

Minutes for the Eagle Ridge Property Owners Association Meeting May 2, 2016

Meeting was called to order at 7:00 PM by Hewitt McCloskey. Board members present were:

	Present	Absent
Hewitt B. McCloskey, Jr., President	<u>X</u>	_____
John Spiegel, Director	<u>X</u>	_____
Peter Van Leeuwen, Secretary/Treasurer	<u>X</u>	_____
Ed Schuler, Director	<u>X</u>	_____
Richard D. Herman, Director	<u>X</u>	_____

A quorum was reached. There were 20 residents present.

Hewitt McCloskey requested that a motion be made to approve the Minutes for Annual 2016 Board Meeting on March 7, 2016 .

First Motion to approve the minutes of March 7, 2106: Ed Schuler

Second Motion to approve the minutes of March 7, 2016: Richard D. Herman

All approved, motion passed.

Treasurer's Report: Peter Van Leeuwen Monthly summary of Accounts for April 30, 2016

Current end of month balances to	April 30, 2016
ERPOA Bank of America Account Balances	
Business Savings 7890	2,654.96
Business Checking 1247	143,106.62
Business Checking Reserve 3976 Fully funded	35,622.98
Total as of April 30, 2016	181,384.56

2016 Assessment is 98.4% funded. There are 10 residents that have not paid. There are 3 in the Condominiums and 7 Single family homes. The 3rd late notices have gone out.

President's Monthly Report : Hewitt McCloskey

1. We received the Lee County Resolution No. 16-03-07 from the Lee County Board of County Commissioners to formally accept the Surface Water Management System Maintenance Agreement. This Agreement was received on April 15, 2016. I will place it in the official file books for Eagle Ridge property Owners Association. The piping and inlets in the 3 Condominiums are not included. The resolution will not be published in the newspaper per the advice of our Council.
2. I request a motion on the Proposal and Agreement from Eric M. Cole of Converged Services, Inc. (C.S.I.) to provide consulting services to develop bid specifications and receive quotes related to Broadband, Cable/Satellite, TV, Telecom and Security Alarm Monitoring. (Discussion and vote on the motion)

Ed Schuler: I want to make a motion to approve giving the president authority to enter into an agreement with CSI to develop bid specs and receive quotes on fiber optic cable/Internet packages from 4 or 5 qualified bidders. He would have our approval to enter into this agreement after completing due diligence he feels necessary before signing. It is our understanding that we are under no obligation to CSI if we later choose not to proceed with any of the bids that they develop on our behalf.

After the bids are received, the committee would select a bid that appears most beneficial to the majority of the residents. The selected bidder package would be submitted to the residents by mail for a vote. Then as previously stated, if we don't go with the project, we have no financial obligation to CSI.

From the audience: Are we obligated to use any of their bidders, if we don't feel their bids are good?

Ed Schuler: No we don't have to use any, if we don't feel the bids are good. We are under no obligations to either CSI or the bidders.

Peggy Watts: I am upset. I don't like someone telling me what cable company I must sign up with. I don't like to be told I have to use this particular cable company. I will consider legal action if this occurs.

Hewitt: Do I have a second for this motion?

Hewitt: There are no seconds to this motion. It does not carry.

Susan Stark: Why don't we set up a committee to look into this matter?

Ed Schuler: There are three people on the committee at present.

Luther Ward: We will lose our freedom of choice in this matter if we have to take what is offered.

Ed Schuler: It will be voted on by all residents.

3. Ed Schuler requested a motion to pay Sea Breeze Communications, who prints our monthly newsletter \$50.00 per issue for a .pdf file from the newspaper. We can then place the file on our website so that the residents can get the newspaper anywhere they happen to be. The cost would be \$600.00 per year or \$1.00 per door per year. An additional benefit would be an archive of past issues that are available to the residents.
First motion: Ed Schuler
Second motion: John Spiegel
All in favor, motion carried 5-0 in favor.
4. I am still trying to get the golf course to remedy the damaged fence section and plant a new landscape screen in front of the chain link fence along Aeries Way Drive. If worse comes to worse, the Association will purchase a landscape screen for the fence so the residents will not see the inside of the Golf Course maintenance area.
5. We received a favorable decision from the Florida State Court of Appeals concerning our law suit against the Mouracades. John Spiegel will discuss this further in a few minutes.
6. The proposed Florida Power and Light powerline burial project has been delayed until the first quarter of 2017. We currently have only one source coming into the community, which has caused interruptions of power as we all know. Florida Power and Light will be putting in a second feed line in our community at their expense.

