

**Georgetown East HOA**  
**BOARD OF DIRECTOR MEETING,**  
**BUDGET ADOPTION MEETING, &**  
**INFORMATIONAL MEETING REGARDING THE**  
**PROPOSED CHANGES TO GOVERNING**  
**DOCUMENTS**

**November 15<sup>th</sup>, 2022 – 6:30 PM**

**Meeting Minutes**

**BOARD OF DIRECTORS MEETING**

**1. Call To Order**

2. Meeting called to order by Dan Kistel at 6:30 pm. Meeting was held at Ameri-Tech Community Management at 24701 US Highway 19 North, Suite 102 in Clearwater, FL, and via Zoom. Present were board members Dan Kistel, Roth Block, Victoria Romero Lara, Jane Rakestraw, and Alan Douglass, and property manager Amber Massotto. Pamela Bell was absent. Homeowners Becky Myers and Janice Brown were in person, and Linda Marshall, Robert Bernard, Mary Haddon-Doyle, and Donna Edwards were present via Zoom.

**3. Certify Quorum Of The Board**

There is a quorum of the Board, with 5 of 6 directors present.

**4. Certify Proof Of Notice**

Notice was posted on property by Dan Kistel.

**5. Approval Of Consent Agenda**

- a. Minutes for 10/21 and 11/8 meetings approved. October 11<sup>th</sup> minutes were not yet available and will be approved at the December 13<sup>th</sup> meeting. approved.
- b. Committee Reports – Architectural Standards – Architectural committee not present.
- c. Manager’s Report Approved – See Following Notes On Manager’s Report –

Motion to approve consent agenda by Roth, second by Victoria, all in favor.

Manager’s Report –

**Meetings:** December Board Of Directors meeting scheduled for 12/13/2022, with Agenda to include membership voting on proposed changes to governing documents.

**Mailing:** The next mailing, for the Annual BOD Meeting, will go out in December.

**Water Usage / Sprinkler Timers / Electrical:** The electrical at the sprinkler sensor / timer stations has been repaired by Arc and Sparc for \$400, vs the previous quote we had approved for \$450. MuGrow to send a quote for repair / replacement of the 2 damaged / inoperable timers and addition of rain sensor to the station that does not appear to have one connected. Once the timers are all working properly MuGrow will inspect to ensure that they are all set to the days and times they should be. Once this is all completed, we hope to see a decrease in the water usage and consequently the cost of the bill.

**Outstanding compliance issues:**

1102 Kensington Ct.: Repair wall, escalated to second level. **Not completed, however homeowner contacted us to let us know that they are in the process of getting fence quotes. This unit is on the list of walls & fences violations**

504 Westborough Ln.: Clean roof, repair facia & gutters, repaint house, escalated to third level. **We have been in touch with the property management company's HOA compliance division, and they are gathering quotes for repairs.**

503 Haverhill Ln.: Homeowner cleaned most of the ferns from the roof, however there was 1 small one remaining. Sent a new 1<sup>st</sup> notice. **Not completed. Will call homeowner to discuss this as it is a simple fix.**

Walls & Fences: We have compiled a list of all walls and fences on property that should be addressed. Roth, Victoria, Dan, and Amber to inspect all homes in violation on Thursday 11/17 to determine the next steps.

**Erosion Repairs:** The repair at the Roxbury pond is in the contractor's queue, and they hope to begin next week. I will notify the Board with exact days when we get that information. Marshall Street pond repair to be scheduled after the first of the year per previous discussion.

**Collections:** Delinquent accounts were discussed. Accounts to go to attorney automatically when they reach the threshold. Amber to email BOD to get specific permissions to forward to attorney's office.

Per our discussion at the last meeting, we found out the following from attorney Ellen Hirsch de Haan regarding Board and Board Member powers in emergency situations.

**Question:** Are there parameters per statute that determine assignment of power in an emergency situation? For example, after hurricane Ian recently, the HOA had their lawn crew clean up debris for a cost of \$3,200. The president authorized this from out of town in a rush and later determined that it may have been an excessive amount for the work that was done. The decision was left up to him and he wasn't in town to see the scope of the debris. This situation was not a dire emergency, but it led to a discussion. Would the approval power of the president automatically be transferred to another board member (vice president?) if the president were unwilling or unable to make a decision? They specifically mentioned if a bad storm ever does hit us directly and the president wasn't here or available how would they authorize emergency expenditures?

**ANSWER:** There is a comprehensive emergency powers provision in Chapter 720, Florida Statutes. Board members have authority to make decisions in a true emergency.

## **6. Treasurer's Report**

Year to date financials are still showing an overage, however this should level out as the year ends since

many larger and one time expenses have already been incurred. Water usage was discussed and Roth presented his monthly analysis of the water bills. Usage was around \$300 a year ago, and gradually spiked to over \$1,100 (partially due to a water leak) before going down to around \$150 since we turned the sprinklers off temporarily. Roth expects the bill to be around \$300 after the sprinkler timers and rain sensors are working properly.

