida and the Amended and Restated By-Laws with the County of Pinellas, Florida. Seconded by Dan.
2. Gerard: For the record, let the minutes show that the Articles of Incorporation passed receiving 81 affirmative and 3 no votes. The By-Laws passed, receiving 70 yes votes and 3 no votes.
3. All in favor. Motion passes.

Committee Chair Confirmations:

1. Dan: I move to approve the following committee chairs: Donna Edwards and Rose Wilkes as co-chairs of the Social Committee. Sam Gray as chair of the Compliance and Appeals Committee. Gerard Bribiescas as chair of the Architecture Standards Committee.
2. Victoria: If people from our community want to be part of a committee, we should try to find a way for them to participate.
3. All in favor. Motion passed.

Sidewalk Grinding & Replacement Update:

1. Bob: The project is completed except there is one on Roxbury that they missed. It's a grind. Other than that the project is complete.
2. Gerard: We should be good for a couple of years.

Stormwater System Repair Update:

1. Bob: There are two areas in the storm water system that need repairs. Roxbury pond at the top of the storm head, it looks like an animal has burrowed into the ground. That pipe needs repair. Also, on the southeast corner on Marshall Street there is considerable erosion around the storm head wall. I went back 4 years and could not find any invoices.
2. Roth: I don't remember the vendor, but David had gotten quotes on it. I will check old emails to see if I have any details. It was a \$7000 fix. I think it was 2019.
3. Bob: I have two companies who are going to inspect it and tell us how to proceed on that. Restoration Pipe Solutions and Champion Pipe Restorations. Instead of getting machines out there and digging it up, they will just line it.
4. Dan: Can we get the manager's report earlier?

Rental Policy and Update:

1. Dan: Gerard, Roth, and I had a zoom call with Attorney Ellen Hirsch with Wetherington Hamilton law firm. We talked about rentals. Our association doesn't really have anything that defines

policy on rentals. We didn't have a fixed idea. We leaned on them to tell us what works in communities. Ellen will send us a laundry list of approaches with the idea being how do we limit short term rentals in the community. We will get a report from her hopefully in the next 30 days. I thought the meeting was very productive. I have a personal feeling of limiting rentals, but how do we do that and be fair? Whatever we come up with will go to a community vote. We also had conversations about the perimeter and interior walls mostly with the inquiry of what happens in other communities. She said other communities have done this. We don't have to reinvent the wheel. With the walls, it's not an all or nothing. We could have 4-5 items and get the community to vote on those. I think before the end of the year we can have something to present to the homeowners. We also talked about towing and parking. She said the Board has the ability to create the rules for the parking/towing situation and sign a contract with the towing to execute. Less rules is better than a lot of rules. How we come up with that list... I may start a draft and seek feedback.

2. Victoria: I'm glad we are moving forward on thorny issues that previous boards have not addressed. So far I really like where it's going.
3. Dan: The attorney seems to be the right person to lead us down this path.
4. Roth: We have an opportunity to do some things to address long-standing issues. It was a good first step.
5. Gerard: It was the first time I met Ellen and got the feeling she is very knowledgeable on HOA law. We do have to take it to the Membership for a vote.
6. Dan: We have one resident that is offering short-term rentals. Our City zoning requires rentals to be a minimum of six weeks. The City code enforcement can enforce that. We have to have some sort of proof that the tenant is there less than 6 weeks.
7. Victoria: How will we prove that?
8. Dan: Our attorney, Steve Nikoloff, sent the homeowner a certified letter informing them of the code. There is a process we have to go through with the City. We can create rules that make it unreasonable for a corporation to buy homes to rent it. We can also make it impossible to do short term rentals. The attorney will provide a list of options.
9. Roth: The Airbnb listing shows a minimum of 28 days.
10. Victoria: Take a screenshot that includes the day and time. We can give that to the City.

Updated Non-Compliance Letters and Mailing to Membership:

1. Gerard: The materials I sent would go to the homeowner. Any feedback about the letter?
2. Dan: We are trying to make the letter align with the policy.
3. Gerard: Also trying to start with the positives and all the things we accomplished in the last four years. The parking restrictions were also added since we have so many new homeowners.
4. Victoria: I've noticed there is a lot more parking on the street even overnight. More than before.
5. All in favor of the Draft Final of the letter.
6. Victoria: Who comes up with the non-compliance list?
7. Bob: Multiple sources. Sometimes we get an email or phone call. Sometimes from a walk-around. If someone communicates, they need more time, I will inform the Board. The Board can make accommodations.
8. Victoria: A house indicated on Kensington needs to be painted one consistent color.
9. Bob: You can see the contrast better on a cloudy day. There are roofs that are very clean, marginally clean, and very dirty. What standard do we use for the gray area ones? There are going to be circumstances where the Board will need to review.

10. Victoria: So the reason why we go after one house and not another is because it was recently painted? I don't want anyone in the community to be singled out.
11. Bob: A lot of the ones you reviewed have been in a holding pattern. We will do a comprehensive walk soon. The Board will get a comprehensive list to review.
12. Victoria: A home on Roxbury drive has plastic pots. Does it make sense to go after this person for this? Maybe the new Board should reconsider some items on the list?
13. Gerard: It wasn't just plastic pots. The plastic pots were just one item of many. Sod needed to replace dirt and weeds, dead flowers in pots and stacked pavers by a neighbor's access gate.
14. Dan: Some of these things are small matters but our new letters are not small. After a second letter, we start fining. We don't want to fine people over a plastic pot. There has to be some balance. If you tell someone to clean a roof, it better be the worst roof in the community. It's a waste of our time because they will point at other roofs. We don't need to create battles.
15. Jane: We should start with a letter that says, "Are you aware" rather than "warning of fines". It's all in the communication.
16. Victoria: We are a community of neighbors. Is there something we can do so we don't have to send that letter?
17. Dan: If a couple of us walk with Bob, then he gets a feel for what we want. We need some process. These letters are heavy hitting, so it needs to be a big deal.
18. Gerard: The whole reason the Board moved forward with fining was that people were not responding. We made the decision that the state allows us to fine. Let's add that tool to our toolbox to get people to talk to us about their non-compliance.

