

# EPROC

## MINUTES

October 20, 2023

The meeting was called to order a 9:05 by President Harman at the Colony Hills clubhouse. He thanked everyone for attending. He then asked for a moment of silence for those who have passed since our last meeting, including Linda Lafayette, who was a founding board member and served for 10 years as treasurer and secretary. He then led the attendees in the Pledge of Allegiance.

In absence of the Secretary and Assistant Secretary, President Harman made the roll call of members. There were 43 individuals representing 16 communities in attendance. The minutes of the last meeting will be read at the November meeting.

Treasurer Robert Lawrence reported that we now have a balance of \$3616.17 in our checking account. No decision has been made regarding dues for this season, but 2 years with no dues is depleting our funds.

President Harman proceeded to introduce Attorney Jonathon Damonte who informed us of the circumstances of several resort takeovers, including some friendly ones where the owners voted to sell due to the generous amounts they were receiving. He stressed that restrictions to prevent takeovers must be in the governing documents and be crystal clear rather than just being in the rules and regulations. He provided a handout of sample lease and rental restrictions including minimum lease terms, percentage provisions, prohibiting artificial entities and subletting.

Among significant points made were the following

1. The association is not responsible for sales taxes if owners fail to pay it.
2. We can require everyone staying in the community to sign-in and provide their name, address, telephone number and emergency contacts.
3. Requiring wrist bands in the pool area can be a way to police the area.
4. Both parties own all the property in Florida if married.
5. If governing documents do not state a different percentage, than 100% of owners must agree to a takeover.
6. Renters, not owners, have the right to use the facilities unless the owner is also living in the community.
7. Some legislators are pushing to require all communities to have professional management.
8. If investors take over a resort, the owners lose control over who lives there.

The President of Colony Hills told the attendees a little about the community and then President Harman reminded everyone that the next meeting will be at Tippecanoe on November 10 and the topic is the annual associate member round-robin.

Finally, President Harman told the attendees that boards must take action if notified of a dangerous alligator. The Board can do so by calling the alligator nuisance hotline at 866-392-4296.

There being no further business, the meeting was adjourned at 10:45.

Respectfully Submitted By  
Jim Harman, President