

# Eagle Ridge Property Owners Association, Inc.

## Agenda for ERPOA Annual Board Meeting on March 7, 2014

Welcome to all single family property owners, lot owners and condominium unit owners to the Eagle Ridge Property Owners Association (ERPOA) Annual Meeting

1. **Certification of a Quorum** – Madam Election Committee Chairperson (Peggy Watts)  
I want you to certify that we have at least 25% of all the property owners, or a minimum of 156 people represented by their presence by their absentee ballot. We do.  
Total Property Owners in attendance or represented by absentee ballot: 230  
Total votes received for Hewitt McCloskey 221  
Total votes received for Steve Norris 218  
Total votes received for Peter Van Leeuwen 213
  
2. **The Official Notice of the Annual Meeting** of the Eagle Ridge Property Owners Association, Inc. was signed by **Board Secretary, Drexel H. Turner** to all voting members and attests to the following:  
Written notice of the Annual meeting to all members was issued on January 21, 2014.  
Notice of the Annual Meeting was posted on the ERPOA bulletin board on February 10, 2014.
  
3. **Roll call to establish a quorum** and for the Introduction of the Board of Directors and the Recording Secretary:
  - (a) Hewitt McCloskey Jr., President \_\_\_\_\_
  
  - (b) Steve Norris, Vice President \_\_\_\_\_
  
  - (c) Drexel Turner, Secretary/Treasurer \_\_\_\_\_
  
  - (d) Jim Roberto, Director \_\_\_\_\_
  
  - (e) Bill Barnes, Director \_\_\_\_\_
  
  - (f) Connie Hope, Recording Secretary \_\_\_\_\_

There were 44\_residents present

4. **A motion was requested to approve the minutes of February 3, 2014**  
First motion to approve the minutes of February 3, 2014: Jim Roberto  
Second motion to approve the minutes of February 3, 2014: Steve Norris  
All approved .

5. **2013 Year End Financial Summary** by Drexel Turner, Treasurer:

- (a) Monthly financial summary of receivables and expenses for February 2014.
- (b) Final tally of assessment delinquencies for 2013 is 46.
- (c) Total number of Assessments received to date in 2014 is 576.

Treasurer's report was provided by Drexel Turner

| <b>Current end of month date February 28, 2014</b> |                  |                   |
|--|------------------|-------------------|
| <b>Assets</b>                                      |                  |                   |
| Current Assets                                     | Checking/Savings |                   |
| 12 month CD-1384 (01/13/2014)                      |                  | 10,065.90         |
| 48 month CD 7985 (09/19/2015)                      |                  | 61,394.32         |
| Business Checking 1247                             |                  | 75,394.06         |
| Business Savings 7890                              |                  | 2,653.70          |
| Reserve Account                                    |                  | 14,275.00         |
| <b>Total Checking/Savings</b>                      | <b>\$</b>        | <b>163,782.98</b> |
|  |                  |                   |
| <b>Total Current Assets</b>                        | <b>\$</b>        | <b>163,782.98</b> |
| <b>Liabilities &amp; Equity</b>                    |                  |                   |
| Equity   |                  |                   |
| Opening Balance Equity                             |                  | 105,898.16        |
| Unrestricted Net Assets                            |                  | -33,149.88        |
| Net income   |                  | 91,034.70         |
| <b>Total Equity</b>                                |                  | <b>163,782.98</b> |
|  |                  |                   |
| <b>Total Liabilities &amp; Equity</b>              | <b>\$</b>        | <b>163,782.98</b> |

Eagle Ridge Condos are at 95% paid  
 The Fairways Condos are at 94% paid  
 The Pines Condos are at 95% paid  
 Single family homes are at 91% paid

