

Minutes for the Eagle Ridge Property Owners Association Meeting for December 3, 2012

Meeting was called to order at 7:05 by Hewitt McCloskey . Board members present were:

	<u>Present</u>	<u>Absent</u>
Hewitt B. McCloskey, Jr.	<u> X </u>	<u> </u>
Steve Norris	<u> X </u>	<u> </u>
Drexel Turner	<u> X </u>	<u> </u>
Frank Taldone	<u> X </u>	<u> </u>
Jim Roberto	<u> X </u>	<u> </u>

A quorum was reached. There were 19 residents present.
Hewitt McCloskey requested that a motion be made to approve the Minutes for November, 2012 Board Meeting.

Motion by: Drexel Turner

Second by: Frank Taldone

All approved.

Treasurer's report was provided by Drexel Turner

Current end of month date , 2012		
Assets		
Current Assts		
Business Savings	\$	7,650.28
Business Checking 1247	\$	11,670.94
CD-1384 (01/13/2013)		10,041.74
CD-7890		60,620.09
Total Checking/Savings	\$	89,983.05
Total Current Assets	\$	89,983.05
Liabilities & Equity		
Equity		
Opening Balance Equity		105,898.16
Unrestricted Net Assets		-3,272.36
Net income		-12,642.75
Total Equity		89,983.05
Total Liabilities & Equity	\$	89,983.05

The ERPOA Annual Assessment of \$210.00 will be issued by Jorge Mendieta on December 15, 2012 and the mailing will go out.

President's Monthly Report : Hewitt McCloskey

1. It is time again to set up and decorate the Eagle Ridge Christmas Tree. The tree will be decorated on Saturday, December 8, 2012 on or about 9:30 AM. Santa and I would appreciate your help.
2. The shared pump with Musa located on Musa Property adjacent to Eagle Ridge Drive has been replaced and is operating as it is supposed to. Our shared cost is approximately \$800.00.
3. It is three months to election of officers. I request any interested resident to contact me at 239-225-6609 or any other Board Member about serving on the ERPOA Board of Directors. There will be two (2) openings that will become available in March 2013.

4. The current status of the votes as of December 3, 2012 to change the voting percentage to amend the Deed of Restrictions is as follows:

Total Possible votes:	402	
Total votes received:	333	
Total votes in favor:	224	67%
Total votes against:	109	33%
Total votes not responding:	69	

The amending the Deed of Restrictions has passed.

I have requested Ed Schuler, Chairman of the Deed of Restrictions Committee, and the DOR Rewrite Committee to give a summary of the voting process starting with our initial mailing on September 14, 2012.

Ed Schuler's Report:

Deed of Restrictions Amendment Vote Report as of December 3rd 2012

After last year's attempt to amend the whole DOR, it was decided at a monthly meeting to first change the number of votes required to amend the DOR before trying to update the whole document. The reason for this was because a large number of owners simply failed to return such ballots in the past, making it impossible to get a majority vote. In this process we found that many other HOAs have faced a similar problem and had already modified their voting requirements.

On September 14th we sent out the first of two letters asking property owners to approve an amendment to the Deed of Restrictions to reduce the required number of votes from a majority of residents (202 of 402) to 25 percent of homeowners, which would be 102 votes. To encourage a greater response, this single issue mailing included an addressed stamped envelope to return the ballot.

In spite of our efforts to simplify the process, we needed to send out a second letter to 170 of those who still did not respond to the first letter. This letter was sent on or around October 20th.

Three weeks later we were down to 114 who had not voted. This was the half-way point of the 90 day period allowed by Florida law to complete the vote.

At that point, Board and Committee members took the list of those who still had not voted and made personal phone calls or visits requesting a vote for or against the amendment.

During this period Hewitt, Steve and I would meet every few days to open and record the ballots returned since the last session. All ballots have been retained with their envelopes and dated with date of opening. Also during this waiting period, a committee was formed, consisting of Hewitt McCloskey, Steve Norris, Peggy Watts, and myself to review previous proposed rewrites of the DOR and add a few more changes based on input from Linda Brown, chairperson of the Architectural Control Committee.

Around November 13th we received the needed 202 'Yes' votes. We continued with the personal calls the following weekend to ensure a greater majority vote. By November 21st we had 10% over the required number of 'Yes' votes with 69 residents who still had not voted.

Voted Yes	224	55.4% of 402	67.3% of votes cast
Voted No	109		
Not Voted	69		

What's next?

1. By law we are required to notify all owners of the results of this amendment vote within 30 days of achieving passage. This will be done on December 5, 2012.
2. Following an opportunity for the Board to review the next round of proposed amendments, we will post the proposed amendments on our Website for residents to review and comment.
3. After the resident review period, we will send out a mailing to all owners with all proposed changes in underline and strikeout format with a reply sheet enabling the owner to disapprove any individual amendment change.

I personally wish to thank all those who helped achieve passage of this amendment and all those in the past who were involved in rewriting the proposed new Deed of Restrictions.

Many of the proposed changes are a result of responding to Architectural Control Committee requests and recognized shortcomings of the original document as well as correcting grammar, spelling and typos. The 'Rewrite Committee' feels that all proposed changes are needed and in tune with the desires of a majority of owners.

Comments:

1. Cathy Dhimos: Did you go door to door and have people sign it?
Hewitt McCloskey: We did. People who had not voted were asked to fill out the ballot, sign it and put it in an envelope.
2. Denny Brown. I had asked why we had abandoned the secret ballot. Thank you for checking and making the information available to me. My suggestion to the Rewrite Committee is to consider including the secret ballot.
3. Cathy Dhimos: Questions on the total number of votes
Ed Schuler: There were 224 'Yes' votes and 109 'No'. There were 69 residents who did not vote.

