

# Eagle Ridge Property Owners' Association, Inc.

## Minutes for ERPOA Annual Meeting on March 5, 2018

Greetings and welcome to all Eagle Ridge property owners to the Eagle Ridge Property Owners' Association (ERPOA) Annual Meeting of March 5, 2018.

1. **As the first order of business**, I request the ERPOA Treasurer verify that the written notification of the 2018 Annual Meeting was properly issued in accordance with the ERPOA by-laws at least 30 days before the Annual Meeting and that 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. Mr. Secretary, please verify the above information:  
**Peter Van Leeuwen, Secretary/Treasurer: I verify the information was mailed and posted in accordance with the ERPOA By-Laws.**
  
2. **Certification of a Quorum** – The second order of business is to certify with the Election Committee Chairman, Steve Norris, that we have represented either in person or by ballot/absentee ballot at least 25% of the 622 property owners represented at this meeting. Therefore, Mr. Elections Committee Chairman do we have at least 156 or more property owners in attendance or represented by their ballot/absentee ballot? Yes. The actual total number of property owners represented is 219. Thank you Mr. Elections Committee Chairman. We can now proceed with the March 5, 2018 Annual Meeting.  
There were 39 Residents in attendance at the Annual Meeting
  
3. **Roll Call** to introduce the ERPOA Board of Directors and Recording Secretary:

(a) John J. Spiegel President	Present: <u>  X  </u>	Absent: <u>      </u>
(b) Richard Herman, Vice President	Present: <u>  X  </u>	Absent: <u>      </u>
(c) Peter Van Leeuwen, Secretary/Treasurer	Present: <u>  X  </u>	Absent: <u>      </u>
(d) Hewitt B. McCloskey, Jr., Director	Present: <u>  X  </u>	Absent: <u>      </u>
(e) Christine Leslie, Director	Present: <u>  X  </u>	Absent: <u>      </u>
(f) Connie Hope, Recording Secretary:	Present: <u>  X  </u>	Absent: <u>      </u>
  
4. **Request a motion** to approve the ERPOA Board meeting minutes of February 6, 2018:

First Motion to approve: Richard Herman

Second Motion to approve: Hewitt McCloskey, Jr

All in favor. Motion carries.

5. **General Financial Summary from March 6, 2017 to March 5, 2018 : Peter Van Leeuwen, Treasurer**

Current balances as of 12/31/2017

Checking     \$110,633.96

Reserve       83,976.42

Savings       3,000.00

**(a) 2017 Income (P & L 2017 Document)**

There are 90% of the income are from the annual dues.10% of the income are from other sources.

Estopple fees	\$6,400.00
Late fees	1,025.00
Mailbox reimbursement	3,403.00
Transfer fees	2,250.00
Interest on savings	.63

**(b) 2017 Expenses (P & L 2017 Document)**

Insurance is 7.2% of expenses  
Legal fees are 13.6% of expenses  
Operating fees are 14.5% of expenses  
Property Maintenance fees are 61.4% of expenses  
Reserve expenses are 2.14 %  
Utilities expenses are .6%

**(c) Reconciliation reports for: February 28, 2018**

- a. Checking: \$232,943.67
- b. Savings: \$3,000.10
- c. Reserves: \$107,974.37

**(d) Payment for the Annual assessment**

20 Single family houses have not paid  
7 Condos have not paid  
95% collect  
2<sup>nd</sup> Notice went out on March 1, 2018  
3<sup>rd</sup> Notice will go out on April 1, 2018  
Then they will be handed over for legal collection

**(e) John Spiegel: Peter is leaving the Board. He has served for four years.  
Thank you so much for all your hard work on behalf of our Association.**

**6. Summary of Projects and Activities from March 6, 2017 to March 6, 2018, John Spiegel, President**

- (a) In 2015, the three condos associations decided to file a law suit against ERPOA. Eagle Ridge Property Owners Association has prevailed in the lawsuit filed against ERPOA by the 3 Eagle Ridge condominium associations and their members. The condos and their members have appealed the court's ruling. On January 8, 2018, the Circuit Court ruled that ERPOA is entitled to attorney fees and cost once the appeal ends. To date, ERPOA and its liability insurance carrier have spent in excess of \$200,000.00 in attorney fees to defend the lawsuit.
- (b) The community experienced street and yard flooding in August due to 20 inches of rain in 4 days. Soon after, Hurricane Irma struck the area triggering another flood episode but little damage to homes, but electric service was out for varying periods of time from several days to a few weeks. Substantial tree damage did occur, causing the unsightly creation of large piles of yard waste. The debris was picked up approximately 7 or 8 weeks following the hurricane.
- (c) The FPL new buried service line along Aeries Way Drive and Twin Eagle Lane has not yet been finished due to a number of issues including having to relocate a

number of large green transformer boxes. The original placement of those boxes was poorly selected. At our request, FPL agreed to change the locations and eliminate one of the transformers. Irma was also a factor in the delay. It is expected that the work will be finished within the next two to three months.

