

CELEBRATION CAPE HOMEOWNERS ASSOCIATION, INC.

**ANNUAL MEMBERSHIP MEETING**

*A Corporation Not-for-Profit*

**Thursday, March 15, 2018 at 6:30 pm**

Held at: The Kiwanis Club of Cape Coral (360 Santa Barbara Blvd., Cape Coral, FL 33991)

**1. CERTIFY QUORUM AND CALL MEETING TO ORDER:**

A Board of Directors quorum was established with Jim Arnold, Susan Dyszel, Linda Foreman, Peg Holecek and Kevin Sutton present. Jim Arnold, Board President, called the meeting to order at 6:30 pm.

A Membership quorum was established with 30 Homeowner Units represented in person or by proxy.

Mark Rudland, CAM (Tropical Isles Management) was also present.

**2. PROOF OF NOTICE OF MEETING:**

The First Notice of Date of Annual Membership Meeting and Election of Board Members for Celebration Cape Community Association Inc. and Procedure for Qualifying for Board, and the Second Notice of a Members' Meeting and Election of the Board of Directors of Celebration Cape Homeowners' Association, Inc. were sent to all Members of the Association via U.S. Mail by Tropical Isles Management.

A notarized affidavit will be filed with the meeting records to reflect that notice was properly sent in accordance with Association Bylaws.

**3. ANNOUNCEMENT OF DIRECTORS:**

Pursuant to Florida Law, an election of the Directors of the Association is not required, since the number wishing to run for the Board was less than or equal to the number of vacancies to be filled. There are currently two (2) positions to be filled on the Board of Directors. James Arnold has submitted his name as a candidate. Having two (2) vacancies and one (1) name submitted, a vote of the Membership is not necessary. James Arnold is automatically elected to serve on the Board of Directors until the 2020 Annual Meeting. The terms of the other three (3) Board members expire in 2019.

**4. PRIOR MINUTES:**

All Board members had an opportunity to review the minutes from the Board of Directors Meeting dated December 29, 2017. Susan Dyszel motioned to approve these minutes. The motion was seconded by Kevin Sutton. ***All voted in favor of approving the Board of Directors Meeting Minutes dated December 29, 2017.***

**REPORTS OF OFFICERS:**

**FINANCIAL REPORT** *(Submitted by Susan Dyszel, Treasurer):*

Celebration Cape Homeowners Association ended 2017 in good financial shape

- The wall renovation was completed for a total cost of \$59,500, leaving \$54,500 in the reserve.
- We underspent the 2017 operating budget by \$22,117 through a combination of good luck, some deferred spending that will be paid in 2018 and the landscaping contract costing \$6,000 less than one it replaced.

### Actions the Board took in 2017

- The Board accepted the Finance Committee's recommended 2018 budget that decreased the total monthly HOA assessment to \$185 (\$555 per quarter).
- The Board voted to move the 2016 retained earnings of \$19,860 to the Reserve Account at the December 29, 2017 meeting. As a result of this action, the Reserve Account will be increased, and the 2019 Reserve Contribution will be recalculated as part of the 2019 Budget process.

### Current Status as of February 2018

- The Reserve transfer took place on February 1, 2018, raising the Reserve balance to \$77,499.68
- Expenditures for 2018 are running close to the expected amounts so far.

### Outlook for 2018

- The Board monitors the monthly financial statements for any deviations from the expected.
- In September 2018, the Finance Committee will formulate the 2019 budget, taking into account the year to date and previous years' expenditures. If anyone is interested in being a part of the Finance Committee, please let me know.
- The Board recognizes that we have no control over unexpected events such as lightning or hurricanes that may cause significant expenses, but we now have the Reserves to cover them.
- Since landscaping costs are a significant part of the overall operating budget, we are pleased that we were able to extend the contract to December 2018 at the same cost.
- So far, volunteers have come forward when there is a project which does save the community money. We hope that this will continue, and more folks get involved.

### **PRESIDENT'S REPORT** *(Delivered by James Arnold):*

#### 2017 Recap:

- You no doubt recall how this community experienced and survived several months of torrential rain, followed by the potentially devastating impact of Hurricane Irma. Many of you spent countless hours putting up shutters and otherwise securing your neighbors homes, as well as your own. Our community and homes were spared serious damage by the foresight, preparation and hard work of neighbors helping neighbors. As Susan just pointed out, our volunteers not only helped our community survive, but THRIVE! My personal thanks go out to EVERYONE who pitched in and helped their neighbors during this past year—in whatever manner you did. It is an ongoing example of the close bond in this community and sets the table for continuing to do so. THANK YOU!
- WALL DONE! The Wall Repair project is complete! As you all know, over the past year, it took many hours of meetings, input, budget planning, volunteer effort and other community involvement to get this monumental task in the books. It was a huge undertaking that we should look back on with much pride and sense of accomplishment.

#### 2018 Look-Ahead:

- As we approach another season of rain and otherwise unpredictable weather, we ask that ALL Homeowners who will be away from their home at any time during the hurricane season are strongly encouraged to make arrangements to have your hurricane shutters installed/secured BEFORE you depart. By implementing this directive, you not only take responsibility for the security of your own home, but relieve the burden on neighbors for securing your property in your absence.

- The Association has commissioned the services Stouten & Cramer to survey the topography of our community. The survey was recently completed, with the report submitted shortly before this meeting.

As a bit of background to the need for this survey, the City of Cape Coral has not enforced or maintained the water management system for 9<sup>th</sup> Street residents (who share a border with us along the south side of this community). When Celebration Cape was developed, we inherited a six-foot (6') wide French-drain, spanning the length of our wall at that location. Unfortunately, it is not currently functioning as designed.