Vice President's Report: John Spiegel

1. The Second District Court of Appeal ruled unanimously on April 11th that the trial court decision in *ERPOA v. Mouracade*, was correct. ERPOA won the case at the trial court. An additional motion for an award of appellate attorney fees will be filed and the amount to be awarded will be determined by the trial court. Once the appellate attorney fee award is reduced to a final judgment, ERPOA will undertake to collect the owed attorney fees.

Man from audience: What is the total amount that we have spent on this case to date?

John Spiegel: The first and second litigation has cost somewhere around \$36,000. The fees we incurred for the Second District Court of Appeals will also be recovered.

2. The “Condos v. ERPOA” case remains pending. Counsel for ERPOA filed a motion to dismiss the action. That motion is presently scheduled to be heard on June 7, 2016. I will keep all updated after the scheduled hearing.

Committee Reports

Arbitration Board Committee: Charlene Wendel (Absent)

Architectural Control Committee: Steve Norris

1. We have had a busy two months.
 - a. 7360 Twin Eagle Remove two trees
 - b. 7791 Eagles Flight Install generator and fuel tank
 - c. 7614 Eaglet Ct New pool cage
 - d. 14601 Eagles Lookout Pain trim
 - e. 14867 Soaring Eagle New roof
 - f. 14545 Aeries Way Dr New driveway
 - g. 14593 Soaring Eagle Solar panels
 - h. 14661 Eagles Flight Hurricane screens
 - i. 14799 Soaring Eagle New driveway
 - j. 14565 Aeries Way Dr Paint trim
 - k. 7910 Twin Eagle new driveway and culvert
 - l. 7553 Eagles Flight New title roof
 - m. 14901 American Eagle New driveway Pending
 - n. 14784 Soaring Eagle Hurricane shutters Pending
 - o. 14895 Soaring Eagle Tree removal
 - p. 7360 Twin Eagle Install flag pole Pending
 - q. 7121 Twin Eagle Tree removal
 - r. 7280 Twin Eagle Tree removal
 - s. 7420 Twin Eagle New landscape
2. I need someone to take over the head of the Architectural Control Committee. I no longer wish to be the head. I will stay on as a member of the committee. Please contact either Hewitt McCloskey or Steve Norris, if you wish to volunteer for the position of Head of the Architectural Control Committee.

Block Captains Committee: Connie Hope

It is with sadness that I have spoken with the Board and they have decided to eliminate the Block Captain volunteers at Eagle Ridge community.

1. I am no longer able to update the database to included new residents, phone numbers and email addresses. Not all Block Captains send me updates to keep the database current.
 2. It has become more and more difficult for me to get volunteers to replace those Block Captains who are discontinuing their service to the community.
 3. With technology, the website can now reach through email over 500 people at one time.
 4. The website has a place to update phone numbers, email addresses and a place for new residents to enter information.
 5. The phone directories will be delivered by people who deliver the newspapers. I will have extra copies of the directory if someone needs them.
 6. We still have about 100 property owners who have not entered their data on the email listing so email can go out when needed. Please do so promptly. If you need to change your information, please do so in a timely fashion.
- .

Ed Schuler: In December we sent out a sheet with a stamped envelope with the mailing that requested updated information. Unfortunately not everyone did this.

Someone from the audience: Maybe you could post a sign at the entrance of the community to update your information immediately.

Peggy Watts: I suggest we make up a form to request this information at the property closings.

Peter Van Leeuwen: We have increased the price of getting an Estoppel in the last year from \$50 to \$100. Perhaps we should look at adding an Application Fee.

Susan Stark: Other communities have an Application Fee.

Hewitt McCloskey: We will take these comments into consideration.