- (d) We have gotten notification that on March 13, 2018 there will be a 3 hours electrical power outage. When we get more information, we will send out an email blast and keep you updated.

## **7. Vice presidents Report: Richard Herman**

- (a) Progress report on our effort to have new walkway/bike path installed by Lee County along Eagle Ridge Drive and American Colony Drive.
- (b) The Lee County Bicycle and Pedestrian Advisory Committee has finalized their end of year ranking of proposed projects and has remitted their list to the County Commissioners. In September, the County Commissioners will select the next projects that they will fund and add to their 5-year plan. Our request is currently ranked 9th out of 94 projects in Lee County and 4th within our District. If our project isn't selected in September, we will have to wait another year to see whether our project is selected for funding.
- (c) In the meantime, please feel free to contact our County Commissioner, Cecil Pendergrass, and let him know that you strongly support the proposed Bicycle and Pedestrian Path along Eagle Ridge Dr and American Colony and that you request his support to have the project selected for funding this September.
- (d) Bike path update – As you may know, in November 2016, we presented an application to Lee Co. (Bicycle and Pedestrian Advisory Committee) for a bicycle and pedestrian path connecting the Eagle Ridge community with the existing path that runs along Daniels. Specifically, we requested 2 segments:
  - 1. path along Eagle Ridge Dr. from Daniels to Aeries Way Dr;
  - 2. path along American Colony from Daniels to Eagle Ridge Dr.
- (e) The Committee subsequently took the first step and approved our application and added it to a list of prospective projects and has estimated that our project will cost about \$800,000. At the end of each year, the Committee ranks all prospective projects and submits the list to the Lee County Board of Commissioners so the County Board can select the next projects to be funded in their 5-year plan.
- (f) The good news is that we are currently ranked #9 out of 94 projects in Lee County. The County further partitions the projects into 4 groups, which align with the various taxing districts, and frequently selects projects from each of the districts to fund each year. We are currently ranked #4 within our district.
- (g) The bad news is that the County generally spends between \$3-5M each year on sidewalks and bike paths and the 9 projects in front of us in the County total about \$25M. Further, the projects in front of us in our District total about \$6.5M. The County Commissioners already have projects selected to be funded for the next 4-years. In September, they will select the next projects to incorporate into

their next 5-year plan. If our project isn't selected in September, we will have to wait another year to see whether our project is selected for funding. So best case scenario, we are realistically looking at 5-10 years before they will get to the installation of our paths. In the meantime, please feel free to contact our County Commissioner, Cecil Pendergrass, and let him know that you strongly support the proposed Bicycle and Pedestrian Path along Eagle Ridge Dr and American Colony and that you request his support to have the project selected for funding this September.

## **8. Directors Report: Christine Leslie**

- (a) Drainage Committee: As a result of the meeting we had with several parties on January 22, 2018, the County has confirmed they own the Aeries Lake located along Aeries Way Drive. They have maintenance responsibility for all of the South 40' Flood Easement.
- (b) Legends confirmed they have maintenance responsibility for the East Flow way and have already cleaned out the vegetation and debris.
- (c) The Golf Course is getting bids to clean the 6 pipes adjacent to Twin Eagle Lane that are county pipes but are blocked with sediment from the Golf Course lakes. In addition, the Golf Course is still working with SFWM to do an upgrade to the golf course that would allow more water storage. Any action that would result from this once approved by all parties, would not begin until 2019 as it is a significant cost.