## **7. Follow-Up Business**

- a. Resident Comments On A Specific Item – Mary Doyle inquired as to whether this is the evening for the informational meeting on the proposed document changes. Dan and Roth stated yes, and we will conduct that meeting next, and the budget adoption meeting after.
- b. Board Vacancy – Dan thought someone may be in attendance tonight who could be appointed to the empty board seat, however they were not present. New Board Secretary to be appointed at the next meeting.
- c. Non-Compliance Letters Update – Amber to contact the property management company for the violations at 504 Westborough again to get a status, and contact homeowners for an update on the other 2. Walls & fences to be assessed during property walk on 11/17.
- d. Sprinkler / Electrical repair Update – MuGrow to do the approved repairs to the sprinkler timers and rain sensors.
- e. Clearwater Towing Service Update – Copies of paper towing warning tags were given to all present board members to be using when necessary.
- f. Walls and Fences Task Force Update – Victoria says the task force has a great reference document almost finalized. All violations to be assessed during the property walk on 11/17.

## **8. New Business**

- a. Resident Comments – None.

## **9. General Questions & Comments From Residents – None**

## **10. Meeting Adjourned**

Motion to adjourn meeting by Roth, second by Victoria. All in favor.

# **INFORMATIONAL MEETING**

## **1. Call To Order**

Meeting called to order by Dan Kistel. Meeting was held at Ameri-Tech Community Management at 24701 US Highway 19 North, Suite 102 in Clearwater, FL, and via Zoom. Present were board members Dan Kistel, Roth Block, Victoria Romero Lara, Jane Rakestraw, and Alan Douglass, and property manager Amber Massotto. Pamela Bell was absent. Homeowners Becky Myers and Janice Brown were in person, and Linda Marshall, Robert Bernard, Mary Haddon-Doyle, and Donna Edwards were present via Zoom.

## **2. Certify Proof Of Notice**

Notice was mailed to all homeowners and posted on property by Dan Kistel.

## **3. Question and answer session with membership & board of directors**

## **regarding proposed changes to the governing documents concerning rental restrictions.**

Letter by Roth Block (attached) was read by Dan, and comments also made by Roth. There were no questions or comments from homeowners after the reading.

### **4. Meeting Adjourned**

Motion to adjourn by Roth. Second by Jane. All in favor.

## **BUDGET ADOPTION MEETING**

### **1. Call To Order**

Meeting called to order by Dan Kistel. Meeting was held at Ameri-Tech Community Management at 24701 US Highway 19 North, Suite 102 in Clearwater, FL, and via Zoom. Present were board members Dan Kistel, Roth Block, Victoria Romero Lara, Jane Rakestraw, and Alan Douglass, and property manager Amber Massotto. Pamela Bell was absent. Homeowners Becky Myers and Janice Brown were in person, and Linda Marshall, Robert Bernard, Mary Haddon-Doyle, and Donna Edwards were present via Zoom.

### **2. Certify Quorum Of The Board and Membership**

There is a quorum of the Board, with 5 of 6 directors present, and a quorum of the membership is present via in person, Zoom, or by proxy.

### **3. Certify Proof Of Notice**

Notice was mailed to homeowners in advance of the 14 day period, and posted on property by Dan Kistel.

### **4. Year End Financial Reporting Requirements**

Membership vote was counted. Member ship voted to waive financial reporting requirements for the 2023 fiscal year, with a total of 31 yes votes and 5 no votes. Motion to waive financial reporting requirements by Roth, second by Jane. All in favor.

### **5. Board Approval Of The 2023 Annual Budget**

Motion by Jane to approve the proposed 2023 budget, second by Roth.

Opened up for discussion or homeowner questions. Homeowner asked why there was no amount in the line items for walls or Semi-annual meetings. Roth responded that walls are fully funded, and the semi-annual meetings budget was removed to reduce the budget deficit in an effort to not raise fees.

### **6. Meeting Adjournment**

Motion to adjourn meeting by Roth, second by Jane. All in favor. Meeting adjourned at 7:35 pm.

Hello, my name is Roth Block, and I am a member of the Georgetown East HOA Board. I have lived here in our beautiful community since March of 2016 and have been involved with the board since the latter part of 2016.

The board and I wanted to write this note to the community to help explain what the ***Six Proposed Rental Regulations*** mean to us, the owners of homes in our community.

First of all, a quick summary of the ***Six Proposed Rental Regulations*** and then further explanation of each part.

- Fortunately, Georgetown East is a great community where people want to live.
- We want to keep it a great community for a long time.
- When voting on these amendments, you can vote yes for any of them and no for the ones you don't agree with.
- **Parts A and B** – prohibit short-term rentals along with the city prohibiting it and provides the same restrictions to leasing that the state allows.
- **Part C** prohibits someone renting out just a room.
- **Part D** is probably the biggest deterrent from the community becoming a rental community as investors would have to own the home for 2 years before they could start renting.
- **Part E** is to keep track of the rentals and who is renting in the community. It is not to approve renters, that is up to the owner.
- **Part F** is to prohibit subleases.
- The board decided to not include a 10% Cap in the proposed regulations at this point, as there was too much confusion and logistical issues with enforcing it.