6. **2013 Year End Summary Hewitt McCloskey, President**

- (a) The final Revised ERPOA "Deed of Restrictions" was approved by the required number of residents and recorded in Lee County on September 17, 2013.
- (b) Landscape improvements in 2013 included:
  1. Additional flower beds were added at the main entrance center island at Daniels Parkway and Eagle Ridge Drive and the center island at Aeries Way Drive and Eagle Ridge Drive.
  2. Landscaping was added in front of the Preserve area along Bald Eagle Dr. More landscaping in front of the preserve is to be installed in 2014
  3. The sewage pump lift station located at the intersection of Soaring Eagle Circle and Twin Eagle Lane was totally re-landscaped.
- (c) All of the existing trees planted in Eagle Ridge common areas were inventoried in 2013. We have a total of 182 trees composed of 14 different species. Our most abundant species by far are the Queen Palms. We have

expanded the landscape maintenance to include all of these trees, as well as increased the areas of lawn maintenance.

- (d) We have found a local manufacturer of our mail boxes by the name of “Texas Metal Industries’. Frank Taldone will coordinate the purchase, delivery and installation of the replacement mailboxes. This can now be accomplished in a matter of 4 or 5 days rather than 4 or 5 months at a fraction of the previous cost.
- (e) Concerning our two on-going legal disputes with ERCA and 14661 Double Eagle Ct. We continue to interview additional attorneys for 14661 Double Eagle Ct. We have reached a tentative settlement agreement with ERCA. Since this is not finalized, we cannot discuss details of the settlement publicly at this time.
- (f) As a general statement and to increase community awareness, we must all be aware that the oldest sections of the community are approaching thirty years.  
As such, we must be prepared to repair and at times replace some of our existing infrastructure. This may include, but not be limited to, drainage structures such as pipes, culverts, inlets, discharge structures, etc. It may also include our street signs, entrance monuments, and landscaping.

#### **Vice President’s Report: Steve Norris**

I want to thank Drexel Turner for his service on the Board as Secretary/Treasurer. I want to thank Ed Schuler for his help and efforts on the rewriting of the Deed of Restriction.

I also want to thank the residents of Eagle Ridge Community for their efforts and cooperation in helping to keep Eagle Ridge a great looking community. We take pride in our community and it shows. I have had many people tell me that , and we on the Board do appreciate it.

#### **Director Report : Jim Roberto**

Several residents inquired about the fact that legal expenses were already running at a pace that would put them well beyond the budget by the end of the year. I stated that this is an inevitable reality in light of both even more amendments to and stepped up enforcement of the 720 law. I informed the attending residents that directors are now required to obtain formal instruction (given by many law firms) on the applicability of the law and that there were new penalties being introduced for non-compliance. I circulated a complicated flow chart, also prepared by our attorneys, detailing the myriad of steps that must be followed to assess enforceable fines on habitually offending and rule breaking residents. "I'm afraid that \$30,000 to \$40,000 annual legal fee budgets for communities the size of Eagle Ridge that try to set the kind of standards we live by are a thing of the past in this legislative environment". I further indicated that while we can probably bring the overall budget in on target because we have some legal fee reserves, eventually we're going to have to start building both legal budgets and capital reserves

that reflect the fact that we are dealing with an aging infrastructure in what is becoming an increasingly litigious environment.

### **Director Report: Bill Barnes**

I am the political liaison. We have had Cecil Pendergrass attend our social gathering and he has been helpful on several projects. Coming next year, all homeowners associations are going to be under a new authority at the state level.

The Twin Eagle ditch project will be under way in the next few weeks. We will have a meeting of the Twin Eagle ditch project after this meeting in the far corner of the room.

### **A brief summary of the yearly Committee Reports**

#### **1. Architectural Review Committee: Steve Norris**

There have been 80 applications for a variety of things: house painting, new swimming pool, paving driveways, replacing roofs and the like. There are 5 pending items that will be completed in the coming year and 6 others have asked, but decided not to go ahead.

