

Minutes for the Eagle Ridge Property Owners Association Meeting for July 6, 2015

Meeting was called to order at 7:02 PM by Hewitt McCloskey . Board members present were:

	Present	Absent
Hewitt B. McCloskey, Jr., President	X	_____
Steve Norris, Vice President	X	_____
Peter Van Leeuwen, Secretary/Treasurer	X	_____
Bill Barnes, Director	X	_____
Ed Schuler, Director	X	_____

A quorum was reached. There were 14 residents present.

Hewitt McCloskey requested that a motion be made to approve the minutes for May 4, 2015 Board Meeting.

First Motion to Approve the minutes: Steve Norris

Second Motion to Approve the minutes: Bill Barnes

All approved, motion carried

Treasurer's Report: Peter Van Leeuwen Monthly summary of Accounts for March and April

Current end of month balances to June 30, 2015	
ERPOA Bank of American Accounts Balance	
Business Savings 7890	2,654.52
Business Checking 1247	43,525.79
Business Checking Reserve 3976	27,290.00
48 month CD 7985 (09/19/2015)	62,173.90
Total as of April 30, 2015	\$135,644.21

Expenses to Date:	Jan 1-Jul 6 2015	Annual Budget
Income	168,421.57	154,415.00
Expenses		
Insurance	8,023.70	8,700.00
Legal Expenses	29,930.29	30,800.00
Operating Expense	30,757.53	26,445.00
Property Maintenance	40,130.83	64,910.00
Utilities	631.97	1,270.00
 Total Expenses	 <u>109,474.32</u>	 <u>154,415.00</u>

We have collected 98% of 2015 fees. There are four (4) houses still outstanding and three (3) condos still outstanding in payment. We are sending out third notices.

President's Monthly Report : Hewitt McCloskey

1. Representing ERPOA, Hewitt McCloskey attended a 10:00 AM meeting on June 11, 2015 at Lee County commissioner Cecil Pendergrass's Office with Steve Darby, our civil Engineer, to discuss cost sharing for replacement of two 21 inch CMP's (corrugated metal pipes) at Eagle Ridge Condominiums. At the meeting we learned of new engineering techniques which we will be using. They also came out and cleaned the pipes for us. They did not agree to any cost sharing. This is a 4 part process, but there is no digging. They will be spraying the inside of the pipe in a four step process.

2. Negotiations are ongoing between the three (3) condominiums and ERPOA. We believe that general agreement has been reached. Now it goes to their attorney to refine and turn into a legal document; then onto our attorney to review.

Steve Norris: Both sides have worked together, each side wanting something. However, we have worked it out fairly.

Paul Hirsh: We had a gentlemen's discussion. Both sides had a point of view about the water management and we listened and discussed. We will continue to contribute to the water management and a little bit extra for the islands and common areas. The agreement is fair and we are pleased with it.

3. The design and engineering work for repair and/or replacement of two 21 ' CMP's is nearing completion. The work has been put out to bid and bids are expected back in about two-three weeks. We should have a fixed price back to review before the next Board Meeting. The Engineers estimate for this work is approximately \$35,000.00.

Steve Norris: There are two 8 ft corrugated pipes at Eagle Ridge Condominiums from the parking lot to the lake. They have deteriorated after thirty plus years. The process used means we will not have to dig a trench or remove or tear up the asphalt of the parking lot. It is a sprayed resin pipe and will last many more years. We have this bid package out for bids and should have replies in two to three weeks.

Request a motion from the Board for approval for the construction cost of \$35,000.00 plus 5% contingency or \$36,750.00.

Peter Van Leeuwen: Are both pipes in the same state of disrepair?

Steve Norris: Yes, they are.

Steve Norris: Motion to approve expenditures of \$36,750.00

Bill Barnes: Second motion

All Approved: Motion passed

4. Mouracade Residence Overview: A list of five (5) violations to the ERPOA Deed of Restriction was presented by Hewitt McCloskey and Bill Barnes to the Arbitration Board chaired by John Spiegel on May 20, 2015. These violations were prepared by the Deed of Restrictions Committee based on monthly property inspections made on September 23, 2014, October 21, 2014, and November 25, 2014.

They included the following violations:

1. Badly stained roof (was cleaned up in April 2015)
2. Repainting the driveway
3. Trash containers out in full view and not put away
4. Wood pallets and other junk in full view in the front yard
5. Improper parking of a truck in a mulched landscape bed

The Arbitration Board took this under advisement and on June 15, 2015 recommended in favor of ERPOA and recommended a fine of \$100.00 a day for sixty-three (63) days to the maximum amount allowed, which is \$5,000.00.

Bill Barnes made a motion for the Board to accept the \$5,000.00 maximum fine

Steve Norris: Second the motion

All in favor: motion passed

The President of the ERPOA will send the Mouracades a letter to pay the fine promptly. They have fourteen (14) days to respond.

Jan Ganter: What does he want? Why is he doing this? We are proud of our community.

Steve Norris: He doesn't want to follow the rules of the community.

Paul Hirsh: I would suggest contacting a representative to discuss this situation, so maybe they can get through the legislation to say they will be allowed to foreclose.

Vice President's Report: Steve Norris (in with the President's report)

Directors Report: Bill Barnes

1. Legislative Report for Home owners Association:

There has been a change for a tenant renting a home in an HOA. If a tenant lives in a house that is being foreclosed on, the tenant must be given 30 days notice to vacate. They cannot throw out the tenant and furniture.

