

# Eagle Ridge Property Owners' Association, Inc.

## Agenda for ERPOA Annual Meeting on March 7, 2016

Welcome all Single Family Property Owners, Lot Owners and Condominium Unit Owners to the Eagle Ridge Property Owners' Association (ERPOA) Annual Meeting.

1. Mr. Secretary, please verify that notification for the ERPOA 2016 Annual Meeting was properly issued in accordance with the ERPOA by-laws at least 30 days before the Annual Meeting and the Official Notice of the Annual Meeting was properly posted in the Eagle Ridge Bulletin Board located at the intersection of Eagle Ridge Drive and Aeries Way Drive at least 14 days before the Annual Meeting.

Peter Van Leeuwen, Secretary/Treasurer: I can attest that the Official Notice of the Annual Meeting was properly posted in the Eagle Ridge Bulletin Board and I can attest that the notification for the ERPOA 2016 Annual Meeting was properly issued in accordance to the ERPOA by-laws at least 30 days before the Annual Meeting.

Hewitt McCloskey: Thank you, Mr. Secretary.

2. **Certification of a Quorum** – The first order of business is to certify that we have represented either in person or by Proxy/Absentee Ballot at least 25% of the 622 members of the ERPOA. Therefore, Madam Elections Committee Chairperson, do we have 156 or more members in attendance or represented by their proxy/absentee ballots?

Madam Elections Committee Chairperson: I can certify that we have a quorum. The total number represented is at this time 253 and we are still counting.

Hewitt McCloskey: Thank you Madam Chairperson. We can then proceed with the 2016 Annual Meeting.

Meeting was called to order at 7:01 by Hewitt McCloskey.

3. **Roll Call** to introduce the ERPOA Board of Directors and Recording Secretary:

	Present	Absent
(a) Hewitt B. McCloskey, Jr., President	<u>  X  </u>	<u>      </u>
(b) Steve Norris, Vice President	<u>  X  </u>	<u>      </u>
(c) Peter Van Leeuwen, Secretary/Treasurer	<u>  X  </u>	<u>      </u>
(d) Edward Schuler, Director	<u>  X  </u>	<u>      </u>
(e) John Spiegel, Director	<u>  X  </u>	<u>      </u>
(f) Connie Hope, Recording Secretary	<u>  X  </u>	<u>      </u>

4. **Request a Motion to approve the minutes of February 1, 2016 Board Meeting:**

First motion to approve: Ed Schuler

Second motion to approve: John Spiegel

All voted in favor. Motion passed 5-0.

**5. General Financial Summary from March 2, 2015 to March 7, 2016: Peter Van Leeuwen, Treasurer**

Current end of month balances to February 29, 2016	
ERPOA Bank of America Account Balances	
Business Savings 7890	\$2,654.88
Business Checking 1247	\$149,330.38
Business Checking Reserve 3976	\$ 35,622.98
<b>Total as of February 29, 2016</b>	<b>\$187,608.24</b>

- (b) Total number, amount and percentage of 2016 Annual Assessments received as of February 29, 2016:  
 95.3% of single family homes  
 97.2% of the condominiums
- (c) Total number and amount of fees collected in 2015 for past due assessments including late fees and legal fees:  
 Late fees: \$725.00  
 Legal fees: \$1,045  
 Maintenance fees: \$7,400.00  
 Total: \$9,170.00

**6. Summary of Projects and Activities by Hewitt McCloskey, Jr., President**

- (a) There will be a town-hall style meeting at the Eagle Ridge Club House on March 22, 2016 at 7:00 pm. The meeting is for the purpose of discussing upgrading the cable, internet and phone service as well as reducing the cost of these services. The guest speaker is Eric Cole from CSI. This endeavor has been guided by Ed Schuler, who will elaborate further on his efforts in his Director's Section.
- (b) We (ERPOA) will soon have a copy of the signed resolution from Lee County Commissioners accepting Maintenance Responsibility for the Surface Water Management System.
- (c) We are currently in talks with Jason Edinger of the Spear Group, Engineering consultants representing Florida Power & Light. Steve Norris, Ed Schuler and Hewitt McCloskey have met with him twice. In order to eliminate or greatly reduce the frequent power interruptions, FP & L are proposing to split the power source into Eagle Ridge. It currently all comes from one power line located on the south side of Twin Eagle Lane. There will be two feeds coming in and they will be underground.

It will go along Aeries Way Drive and Twin Eagle Lane and the installation will be at their cost. We are not sure when it will be started and completed as of this date.

- (d) The three Condominium Associations have jointly filed a complaint (law suit) against the Master Association, Eagle Ridge Property Owners' Association, Inc.
- (e) The parent Association ERPOA spent \$48,543.00 on construction costs to replace two 24 inch storm drainage lines, which are located on the Eagle Ridge Condominium property. We spent another \$13,099.00 on civil engineering fees and construction administration fees for a total of \$61,682.80.
- (f) Landscape Improvements to the Eagle Ridge Drive Corridor- we replaced a number of trees and shrubs due to disease and vandalism.
- (g) Aquatic Systems, Inc. continues to do a great job maintaining the two lakes, one on Aeries Way Drive, and the second on the north side of the homes along Eagles Flight Lane.

