

PINE LAKES ESTATES HOMEOWNERS' ASSOCIATION  
BOARD MEETING MINUTES March 13, 2023

The meeting was called to order by President Loubier at 6:55PM. Board members present: Dick Loubier, Matt Heier, Wendy Saniti, Bob Godek, and Cindy Ahrens; there were also 50 members present. President Loubier asked to any new HOA members, none at this meeting.

**Secretary Report:** Ahrens read the minutes of the February 19, 2023, Emergency Board Meeting for Board approval. Motion by Loubier to approve, approved by Board. The final Feb. 19 minutes will be posted on the web page; the draft of the March 13, 2023 meeting will be posted on the Official Bulletin Board until approved at the next Board meeting.

**Treasurer Report:** Saniti reported on the financial report which is posted every month on the Official Bulletin Board. She also noted there were 6 members late in making maintenance payments, Saniti sent notice of intent to lien to them with some success. Discussion of the letter requesting \$40 HOA membership dues will be discussed later on the agenda.

**ARC Report:** Godek read the 5 requests since the February meeting; 4 were approved and 1 was denied but overturned by Loubier. Godek did read ARC paragraphs from the Declaration (Article IV, 4.01 and 4.04-g) from the REVIVED AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF PINE LAKES HOMEOWNERS' ASSOCIATION, INC: "4.01 No improvement, addition or deletion or structure of any kind, including without limitation, any building, fence, wall, screen enclosure, drain, disposal system, or other improvement or landscaping shall be commenced, erected, placed or maintained upon any Lot, nor shall any addition, change, alteration, repair or replacement therein or thereof be made, unless and until the plans, specifications and location of the same shall have been submitted to, and approved in writing by the Association. All plans and specifications shall be evaluated as to harmony of external design, natural environment, and location in relating to surrounding structures and topography, landscaping and ground cover."

"4.04 (g) House Color/Exterior Construction: The ARC shall have final approval of all exterior changes to a residence, including the house color and the installation of storm shutters. An owner shall submit to the ARC detailed plans for approval, and in the case of changing a color, a color sample showing the planned color of all exterior surfaces. The ARC shall determine whether the color is consistent with the homes in the surrounding area and provide their decision."

#### **Unfinished Business**

1) Result of Attorney Opinion re: Election 2023 – Matt Heier

Heier read the attorney response to questions on the 2023 election: "A person must be present (in person or by proxy) to nominate and/or accept a nomination to the Board of Directors...". "Use of a general proxy is permitted in a homeowners association election of directors, regardless of whether nominations from the floor are later accepted. By executing a proxy and returning it to the Association, a Member delegates that proxyholder to vote on his or her behalf; a general proxy gives blanket powers to the proxyholder to vote however he or she determines. This is true regardless of whether there are additional candidates made known at the meeting. That is the inherent risk that a member accepts when they return a general proxy rather than attending the meeting in person to vote in real-time."

2) Consent to Email for HOA Use – Cindy Ahrens

Reminder of the form that was sent out with the annual meeting packet and thanks to those who have signed for consent to use email to share HOA information. Goal is to get 100 emails out of the 263 total estate properties before setting up the account (as HOAII has done); cost estimate is \$120 for a 3-year contract. [Several members completed the consent forms after this meeting—now have 79 of the threshold of 100.] The consent form is now available on the web page under the PLE HOA tab. Drop off your completed form at 24-l basket on front porch.

3) Notice of 2<sup>nd</sup> mailing for \$40 Membership Dues – Wendy Saniti

Saniti is seeking the answer to the issues and concerns of members, and she hopes to meet with ELS staff to understand the process and resolve the questions. The information will be shared with membership as soon as

final information is confirmed.

### **New Business**

- 1) ARC Updates and Review of Covenants – Bob Godek  
After a review of the Covenants that require a 3-member ARC committee, Godek asked for a volunteer from the membership to fill the final member of the committee (with Godek and Al Gaetani). Brad Colvin from lot 7-G volunteered and will serve on the committee.
- 2) Board Meeting with Attorney Regarding Documents --- Matt Heier  
The closed meeting with the attorney is scheduled for March 29, 1:00PM in Fort Myers. The date and time of the closed meeting will be posted on the Official Bulletin Board.
- 3) Windmill Village Meeting – Matt Heier  
Heier attended a meeting at Windmill Village with many other local ELS properties including HOAll from Pine Lakes. Windmill Village shared information on the process they used to get ELS to comply with requests for upkeep and maintenance of the community. They developed a new complaint form which was shared. Issues to move forward with the information for Pine Lakes: development of a new comment form using the Windmill Village form as a guide; share the proposed form with Manager Bryan – approval received; cover the financial need to print 1,000 copies of a new form with HOAll; share information on new process with all membership. Question from PLE HOA: do we have to follow the ELS rules within our Estates Covenants? (Will ask attorney for response.) Motion to pay 1/3 of cost for printing new forms (about \$100) made by Heier; motion approved.
- 4) Meeting with HOAll – Matt Heier  
This an effort to coordinate information sharing by the two HOAs in Pine Lakes. Will try to track information and documentation of issues with more details. Working together to address the many issues within the community.
- 5) Board to review PLE HOA Web page for Updates/Changes – Cindy Ahrens  
Request for all Board members to review the PLE HOA section of the web page ([www.ourpinelakes.com](http://www.ourpinelakes.com)) for any outdated information, corrections, etc. and notify Ahrens to submit to the webmaster.

### **Issues/Questions from Members – Dick Loubier**

- 1) Request for status of the light post name plates for replacement and for new residents. [Matt Heier will check with Manager for update and status.]
- 2) Election Ballots: why does name and address need to be recorded on the in-person ballots? [Cindy Ahrens will check on the issue.]
- 3) Pool update from Ray Dunlap – the pool is now HOT and ready for use.
- 4) Property 7-C is now for sale, past issues with the property.
- 5) Questions on the proposed new complaint form. [Answers from Matt Heier.]

A group of 7 members sent a letter to the Board regarding the second mailing requesting the \$40 membership dues. Unfortunately, the letter was mailed and did not arrive until after this meeting. The Board has received copies of the letter.

Cindy Ahrens, Secretary