#### **2. Block Captains Committee: Connie Hope**

1. We have published the Phone Directory in 2013 and will again in 2015. I have some here.
2. The next time the directories are published, if you don't want your phone number listed, you will need to let us know. The Florida rules have been changed.
3. We are still looking for three Block Captains. I'm still calling people, but not getting much of a response. I need Block Captains for:
  1. Aeries Way Drive 14516-14572.
  2. Eagles Flight Lane 7775-7919
  3. Eaglet Court 7614-7684
4. The Block Captains' concept works only if we can get volunteers. When I call, please step up and help. It won't take a lot of your time.
5. We have a new Block Captain on Eagles Outlook, Kathy Furlong. She is also new to the neighborhood and has offered to help. Thank you.
6. I should have updates for each Block Captain within a month; I will be emailing every Block Captain.
7. I will also be emailing them the new sheets with information about the Directors.
8. In May, we are planning on having someone from the South Fort Myers Trail Fire Department speak at the meeting.

### **3. Deed of Restrictions Committee: Ed Schuler 2013 DOR Committee Annual Report**

2013 was an important year for the Deed of Restrictions Committee as it was the year where we were able to make significant and much needed amendments to the Deed of Restrictions. The project was the culmination of multi-year efforts by past and present committees. The amended DOR was filed with the State of Florida in September. It can be read in its entirety on the Eagle Ridge Website.

A second action was a Fining Resolution passed in February, 2014 which outlines the Procedures we will follow when a resident fails to make necessary corrections requested by the committee. These actions can result in significant fines and possible liens on a property.

The DOR committee realizes that much of what we do is subjective and requires good judgment. The DOR committee tries to make a tour of all single family homes each month. Last year we conducted 10 such tours, usually the third week of the month. We have 4 members in the vehicle looking for violations of the Deed of Restrictions. When one is observed, the four members vote as to whether it rises to a level that we should ask the homeowner to make corrections. If we get a majority vote, a violation notice is left in the door or mailed to the owner if known to be away.

Last year the majority of violation notices were for the following infractions:

- Stained driveways
- Stained roofs
- Poorly maintained lawns
- Dirty or stained walls
- Vehicle or parking violations.
- Dead palm fronds
- Trash cans or other items not stored out of view from street or neighbors

Overall, most residents correct infractions promptly and require no further attention. A few homes get second notices as they do not properly respond to the first notice. The committee has heard from many of the residents indicating they are pleased with the overall appearance of Eagle Ridge properties.

### **4. Golf Liaison Committee: Jim Roberto**

There are two groups that are showing interest in the golf course. We are very excited about this possibility. The golf course is doing well, but we still need residents to play more golf at Eagle Ridge.

### **5. Legal Committee: Jim Roberto**

I, too, wanted to say a special thank you to Drexel Turner for his years of hard work as our

Secretary/Treasurer.

6. **Hewitt McCloskey** introduced Peter Van Leeuwen to the residents. Peter will be our new board member for a two year term and serve as our Secretary/Treasurer, which is a very important job.

**Association Members Comments and Questions:**

- (1) Mark Cooper would rather see annual association dues go up for the year as opposed to a special assessment.
- (2) Jan Ganter: If the pipe is within a private community, why are we responsible? We chose not to answer this question until the issue is completely resolved.
- (3) Resident: Is there a street light protocol? Who will repair them?

Hewitt McCloskey: We have two people that repair the lights. This information is in the newspaper with names and phone numbers. They will repair and change bulbs and photo sensors. ERPOA pays for this work.

- (4) Joe Foster: Most calls on the lights are because fuses are out or plugs are out and some are bad light bulbs and/or sensors.
- (5) Resident: If additional money is needed for a reserve fund for the drainage problem, why not raise the assessment to \$50.00 for each family.  
Hewitt McCloskey: This has been considered and may very well be necessary depending on what we find after hiring an engineering firm to survey the condition of our existing drainage structures. The engineering study will guide us as to what is necessary for an increase in our reserves.

**A motion was requested for Adjournment:**

- (a) First motion for adjournment: Steve Norris
- (b) Second motion for adjournment: Jim Roberto
- (c) All approved

The meeting was adjourned at 8:20 PM.