The main purpose of the amendments is to limit the number and type of rentals allowed in the community. There are reasons for wanting to limit the number of rentals due to the adverse effect too many rentals have on neighborhood property values, insurance costs and mortgage rates when homes are purchased or refinanced.

Additionally, there is a pride of ownership with a home in our community when the owner of the property is living in the home. Upkeep, planting flowers, and adhering to the rules and regulations of the community are several things that we have all found that owners do more consistently than renters do.

There are reasons why some homes should be able to be rented and the HOA Board is not trying to stop all rentals. We are just trying to limit the number of rentals to avoid the above-mentioned adverse effects.

There are 2 types of rentals that need to be discussed. The first is a **long-term rental**, usually with an annual lease or longer. The other type is **short-term rentals**. These are usually anywhere from 2-3 night rentals, up to a month or 2 months stays within a home. These are very commonly known as Airbnb or VRBO rentals. Short-term rentals are not allowed in Safety Harbor, except for certain areas and would have to be registered with the city.

We have had a property within our Georgetown East community that was illegally being rented out on Airbnb. There were times that guests would be in the pool at midnight and the board received several complaints from neighbors that were woken up due to the noise.

*I will discuss both types of rentals and the impact that the 6 proposed amendments will have on them.*

The city of Safety Harbor limits the ability to rent homes in communities like ours, called Planned Development Districts or the PDD zoning district, to no less than 6 weeks. Additionally, the state now has a regulation that allows the HOA to limit the length of a rental to no less than 6 months per lease and not be able to rent the home more than 3 times in a calendar year.

The proposed 6 amendments will be voted on individually.

The first 2 parts cover adding the 6-month minimum limit (Part A & B):

**Part A - The minimum lease term required is six (6) months. No Lot or residence may be rented or leased for a shorter period of time.**

**Part B - No Lot and residence can be rented or leased more than three (3) times within a calendar year (January 1 – December 31).**

Limiting rentals to no more than 3 times a year (Part B): If someone rents in August of 2022 for 6 months (Aug 2022 – Jan 2023) and then again in February of 2023 for 6 months and again in August of 2023 for 6 months, that would be the limit of 3 times per year:

*By voting Yes for part A and B, this will amend our documents to be in line with what and how the State of Florida allows communities to prohibit rental agreements for a term of less than 6 months.*

**Part C – Only entire residences may be rented or leased.**

This is mainly to say that someone cannot rent out a room in their home.

This is not to say that you can't have someone move in with you and share expenses. You just cannot rent a room out, whether it is a short-term or a long-term rental.

**Part D – A home may not be a rented during the first 2 years of ownership.**

This would be in effect for any house that sells after the passing of the amendment and the state and county certifying the approved amendment.

It is to keep investors from buying houses for the purpose of renting them out. If anyone bought their house prior to the passing of the amendment, they would not have to wait for 2 years if they decide to rent their home out.

***This is the best and most effective amendment to keep rentals to a limit.*** There are corporations all over the country that are trying to purchase homes, sight unseen for cash. They are looking at just the monthly rental income and don't enjoy or push the neighborly feel that we love about our Georgetown East community.

If a company/investor can't rent the house for 2 years, the investment does not make sense and they will be encouraged to move on to another property in another area.

**Part E – Any owner leasing their home must provide a copy of the signed lease to the Association for its records. This includes any renewals of a lease already in effect.**

There are 2 main purposes of this.

The first and very important one is to know who is moving into a home that is a rental and to be able to include the renter in community communications.

Secondly, it is necessary to confirm that the owner is abiding by the rules set forth with these amendments, such as: The length of the lease regarding Part A. The number of times leasing regarding Part B and to track the number of homes leased out in the community. It is very important to know the parameters of the lease.

**Part F - No Lot or residence can be sublet and no lease can be assigned to a sub-tenant.**

This is to ensure that no one who is renting moves out and lets someone else move in and take over their lease. If a renter needs to break their lease, it should be done through the owner and a new lease should be written with the new tenant and communicated to the HOA.

**Summary**

- Fortunately, Georgetown East is a great community where people want to live.
- We want to keep it a great community for a long time.
- When voting on these amendments, **you can vote yes for any of them and no for the ones you don't agree with.**
- Parts A and B – prohibit short-term rentals along with the city prohibiting it and provides the same restrictions to leasing that the state allows.
- Part C prohibits someone renting out just a room.
- Part D is probably the biggest deterrent from the community becoming a rental community as investors would have to own the home for 2 years before they could start renting.
- Part E is to keep track of the rentals and who is renting in the community. It is not to approve renters, that is up to the owner.
- Part F is to prohibit subleases.
- The board decided to not include a 10% Cap in the proposed regulations at this point, as there was too much confusion and logistical issues with enforcing it.

Thank You

Your HOA Board

Dan Kistel President

Jane Rakestraw Vice President

Roth Block Treasurer

Victoria Romero Lara Director

Alan Douglass Director

Pam Bell Director