#### **7. Vice Presidents Report, Steve Norris**

- (a) An overview of the construction project to replace the storm drainage pipes on the Eagle Ridge Condominium property, which started in mid-August and ended in mid-November, 2015.  
The construction was done well. It took a little longer than we expected, but it is now complete and functioning well.

#### **8. Directors Report: Ed Schuler**

- (a) Status of research concerning cable replacement and upgrading--  
An email survey was sent out to get ideas who is using cable, and satellite, the cost each person is currently paying, etc.
- (b) Eric Cole from CSI will be conducting a meeting on March 22, 2016 at 7:00 PM at the Eagle Ridge Club House. If you are interested or have questions, please attend this meeting.

#### **9. Directors Report: John Spiegel**

- (a) Status of Appeal, ERPOA v. Mouracade  
There is no news about this case. It is still pending in the Florida Court of Appeal. I continually check the website.  
Question from the audience: How much has been spent?  
Hewitt McCloskey: The total cost has been around \$65,000.00, which has been over a period of four years.

- (b) Status of the three condominiums v. ERPOA  
The lawyer for the condominiums was also our lawyer in a case and had

to withdraw because of a conflict of interest. The new lawyer filed an amended complaint. Our lawyer has filed a motion to dismiss. There is a hearing scheduled for May 26, 2016 with the Circuit Court in Fort Myers and it will be held before a judge. It is in the early stages.

Question from the audience: Why is there a law suit?

Hewitt McCloskey: Ask the condos. They filed the complaint.

John Spiegel: What does the complaint say? You need to find it on line and read it. It is public record in the dockets of Lee County Circuit Court.

## **10. A Brief Summary of the yearly Activities and Committee Reports**

(a) Architectural Review Committee: Steve Norris

Overview for the year. I will stay on as Chairman until we find someone else to chair the Architectural Review Committee, and then be a member of the committee.

We have had many people painting their houses, the front doors, and the trim

We had additions and new driveways.

We have many ongoing changes that make our community look better and better.

(b) Block Captains Committee: Connie Hope

We are still missing about 4 Block Captains and I will do some emailing in the next month and see if I can find some volunteers to help.

Block Captains all have new lists of their residents to work with.

If you have new phone numbers or email addresses, please email me the additions or changes.

I want to thank all my Block Captains for their help and work this past year. Around August or so, we will be starting to work on the New Directory for 2017-2018.

(c) Deed of Restrictions Committee: Kathy Furlong (not at the meeting)

Hewitt McCloskey: Ed could you give us a little information?

Ed Schuler: We tour the single family homes once a month around the 20<sup>th</sup>. There are usually around 15-20 properties cited each trip.

Most of the offenses are dirty driveways and roofs. There were a few that we had to issue several notices but, all in all, we are in good shape.

The Board is very grateful to Kathy Furlong for her outstanding work as chair of the Deed of Restrictions Committee.

(d) Golf Liaison Committee: Steve Norris

We had a meeting with the Golf Course and they have been working steadily on fixing up the course and the area.

(e) Landscape and Beautification Committee, Carolee Swales

We will be working on a few new projects this year.

(f) Legal Committee: John Spiegel

Already discussed the legal issues.

(g) Security and Safety Committee: Connie Hope

- (1) Within the past three weeks there have been four burglaries, two in the Fairways, one in the Pines, and one in Eagle Ridge Condominiums.
- (2) They have been in the early morning - 5:00 AM to 6:30 AM. The sheriff's office has said that they were wearing jogging clothing and a hoodie. They were seem running in the Pines.
- (3) You are the eyes of the community. If you see something that is questionable, call 911 immediately. It is important to get the sheriff's office involved as soon as possible to try and catch these burglars.

Woman from the floor: We had talked about a gate in the community several years ago. What happened to that?

Hewitt McCloskey: We had done some research on that. The roads are County roads and if we put a gate in, then we would have to take over the maintenance of the roads. We don't want to have to do that. Very expensive. Besides, a gate would give people a false sense of security.

Woman from the floor: I know many communities that have gates, and they have had many burglaries and problems. Yes, it gives a false sense of security..

(h) Social Committee: Peggy Watts

We had a Christmas Social at the Golf Course. And we will perhaps have another social during the summer.

(i) Welcoming Committee: Ed Schuler

We have welcomed new residents in the newsletter each month since December. We have another lined up for the April issue.

## 11. Election Results:

Madam Chairperson, do you have a total of the voting for the three (3) candidates for the ERPOA Board of Directors and if so what were the results?

Madam Chairperson:

1. Richard D. Herman            260
2. Peter Van Leeuwen        259
3. Hewitt McCloskey, Jr.      245
4. Write- in candidates:

There were 14 write-in candidates. Sue Stark had 10 write-ins.  
A total of 274 people voted.