## **9. A Brief Summary of the yearly activities from the various Committee Chairpersons**

### **(a) Landscape Beautification Committee: Hewitt McCloskey, Jr.**

1. Construct a matching raised masonry planter in the center Island of Eagle Ridge Drive at the intersection of Daniels Parkway and Eagle Ridge Drive. Split the tall red existing Bromeliads in the existing raised masonry planter in front of the Eagle Ridge bulletin board and plant in new raised planter. New varieties of Bromeliads will be planted in front of the tall red Bromeliads.
2. Eight new shrub beds were installed in the center island of Eagle Ridge Drive between Aeries Way Drive and Eagles Flight Lane consisting of 3 beds of Blue Plumbago and 5 beds of Manny Croton.
3. Ongoing replacement of existing trees and shrubs as needed due to loss from storm damage and plant disease.
4. Regrade and sod around new planter to blend into surrounding lawn and remove existing palm clump trunks behind planter and complete all by March 10, 2018.
5. The Golf Maintenance Yard appearance. The Golf Course has proposed in a month or so to put a black 6 foot high chain link fence around the maintenance area. Once that is done the Association will put in a 4 foot high hedge of coco plum.

6. The Golf Course has gotten rid of the dumpster.

**(b) Architectural Control Committee: Bill Simons**

Things are going very well. Residences are very co-operative.

There are a few people that have been tardy.

We are making sure that we don't have crazy colors for houses.

John Spiegel: We have gotten some unusual requests. A resident wanted to paint a house black. That request was denied. Thank you Bill.

**(c) Deed of Restrictions Committee: Donald Peters**

John Spiegel: Don Peters is stepping down as chair of the DOR committee and we thank him for his service. As a direct result of Don's work and leadership, the vast majority of our property owners are always in compliance with the DOR, and those who are not have been addressed. The work of the DOR committee is essential to maintain the beauty and values of our community. The Deed of Restrictions is always available to review on our website, [www.eagleridge33912.com](http://www.eagleridge33912.com).

Frequent problems include improper parking of commercial vehicles and trailers as well as dirty driveways and roofs. Less common are poor landscape maintenance and trash containers in front of homes. The DOR committee inspections are supplemented with reports received from homeowners. We all benefit from everyone keeping their property beautiful. Brian Halfacre is the new chair of the DOR committee. We are grateful to Brian for his willingness to serve.

(a) Reflecting on the last year's DOR tours, it appears that better than 90% of the community complies with the restrictions. The purpose of doing inspections and issuing violations is to keep our community beautiful and property values high. Commercial vehicles, equipment and signage as well as trailers parked illegally are undesirable, un-neighborly and need to be dealt with severely.

(b) Landscaping non-compliance has been another area that detracts from our community. Sometimes we are only able to get around monthly, but many neighbors help us by bringing to our attention situations that need extra attention. Your help by contacting us is always appreciated.

(c) We highly recommend that everyone takes the time to read the DOR documents found on the website at [WWW.eagleridge33912.com](http://WWW.eagleridge33912.com). Go to Resources then Documents then Deed of Restrictions.

(d) I thank you for your past cooperation, but I have a personal need to turn the Chairperson position over to Mr. Brian Halfacre.

(e) Brian and I have worked on a transition plan during the last few weeks. Together with our mutual experiences and his exceptional talents in the IT (Information Technology) field, I am confident that our Eagle Ridge Community will see even greater experiences in maintaining us as one of the most desirable communities to live in.

(f) Brian Halfacre: I am looking for a way to automate the system.

(g) John Spiegel: Violation: A fine for 14581 Bald Eagle Drive for repeated improper parking of a trailer and outside storage of items will be

recommended. \$50.00 per day for each violation for 10 days totaling \$1,000.00.

Christine: I make a motion to fine this property

Richard Herman: I second the motion.

All in favor: Motion carries

- (h) Arbitration Board hearing last week voted to impose a fine of \$3,500 on a property. We sent a letter in regular mail. We also sent a certified letter which was not accepted.

John Spiegel: I make a motion to impose the \$3,500 fine.

Hewitt McCloskey, Jr. L I second the motion.

All in Favor, Motion passed.

**(d) Golf Liaison Committee: Steve Norris**

No report The Golf Course is doing well business wise.