2. Mail box: We have a good supply. We have been doing at least one a week. Painting of the Mail boxes are \$45, which includes the mail box and the light pole. Please call me immediately if the door to the mailbox comes off. We can fix it with replacement of the spring. If you wait, there could be other damage.

Directors Report: Ed Schuler (no report)

Committee Reports

Arbitration Board Committee: John Spiegel

The Arbitration Board took the Mouracade case under advisement and on June 15, 2015 recommended in favor of ERPOA and a fine of \$100.00 a day to the maximum amount allowed , which is \$5,000.00.

Architectural Control Committee :Steve Norris

Request for improvement:

- 10820 Eagles Lookout—Remove planters add pavers and landscaping
- 14661 Bald Eagle--Renovate pool and pool deck
- 14517 Majestic Eagle --Add storm shutters
- 14551 Eagle Ridge Dr. --Paint drive and front door
- 14548 Aeries Way Dr --Paint Exterior and landscape
- 7870 Eagles Flight --Paint Exterior
- 14708 Triple Eagle --New pool and spa
- 14881 American Eagle—Paint exterior
- 14641 Double Eagle—Exterior and driveway painted
- 14660 Eagles Lookout—New roofs
- 7655 Eaglet Ct—New roof
- 14708 Triple Eagle—New gutters and soffit
- 14861 Bald Eagle—New roof

Block Captains Committee: Connie Hope

The directory is out to all Block Captains and to most of the residents. If you haven't received directory, please contact your Block Captain.

There are four areas that don't have Block Captains. Will someone please step up and help us?

1. Eagles Flight Lane 7537-7633
2. Eagles Flight Lane 7584-7616
3. Twin Eagle Lane 7519-7639
4. Aeries Way Drive 14516-14560

Deed of Restriction Committee: Thom Price

A summary of the new and existing property discrepancies for the month June 25, 2015.

There were seven (7) violations that have been corrected. There were three (3) new violations, two (2) second notices and one (1) third notice. There is one ongoing issue that the realtor is holding money in escrow.

Golf Liaison Committee: Steve Norris

There is not a lot of interfacing between the golf course and the ERPOA.

Landscape Beautification Committee – Carolee Swales

1. Two replacement trees (Cabbage Palms) have been ordered and will be planted along Eagle Ridge Drive as well as 17 ornamental shrubs including 6 Bromeliads, 6 Silver Palmetto and 5 Dwarf Variegated Screw Pines. Some have and some will be planted along Eagle Ridge Drive.
2. Six (6) coco plums and five (5) fire bush shrubs along Bald Eagle Drive adjacent to the preserve area have been replaced due to vandalism.

Legal Committee: Bill Barnes

The defendant in the two cases of the ERPOA vs. Mouracade has filed an appeal to the Second District Florida Court of Appeals. Previously the Lee county Circuit Court had awarded ERPOA a refund of legal fees paid by ERPOA to pursue the case. They were about to rule in favor of the ERPOA on an “Order of Enforcement” to allow the ERPOA to clean up the yard. The defendant Mouracade via his attorney appealed to the three Judge Panel in Lakeland, Florida to determine if Lee County Courts have the jurisdiction. The appeal should be determined in 30-60 days. If the appeal is denied, the case will come back to Lee County and the judge will continue with the favorable ruling for ERPOA.

Security and Safety Committee-Connie Hope

1. Demonstrated several different locks for sliding doors and front door. You can also go to Home Depot or Lowes to talk to a sales person about theft protections for doors and sliders. There are many other items and I only brought three (3) to the meeting.
2. The other possibility is to get sensor security lights near the front door and/or in the rear area which goes on when someone steps in front of it.
3. Mike Batista, an electrician, will do this work for \$150.00 each installation, which includes the light and the installation. Call or see me for his phone number. Or any electrical contactor can install them.
4. My liaison in the Sheriff’s Office has informed me that there have been no thefts in the community this month.
5. He reminded me to mention:

1. Keep your doors locked
2. Keep a light on in the house at all times when you are not home.
3. Set your alarms
4. Keep your garage doors closed.
5. And keep your eyes open for strange cars or trucks in places they shouldn't be. Call the police, non-emergency number 239-477-1000 if you see one.

Welcoming Committee: Judy Norris

I have interviews with several new residents and the photos and information will be in the upcoming newspaper. Some of the new residents are snow birds and it is difficult to get in touch with them.

Resident's Comments (limited to three minutes)

1. Kay Turner: We were talking about the money from the reserves. Does it make you uncomfortable to talk about it Peter?
Peter: No it does not.
Kay Turner: Will this cause an increase in the dues to cover the expenses.
Peter Van Leeuwen: No, this should not cause an increase.
2. Luther Ward: Has this project using the spraying of pipes been used before?
Steve Norris: Yes, the County has used it several times recently and it has been very successful. Also the larger cities, such as Miami, have used it effectively for years.
Luther Ward: Things will drain better to the retention ponds?
Steve Norris: Yes, they will.
3. Luther Ward: Do we do a six month budget line item in the newspaper.
Peter Van Leeuwen: There will be a summary in the newspaper.
4. Kay Turner: There will a driving range near the tennis court using nets in September. Activity has already begun at the Golf Course.

A request for a motion for Adjournment:

1. **First Motion for Adjournment: Steve Norris**
2. **Second Motion for Adjournment: Peter Van Leeuwen**

All voted in favor for adjournment.

The meeting was adjourned at 8:10 PM