I have requested Ed Schuler to prepare the final revisions to the "Deed of Restrictions" and issue them to all Board members for their review and comment. I will then ask the Board to approve the final copy at the January 6, 2012 Board meeting and will mail the final copy to all property owners on or about January 10, 2013 for their line by line approval.

5. Peggy Watts will be the Chairperson of the Election Committee. She will be assembling a team to work on this. If you are interested, please contact her as soon as possible.
6. Status of sign upgrading proposal for the center island of Eagle Ridge Drive. We have to meet with several agencies at the County level. I'd like Kay Turner to help and attend these meetings.
7. Utilities Inc. of Eagle Ridge is proposing another rate increase. We will go to the meeting and argue against the increase.

Question from the floor whether we could hook up to the County Waste System.

Ron Campbell: He will check this out and see whether we could at some future point consider doing this.

Vice President's Report: Steve Norris

1. Current status of pumps and pump house. The irrigation system of the Golf course is now up and running. They will do some planting around the building in the next few weeks.

Director's Report: Jim Roberto

1. Any feedback from budget proposal of November 5, 2012. The beautification and maintenance projects enhance our property. There was a small annual rate increase adopted of \$10.00.

Cathy Dhimos: Have we gotten any more money from the developments along Eagle Ridge Drive? Did Eagle Ridge Lakes contribute?

Hewitt McCloskey: Eagle Ridge Lake did not contribute. We have two other communities that have said they will contribute. I have collected \$400 so far. I will follow up with the two others sometime this month.

Committee Reports

Architectural Control- Linda Brown

New Approvals

1. 14700 Eagles Lookout Ct Request to stain driveway, approved
2. 14670 Triple Eagle Ct Request to remove large canary palm and replace with smaller palm.
3. 14533 Aeries Way Dr, request to install hurricane wind abatement screen to windows.
4. 14881 Bald Eagle Dr., Request to repaint house and install new wood stained front door.

5. 14600 Bald Eagle Dr., Request to install pavers on their existing pool deck and lanai.
6. 14941 Bald Eagle Lane Request to install pavers from driveway to door to lanai and create a small patio in side yard.
7. 14613 Aeries Way Dr. Request to repaint front door and lanai bathroom door.
8. 14708 Triple Eagle Ct. Request to replace roof and repaint house in same color.
9. 7841 Twin Eagle Lane Request to repaint exterior of house

Block Captains-Connie Hope

1. Permission forms for Phone Directory is now at 329.
2. Block Captains are going to work hard and get more permission slips from those who have not sent them and all the snowbirds that have returned.
3. The next Farmers Market will be on January 5, 2013. Please support the market.
4. Support your golf course. If you want to enjoy a nice lunch, go to the Luncheon at the Eagle Ridge Golf Course.

Deed of Restriction- Ed Schuler

On the October 24th property inspection at Eagle Ridge there were 38 violation notices: 31 for driveways, 4 roofs, 2 garage door repaints, 1 front door refinish.
 By the November 21st tour, 20 of the 38 violations were satisfactorily resolved. 12 additional violations were added on this tour, mostly for driveways.

Golf Liaison Committee: Jim Roberto

Nothing new

Maintenance & Beautification – Carolee Swales

Nothing new

Security and Safety Committee-Drexel Turner

One robbery on November 5 has occurred in our development

Social Committee-Cathy Dhimos

The next social gathering will be in the Eagle Ridge Golf Club House on Friday evening, January 18, 2013 at 5:30 PM. Food and cash bar. Please call and make your reservation with Cathy Dhimos.

Welcoming Committee- Judy Norris

We have a new chairperson for the Welcoming Committee. She will be interviewing new residents and sending articles to *Eye of the Eagle* about the new residents.

Resident's Comments (limited to three minutes)

1. **Ginny Schuler:** The legal expenses were \$5400. Why so high?
Steve Norris: We have had several outstanding lawsuits; each time we meet with the attorneys to ask a question it is a charge. This invoice is from before August to November of this year.
2. **Peggy Watts:** There is a pump station on Twin Eagle that has only half planted. What is happening with this?
Hewitt McCloskey: We are planning to remove what is there and plant all new shrubs in that area. It will take a month or so to complete.
3. **Donna Rickect:** The pump station on Twin Eagle is at my house. I would like to have new plants in by Christmas. There is also a large swale in my backyard and the grass is very high. Who can cut that?
Hewitt McCloskey: The pump station area will probably not be complete until mid January. You will need to call the County, D.O.T on the area in the backyard. It is maintained by Lee County D.O.T.

4. **Dan Fontanin:** Next door to his property is a broken water drain. (Broken Pipe). It is on the golf course side.
Jim Roberto and Steve Norris will come out and take a look. The lot has been sold and should be cleaned out.
5. **Joyce Johnson:** The sign on Aeries Way Drive is not lighted. There are no spot lights on either end.
Hewitt McCloskey: I will have someone check that out and get it repaired.
6. **Rob Oudkerk:** What about the dog issue?
Jim Roberto: We will be putting in the proposed Deed of Restrictions changes that a maximum of four (4) dogs or cats are allowed All other species will need to be approved by the Board of Directors.

The President requested a motion for Adjournment:

1. First Motion: Drexel Turner

2. Second Motion: Steve Norris

All voted in favor for adjournment.

The meeting was adjourned at 8:20 PM