**(e) Security and Safety Committee: Connie Hope**

1. This last year we had several incidents during July, August, September and October, including several car break-ins of unlocked cars and vehicles were stolen with keys left in the cars. Do not leave items of value visible items in your car. Keep your cars and homes locked with garage doors closed. If you see something that is not quite right, call the non-emergency number at the Sheriff's office 239-477-1000. If you see something that looks dangerous call 911 and report it.
  2. Here are additional suggestions from the Sheriff's Office:
    - (a) Consider a motion detector light (ideally equipped with a video camera) at your front and rear doors
    - (b) Call the non-emergency number and give a description of any suspicious vehicle and license number. Let the police check out the vehicle, don't do it yourself.
  3. This last week there was a drug bust in a house on Twin Eagle Lane which involved several police officers and vehicles. We hope to have more information on this soon.
  4. The 2018-2019 Eagle Ridge Phone Directory will be coming out in early 2019.
- (e) **Arbitration Board:** A meeting was held On March 2. 2018. By a unanimous vote, the \$3,500.00 fine for 14601 Bald Eagle Drive was approved. The ERPOA board will be asked to impose the fine.

**10. Election Results:** Mr. Elections Committee Chairman, do you have a total of the voting for the three (3) candidates for the ERPOA Board of Directors and if so what are the results? In addition were there any significant number of write- in candidates for any one candidate and if so who were they?

**We have met the quorum of 156 votes. We had 219 votes  
The following have been voted on the Board:**

1. Richard Herman

2. Hewitt McCloskey, Jr
3. Margaret “Peggy” Jermyn
4. Write-in Candidate(s) 2 write in votes


**11. Association members Questions and Comments:** (when called upon to speak please give your name and address)

- a) Don Allen: I want to congratulate the Board for taking care of matter this year. Will there be a Eagle Ridge Sign in the island at Daniels?  
Hewitt McCloskey: There will not be a sign there. We hired a company to make the sign and get permission from the County. They were unable to get permission from the County and they refunded our money
- b) Nancy Kyle: The Golf Course maintenance fence—where will it be erected?  
John Spiegel: It will be set back from the road where the original fence was erected.
- c) Gail Newmark: Do we have control of the lamp post lights that should be on at night? Maybe we could put something in the newspaper about making sure people leave there lamp post lights on at night. We don’t have street lights. Several years ago I made drove around the community at night and made a list of the houses that did not have lamp post lights on.  
John Spiegel: Could you send me the list with the names and addresses that do not have their lamp post lights on at night.
- d) Wolf Hager: Preserve on Bald Eagle Drive—There are some trees down along the road and some down in the Preserve. What is the plan to clear them up.  
Hewitt McCloskey, Jr: We will look into the matter and clean them up.  
John Spiegel: Some trees just need to be pruned.
- e) Rick Jermyn: The golf course put in a new culvert. How do I get the culvert deepened. Can I do it myself? Yes, you can.  
Rick Herman: Call Lee County Transportation—RFA—a request for action. They will come out and examine it and remove and clean out the swale and then come back and sod it. It takes about 6 months to complete the job.

**12. A reorganization meeting of the Board of Directors will be held immediately following the Annual Meeting**

**13. Request a motion to adjourn the Annual Meeting**

First motion for adjournment: Richard Herman  
Second motion for adjournment: Christine Leslie  
All in favor. Motion passed  
The Annual Meeting was adjourned at: 8:07 PM



*Eagle Ridge Property Owners' Association, Inc.*  
*14501 Series Way Drive,*  
*Fort Myers, FL 33912-1719*

March 5, 2018

## **Eagle Ridge Property Owners Association Reorganization Board Meeting**

The Reorganization Board of Directors Meeting following the Annual Meeting of the Eagle Ridge Property Owners Association was held at the Unitarian Universalist Church located at 13411 Shire Lane, Fort Myers, Florida at 8:10P. M. on March 5, 2018.

The following list of ERPOA Directors were newly elected or re-elected to the Board for a term of two years starting on March 6, 2017:

Richard D. Herman  
Hewitt McCloskey, Jr.  
Margaret "Peggy" Jermyn

Existing Board members serving the second year of their two year term include:

John J. Spiegel  
Christine Leslie

The Election of Officers as selected by the Board of Directors are as follows:

President: John J. Spiegel  
Vice President: Richard D. Herman  
Secretary/Treasurer: Margaret "Peggy" Jermyn

The Board of Directors unanimously nominated Steve Norris as Chairperson of the Arbitration and Fining Board for a period of one year starting on March 5, 2018

Request a motion to adjourn the Reorganization Meeting:

First Motion: Hewitt McCloskey, Jr.  
Second Motion: Richard Herman  
All in favor, motion passed  
Meeting Adjourned at: 8:16 PM

Minutes approved by: John J. Spiegel, President:

Dated 3/5/2018

Minutes prepared by Constance L. Hope, Recording Secretary:

Dated: 3/5/2018