Kay Turner: After this meeting will there be a meeting of the Board?

Hewitt McCloskey: Yes, we will have a Reorganization Meeting after this Board meeting.

Hewitt McCloskey: I want to introduce Richard Herman who is our new member on the Board. Richard Herman, please stand. Thank you. It saddens me that Steve Norris will be leaving the Board. (the audience applauded)

**12. Association Members Questions and Comments:** (when called upon to speak, please give your name and address)

- a) Kay Turner: What role has the Board to do with the sign by the entrance on Daniels and Eagle Ridge Drive?

Hewitt McCloskey: Several months ago Dan O'Neal from the Golf Course and I had a discussion about the sign. Yes, I have submitted the information we had collected or developed about the sign and the approval required by the County. At present the sign is missing. I am assuming that the Golf Course removed it with the intent of replacing it.

We maintain the center islands on Eagle Ridge Drive. We mulch once a year, prune the trees, remove any dead trees or shrubs, and replace them. Several of the communities on the street have contributed to this effort.

- b) Woman from the floor: It is hard to see around the shrubs on the corner of American Colony and Eagle Ridge Drive.

Hewitt McCloskey: I will have our landscape maintenance people address this area.

- c) Dan Wright of Soaring Eagle: Thank you, Steve Norris, for your work on the Board. (Clapping from the audience)

The information in the minutes of February 2, 2016 was not accurate. I have three comments about the Cable system. 1. The cable system is not 30 years old. They, Comcast, are always replacing and updating the equipment. We have a good system here in Eagle Ridge. 2. The notion that you must have fiber optic cable to the home is not correct. You don't have to have fiber optics to get all the new products. 3. These cable representatives use small companies for installation and they come and go. If we sign a contract for ten years, the company could go out of business. There is a lot of risk to be in negotiations with these companies. I have put together a list of some things to discuss, and I am giving the list to each Board member.

Hewitt McCloskey: Thank you, Dan. Please come to the meeting on March 22, 2016. We will need your input.

- d) Don Allen: I want to thank the Board for all their hard work this last year. The public should know they can pay themselves for this work and they don't. Thank you, again.

- (e) Bill Beckerink: I have a question. Is the signed agreement on the website yet?

Hewitt McCloskey: No, but it will be shortly. Perhaps in two or three weeks.

- (f) Kay Turner: Concerning the 95% of people who have paid, are the others who have not paid from the houses that are for sale?

Peter Van Leeuwen: The 5% who are delinquent in their 2016 are current residents, and not from those properties currently for sale.

- (g) Susan Stark: I wanted to be on the Board. What is the rule? I gave Connie my name.

Hewitt McCloskey: There is no hard rule as per our By-Laws. Most people who want to be on the Board have served on committees, come to Board meetings, have talked to someone on the Board, have given the Board their resume, and have been interviewed by the Board.

Related to this, I believe it was suggested that you call Peggy Watts and help her on The Social Committee for the Christmas party. I am told you never followed up and never called her.

Susan Stark: The number was limited to 75 people, first come first serve. Many people were unable to attend who wanted to.

Hewitt McCloskey: The number of people (75) at the Golf Course Club House, is a Fire Code limitation not our limitation. We accommodated another 14 people outside for a total of 89.

Susan Stark: Why couldn't we go somewhere else?

Peggy Watts: We have a budget to stay under.

Susan Stark: We could go elsewhere and rent a place and charge people.

- (h) Woman from the floor: Susan had expressed interest to be on the Board. She is a hard worker. Why don't we have a published procedure to get on the Board?

Hewitt McCloskey: The Board will prepare an outline procedure to be followed for selecting Board nominations..

- (i) Man from the floor: Who is the company who is proposing to do our cable installation?.

Ed Schuler: The company CSI is home based in Fort Lauderdale, Florida and has a sub-office in Naples. They are independent but will negotiate with several cable companies on our behalf..

- (j) Woman from the floor: There was something in the newspaper a few months ago about making sure that people who walk their dogs use a pooper scooper. Could we also put something about making sure they clean up after their dogs in the center island? People just leave their dog's poop in the center island and ,if you are walking there, it is easy to step on.

Ed Schuler: We will put something additional in the newspaper.

- (k) Pat Schoo: When a neighbor has a violation does a form letter go out to that person?  
My neighbor has their dog poop on my lawn without cleaning it up. They also put plant waste and leave it out on the curb all week. Can a letter go out to these people?

John Spiegel: Have you spoken to your neighbor?

Pat Schoo: Can't a letter go out?

John Spiegel: You need to speak to your neighbor.

Hewitt McCloskey: Disputes between neighbors about pets need to be resolved between neighbors. On the other matter, we do cite people when trash and waste is put out too soon.

**13. A Reorganization Meeting of the Board of Directors will be held immediately following the Annual Meeting**

**14. Request a Motion for Adjournment of the ERPOA Annual Meeting:**

- a) First motion for adjournment: John Spiegel
- b) Second motion for Adjournment: Ed Schuler
- c) Meeting adjourned at: 8:19 PM