Due to the development of Celebration Cape, and in conjunction with the changes made to individual lots (pool installations, landscaping, etc.), the original slope and grading has been negatively impacted as it pertains to the storm water run-off and drainage system.

As detailed in our governing documents, the responsibility for maintaining the water management system rests with the Association (and by extension, individuals Homeowners). Once we have an opportunity to review the details of the survey, individual Homeowners may be approached with how changes to their property may be involved.

In meeting with the City on this issue, we were told that recent work along 8<sup>th</sup> Street may help to alleviate the overflow of our lake. We are hopeful that this will lessen some of the water run-off to the south of our property.

*At this point in the meeting, Jim Arnold opened the floor for any questions or comments from the Members.*

*Q: Who is responsible for removing dead palm trees?*

*A: Celebration Cape Community is a Planned Unit Development, which is operated by the Homeowners Association, and bound by our governing documents. The Association is responsible for maintaining all Common Areas of the community; which includes landscaping of those areas. The installation or removal of landscaping that is part of an individual Lot is the responsibility of the Lot owner.*

This conversation leads us to another very hot-button topic. It is very important that ALL Homeowners follow the established Architectural Guidelines as set forth in our CC&Rs. When planning ANY changes to the exterior of your home or lot, Homeowners MUST submit an Architectural Request for Modification form. This applies to any work proposed to be done by the Homeowner or contracted to a third-party. All third-party vendors must not only provide current license and insurance information, they must also be registered with the City of Cape Coral. As specified in our CCR's, all contractors must comply with state, county and city regulations. Homeowners are not to enter into a contract or allow any work to be done until the request is approved. Remedies for violation of these guidelines are set forth in our CC&Rs.

The Architectural Review Committee is still looking to add at least one additional member. Please contact Bob Holecek if you are willing to step up.

## **5. COMMITTEE REPORTS:**

### **GROUNDS COMMITTEE (Delivered by Dick Dyszel):**

There have been no meetings of the Grounds Committee because there are no outstanding issues to be discussed.

During the first quarter of 2018 the following changes have been made to the community:

- Fifteen (15) “No Trespassing” signs were installed to comply with Florida Statutes. The wording is complaint with Cape Coral Police recommendations.
- Thanks to the paver donation from Rodger & Lind Foreman, and the work of a group of volunteers, the walkway to the gazebo now has pavers in a nice-looking sand bed.
- Thanks to a paver donation from Ted and Christine Schielzo, the walkway at the pedestrian gate has been leveled and expanded.
- Maingate has installed a new back-up Emergency Vehicle Gate access system based on the “Yelp” type siren. It’s been tested and works. This is in addition to the electronic EVAC system that also has been tested and found to work. Emergency services also have a dedicated keypad code for access.
- The front common areas inside the gate have received a new coating of brown mulch.
- The new sidewalk along 8th Street has been installed on either side of our entrance drive. The crews tied our sidewalk into the city sidewalk and replaced two broken section while they were at it.
- The long-awaited storm sewer cleaning should take place late this month.

*Q: The mulch at the entryway looks great, but why was it not extended outwards from the date?*

*A: That was considered, but after discussion, we realized that the Areca palms continually drop leaves and other debris. Any new mulch would quickly be covered up by this debris (which actually serves as a natural type of groundcover).*

#### 6. **UNFINISHED BUSINESS:**

None.

#### 7. **NEW BUSINESS**

##### FINANCIAL REPORTING:

For 2017, Celebration Cape’s expected annual revenues placed it in the financial reporting category of \$150,000 to \$300,000, which per the Florida Homeowners’ Association Act required a compilation of its annual financial status. The Membership voted to waive this statutory requirement for the year ending December 31, 2017.

For 2018, Celebration Cape’s annual revenue is projected to be \$126,540. Thus, the Association shall present the year-end financial statements in a report of cash receipts and expenditures format for the fiscal year ending December 31, 2018.

Since the Association’s 2018 budget does not meet the criteria for preparing a compiled financial statement, it is not necessary to take a vote of the Membership to waive the statutory requirement.

***Therefore, a Membership vote on this issue was not required and none was taken.***

##### OPEN FORUM:

**Year-End Financial Statements:** As of the date of this meeting, Homeowners had not yet received copies of the year-end financial statement for 2017. Peg Holecek asked for clarification that the Association’s accountant (Spire & Associates) has up to 90 days after the fiscal year end to produce such statements.

Mark Rudland confirmed that this is indeed the case and assured the Membership that the financial statements will be sent to Homeowners within the next couple of weeks.

**Board Member Departure:** Jim Arnold reminded those in attendance that this Board of Directors has worked very hard over the past two years to undertake and complete many challenging projects. The Board continues to serve the needs and goals of the Community and the Association. This service requires a combination of hard work, commitment, diligence and selflessness. Effective with the adjournment of this meeting, Linda Foreman's term as Board Secretary is concluded. On behalf of the entire Board, Jim thanked Linda for her loyal service and many contributions to the Board and the Community. Jim presented Linda with a personal note of gratitude and appreciation.

**8. ADJOURNMENT:**

There being no further business, a motion was made to adjourn, the motion was seconded, all voted in favor, and the meeting was adjourned at 7:01 pm.

Respectfully submitted,

Linda Foreman  
Secretary, Board of Directors  
Celebration Cape Association

***The preceding minutes were amended and approved by the Board of Directors on April 4, 2018.***