

**PINE LAKES ESTATES HOA EMERGENCY BOARD MEETING  
SUNDAY, FEBRUARY 20, 2022, 2:00pm – CLUBHOUSE LIVING ROOM**

Board members present: Dick Loubier, Matt Heier, Wendy Saniti, and Cindy Ahrens. Bob Godek was absent. There were 38 members in attendance.

Meeting was called to order by President Dick Loubier at 2:00PM, request to silence phones, and turned meeting over to Vice President Matt Heier for the presentation.

**ROAD OWNERSHIP/ACCESS POINTS**

Matt has been the HOA contact with the Land Use attorney Beverly Grady that the HOA hired to research possible options. He noted that the 1984 PUD shows a requirement to follow engineering request of future roads to the south, west and north of Pine Lakes. A 1985 resolution, the final plan approval, shows these access points at Diamond Hill to the north and Lake Loop Rd to the west, south connection is to Lake Fairways. These access points are at the request of the DOT by way of a 1984 memo which Matt read from. Beverly Grady informed us that this cannot be challenged.

Attorney Grady had submitted an Application to Lee County challenging the ADD application submitted by ELS to bypass the 75 percent requirement. County staff abstained from ruling on this and forwarded it to the HEX. The HOA could submit an appeal to the response, but that is potentially an expensive process, costing from \$50,000-\$100,000. Need to await the HEX response; Matt would recommend dropping any additional appeals due to attorney recommendation.

Phase III development plat was brought up at the HEX hearing by Robert Brandt, attorney for HOAII, stating that the roads belong to the PLE HOA, including the section of Circle Pine Rd from Pine Lakes Blvd to the entrance of Eagle Trace Ct. Each person who spoke at the HEX hearing will be allowed 3 minutes to address the Commissioners, attorney Grady could use Matt's 3 minutes to stress this issue and state that the HOA has an interest in the use of Circle Pine Rd that has not been discussed during the entire process.

Questions and suggestions from the members present were addressed. Because Director Bob Godek would not be able to attend this meeting, Matt previously shared a review of the issues and the two options with him, and Bob told Matt he was against both items voted on by the board.

**Motion** was made by Matt Heier/second by Wendy Saniti to forgo any additional Application or actions regarding the two additional road access points to the French property. Motion was passed by all Board members present.

**Motion** was made by Wendy Saniti/second by Cindy Ahrens to ask attorney Grady to move forward with road determinations and preparation for the Commissioner hearing comments to stress the PLE HOA has a vested interest in the future use of Circle Pine Rd that has not been addressed during this process. Motion was passed by all Board members present.

Questions/issues for Matt to ask attorney Grady:

- 1) Ask the attorney to look at other PLCC Phases that include additional Estates development & properties, e.g. Bardmoor, Broken Wood, Frenchmans, and the Estate properties along Circle Pine Rd.
- 2) Ask attorney Grady to check for files on the PL Estates arbitration regarding maintenance of the roads [Cindy has the tub of materials from Road Litigation, spans from 2004 –2007. HOA could share the materials with Grady, but would request they make copies of any material related and return the entire tub for HOA storage.]
- 3) Ask if other HEX hearing speakers can give their 3 minutes to attorney for additional time.

Motion to adjourn the meeting at 3:00PM was made by Dick Loubier/second by Matt Heier, the meeting was adjourned.

Cindy Ahrens, Secretary