

Bay Indies Homeowner's Association, Inc.  
Minutes of Board Meeting  
December 14, 2018

The meeting was called to order at 1:30PM by President George Alexander.

Roll Call

Present: Tony Tremonto, Veronica Wasserman, Joan Sass, George Alexander, John McCall, Kathy Gormley, Jane Lang and Dan Clark

Absent: Sue Kekel

Approval of the November 9, 2018 Board Meeting Minutes

A motion was made by Joan Sass and seconded by John McCall to approve the minutes of the above referenced meeting. Motion passed unanimously.

Approval of the November 30, 2018 Treasurer's Report – Kathy Gormley

Kathy gave a detailed accounting of the treasurer's report, including notifying the Board that a CD will mature on January 24, 2019. Kathy will look at CD rates and get that information back to the Board prior to the maturation date. A motion was made by Veronica Wasserman and seconded by Joan Sass to approve the treasurer's report. Motion passed unanimously.

Correspondence

There was no correspondence to report on.

Committee Reports

Service Committee – Joan Sass

Joan reported that the Service Committee met with the ELS Regional Manager, the community manager and the maintenance manager on December 13, 2018. At the meeting all reports on the condition of the common areas were discussed. Joan also reported that Bay Indies is close to getting new washers and dryers for the laundry rooms. The meeting was a very productive one and Joan was happy to give an update on the improvement of the lighting in the park. For example, in 2017 there were 23 light outages throughout the park. As of the date of this meeting there are only 9 outages, due to the efforts of the committee working with management to get repairs completed. Joan also discussed a possible letter to members outlining the many accomplishments of the Service Committee.

Membership Committee – Veronica Wasserman

Veronica reported that the 2019 membership drive is underway and progressing well. She also wanted to thank all residents who had already joined the HOA for their support.

There were no other committee reports.

Old Business

The community manager and the activities manager were unavailable to attend the meeting.

New Business

Appointment of Jane Lang and Dan Clark to the Board

A motion was made by Joan Sass seeking Board approval for the appointment of Jane Lang and Dan Clark to the Board. The motion read as follows:

I move that the Board appoint Jane Lang and Dan Clark to the Board for the remainder of this year's term.

The motion was seconded by John McCall and passed unanimously.

#### New Rules and Regulations Update – George Alexander

George described the year long negotiations process which brought about an agreement on new rules and regulations and also led to an extended lot rent agreement running through 2022. The rules and regulations have been approved by DPBR in Tallahassee but it appears that ELS has added a few extra rules which were not part of the original agreement. For example, ELS added a change to the late rental payment procedure. At the present time late rental payments receive a 10 day grace period and then a \$50.00 penalty is assessed. The new rule reduces the grace period to 5 days and raises the late penalty to 10% of the land rent, a much higher amount than \$50.00. This change is NOT part of the agreement between ELS and the HOA but instead something they are attempting to sneak into the new prospectus. Jane Lang noted that ELS is a publicly traded corporation and wondered if rules and regulations for parks are included in their SEC filings. Joan Sass said that she did not know, but explained that since every ELS park has different rules and regulations and a different prospectus it wouldn't be relevant.

#### Concert Concession Stand – January 26, 2019 – George Alexander

The HOA has volunteered to run the concession stand at the above referenced concert. It has also been decided that whatever profit the HOA makes from this endeavor, after expenses, will be given to Veteran's Park to help out with any improvements needed.

#### Network for Progress Meeting Information – Joan Sass and John McCall

Network for Progress runs periodical meetings attended by representatives from ELS parks. There is also a select group made up of appointees from ELS parks which works directly with upper echelon management from ELS. Bay Indies Board members try to attend as many of these meetings as possible and they are both worthwhile and informative. Jane Lang asked if the attendees were all from ELS owned parks and was told that they were. Joan reported that from what she has observed, Bay Indies is light years ahead of most other ELS parks with regard to how the Board interacts with management. She also explained the Nelson Procedure, which is a system whereby problems reported move up the levels of management until a resolution is achieved. For example, the first step is to try to resolve the problem locally with the community manager. If there is no resolution within a reasonable time, the problem is moved up one level of management and continues to go higher and higher until the problem is resolved. Joan stressed that nothing frivolous ever becomes part of The Nelson Procedure because only the Prospectus and issues involving Statute 723 can be part of this process. As an example in another Park, Joan cited the case of an approved resident moving into the park and the very next day the police show up with outstanding warrants. Other issues involve children living in the over 55 parks, children who are not handicapped or living with an approved guardian. In one ELS park the children lived there so long that they were actually attending college. Another ELS park had serious water issues which persisted for over a year. So the Bay Indies HOA is well schooled in the law and works hard on behalf of all residents to see that these kinds of things do not persist here. John McCall said that these meetings are an eye opener, noting that some HOA's have no money at all and need to sponsor fundraisers every time they go up against ELS. Finally, both Joan and John agreed that the Bay Indies HOA is a model for the other parks.

### Recycling Surcharge Explanation – George Alexander

George reported that HOA members had received emails about this from the Board. The surcharge will be approximately \$2.00 per month and is temporary at this point.

### Illegal Short Term Rental Update – George Alexander

This has been an ongoing problem in the Park but is something the Service Committee has been actively working on. Representatives have met recently with Sarasota County which has started to really crack down on this practice, even going so far as proposing fines as high as \$5000.00 per violation. The legality of this kind of fine is still under investigation, but at present the fines are \$250.00 per day or \$500.00 per infraction. Apparently the City and County were unaware of this until the HOA met with them and gave them information about it. Veronica Wasserman noted that any rental under one year is required to pay a tourist tax. Dan Clark asked what the minimum rental was in Bay Indies and was told that it was 30 days. John McCall also noted that all renters must be approved by ELS before they are allowed to rent in the park. Anyone suspecting an illegal short term rental in their area can call the County tax evader hot line at 941-741-4808. Calls are anonymous.

George Alexander gave an update on future dates and events pertaining to the HOA. These included:

- Budget Workshop – January 2, 2019 – 12 Noon at Curry House
- Agenda Workshop – January 4, 2019 – 10AM in B3
- Nomination Meeting – January 8, 2019 – 4PM at Indies House
- All Clubs Day – January 9, 2019 – 10AM to Noon – Indies House
- Board Meeting – January 11, 2019 – Arts and Crafts Room
- HOA at Concession Stand – January 26, 2019 – Indies House

There were no questions from the members present at the meeting.

The meeting was adjourned at 2:05PM

Respectfully Submitted  
Fred Ceruti  
Recording Secretary

Joan Sass  
Secretary