Deed of Restriction Committee: Don Peters

1. Between March and the April 18 inspection, there were 19 citations that were fixed and 7 were not completed.
2. On April 18, 2016 the Deed of Restriction Committee found:
10 new violations
11 second notices
2 final notices
3. Since April 18, the 2 final notices have been resolved.
4. We are not requesting the need for any fines or letters to be sent at this time.

Security and Safety Committee-Connie Hope

1. My liaison in the Sherriff's office has informed me that there was a burglary in the community last week on Eagle Ridge Drive.
2. A truck was broken into and items were stolen. There did not seem to be a forced entry ,so there is a possibility the truck was not locked.
3. Please make sure that all your cars and trucks are locked. Make sure that the garage door is closed and locked and the connecting door into the house is locked.
4. Again, if you see anything or anyone that looks suspicious, call the non-emergency number 239-477-1000. If you feel it is a burglary or break-in call 911. You are the eyes and ears of this community. Please help us fight crime.

Social Committee –Peggy Watts

There are no social events planned at this time.

Welcoming Committee: Ed Schuler

1. I interviewed Paul and Brenda Rahman as new residents for the June newspaper.
2. There are two more appointments scheduled for the next month.

Resident's Comments (limited to three minutes)

1. Nancy Kyle: I live on Twin Eagle next to a ditch. There are many mosquitoes. Is there someone who can spray for the mosquitoes?
Someone from audience: The Lee County Mosquitoes Control. If you just plug in the name on the computer, their number will come up. They will come right out and spray. They are really efficient.

2. Paul Stark: The motion for the CSI study did not pass. Is it over for now?
Hewitt McCloskey: For now it is a closed issue.
3. Jan Gantor: Eaglet Court. The plant beds need a different color of mulch. They are dull. The condos have red mulch and it really ‘pops’. The red color in our plant beds will help it look better. There are so many signs on Eagle Ridge Drive, the red mulch will take away from these signs.
Hewitt McCloskey: During my term as President and Co-Chair of the Landscape Committee, we will have dark brown mulch in all the common areas. Thank you.
4. Ruth Sills: Twin Eagle I want to thank the Board for their willingness to serve for this year.
I was reading the minutes for the annual meeting which indicated a person spoke about being on the Board and was not on the ballot. You have to be a member in good standing owing no money. It was upsetting.
Second: On Bald Eagle near the side where the Legends are, there are several trees drooping that should be trimmed and maintained. If we have a bad storm or hurricane, the trees can fall and will cause damage. Can you talk to the Legends to do some maintenance on this area?
Hewitt McCloskey: Yes, I will take it under advisement.
5. Jan Ganter: The mail is not being delivered correctly. I am getting my neighbor’s mail and not my own.
Connie Hope: I know this is happening. I have called the US Post Office in Fort Myers. Please call them and complain. They told me they were aware of the problem and were fixing it. The more people who call and complain, the more attention we will get to correct the situation . . . ‘The squeaking wheel theory.’ You can call the USPS at 1-800-275-8777.
If anyone else experiences this problem, tell them.
6. Chris Leslie: I live on Twin Eagle. I called the County about the catch basin near the Preserve. It is clearly between properties. Pipe seems to be blocked, so the flow is blocked. The County said it was the Association’s responsibility.
Steve Norris: The piping there is the responsibility of the Golf Course. Many of the pipes do not have water flow. The pipes need to be cleaned out.
Hewitt McCloskey: We need to set up a meeting with Lee County DOT, the Golf Course and the Association to discuss this matter.
7. Ruth Sills: Has anyone found the large water maps that we had and have seemed to disappear?
Hewitt McCloskey: We had a detailed study done of the drainage area and had maps done at that time.
Steve Norris: Keep in mind that most of the pipes drain into the lakes on the Golf Course. If they are blocked, they will not drain. We should be having a work session with the Golf Course on this topic.

A request for a motion for Adjournment:

1. First Motion for Adjournment: John Spiegel
2. Second Motion for Adjournment: Richard D. Herman
3. All voted in favor for adjournment.

The meeting was adjourned at 8:10 PM