New Business

Notice to Owner/Notice to Contractor:

1. Mary Doyle: 542 Westborough Lane. I received a letter via certified mail from Zoom Lien referral to Preferred Materials. I thought it was a scam. Contractor advised me to follow-up. The lien was triggered by the collection department of Preferred Materials. I called them and left multiple messages. They never returned my calls. PFI Contractors DBA Parking Lot Services. My home address was used for the delivery of materials. Under Florida laws, construction lien is allowed even if the contractor was paid in full if you have not secured a release of lien. If this had happened while I was out of state, it would have been considered served. You should always get a release waiver of lien. The Board approves the contracts, the President signs them. So if you are not getting waivers of lien. Attaching my name and property to this work put me at risk. It is my expectation that you will start to work on this. You cannot put a community member at risk because a contract has not been executed.
2. Dan: This was the sidewalk work that was done.
3. Bob: Mary, I did not give anybody your address. The contractor probably looked up your address. Whoever ordered materials gave an address on a street. Ameritech gets about 25 notices per week. Ameritech does not have a policy on a dollar amount before we release a lien. We generally do about \$10k. The Board can establish a policy for a dollar amount. That particular project was \$8k with materials \$2500. Many contractors send those notices for any amount. I've never seen them executed.
4. Victoria: You are getting those letters because someone is owed money?
5. Dan: It's a standard letter that goes out. The letter is not the problem. The problem is that Mary was put at risk. Ameri-Tech should have a policy. They are handling the contract. They

supervise it. They are responsible for having a release of lien. Nowhere should a resident get a notice. However, we have to tell the truck driver where to go.

6. Bob: Mary's address was not on the contract.
7. Dan: It should not have occurred. The policies and procedures of Ameri-Tech should cover 99.99% that this won't happen.
8. Victoria: The only thing we can do is to make sure Mary has our support all the way. If we put ourselves in her position, how can we comfort her? It's not just policy and procedure. We can narrow the possibility that this occurs.
9. Jane: To prevent this from happening, we need to define a policy for a dollar threshold where we require release of lien.
10. Dan: All contracts have a clause for identifying the managing agent. Most or all of those notices should go to Ameri-Tech and rarely if ever to the resident.
11. Roth: If we had gotten a waiver of lien from PLS, would we still have gotten this?
12. Bob: Yes. They send these forms all the time.
13. Victoria and Dan will work with Bob to present a solution.

Sidewalk and Gutter Pressure Washing:

1. Gerard: I move that we accept the bid from H2O for sidewalk and gutter pressure washing for \$3250. Seconded by Jane.
2. Bob: Exterior sidewalks are included as well. Includes driveway apron and gutters
3. Dan: Is this the right time?
4. Jane: Yes, after the pollen is done.
5. All except JP Antona are in favor. Motion passes.

Covenant, Conditions and Restriction Retype/Format Update:

1. Victoria: I was able to compile all scanned documents into an editable Word document.
2. Gerard: I formatted it to match the style of our new Articles and By-Laws. The plan is to have a searchable table of contents for all our governing documents. Then we will bring it to the Board for approval. We will need to mail them to the homeowners. I am going to ask Leo Moscardini to make the documents searchable.
3. Dan: Since we are only duplicating the existing documents, the attorney said we don't need an approval vote from the community.

Policies & Procedures Task Force:

1. Gerard: I want to consolidate all the policies together. A lot of people have never received them. The community does not know the rules because they were never given them. We need to look through all the minutes and compile all the policies. So people know how many flower pots they can have. Do we want to have a task force that will look at these things?
2. Gerard: I move that we approve a Task Force for Policies and Procedures. Seconded by Victoria.
3. All except JP Antona are in favor. Motion passes.

Architectural Standards Committee: Charter & Guiding Principles:

1. Gerard: We will address this in the future.

Scheduling:

3. Dan: I will be out of town for the next meeting.
4. Gerard: Do we need to meet in May?
5. Next meeting will be on the second Tuesday, June 14th.

General Questions & Comments from Residents - 3 minutes per resident: Ann Marie Lorences, Pat Lafaye, Cathy Berggren, Joe & Jackie Mallozzi, Sam Gray, Jill Casey, Mary Doyle, Jim Hansen and Janice Brown

1. Joe Mallozi - I'd like to reiterate the Georgetown beige thing. The board needs to hold up their end of the bargain. Some walls the Board is responsible for painting. If you are going to send out letters to everyone, you should do your part too. You should show a schedule that you are doing your part if you ask others to do the same. I've been in the supply chain for 30 years. If you flip the PO document over, there is legalese we should pay more attention to.
2. Jill Casey - Questioned why only three No Votes for the Articles & By-Laws. What about those who abstained?
3. Abstention votes are not tabulated. Only Yes or No votes are tabulated. If someone abstains from voting it is not tabulated but does reflect a negative vote in the overall tally of (107) homeowners.

Adjournment: Meeting was adjourned at 8:50pm by a motion from Jane. Seconded by Gerard. All in favor.