

# Cape Royale Property Owners Association, Inc.

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## MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF CAPE ROYALE PROPERTY OWNERS ASSOCIATION, INC. HELD JULY 27, 2011, AT 2:00 P.M. IN THE CAPE ROYALE CLUB ROOM

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### DIRECTORS PRESENT

Ken Clark, President  
Joel McDowell, Vice President  
Barbara Moore, Director  
Lee Sargent, Parliamentarian  
Charles Buck, Director

### DIRECTORS ABSENT

Susan Vaughan, Treasurer  
Melanie McLendon, Secretary

### IN ATTENDANCE

Sandra McQuiggin, Community Manager  
Oscar Schneider, Architectural Control Committee  
Mary Shay, Civic Committee  
Dale Toronjo, Facilities Committee  
Richard Collier, Finance Committee  
James Chesser, Marina Committee  
Virginia Shackouls, Utility District  
Mary Miller, Civic Association  
8 additional property owners were in attendance  
Joni Pursley and Amber Faust represented the Managing Agent, Association Management, Inc.

### CALL TO ORDER

Due notice of the meeting having been given and a quorum present, the meeting was called to order at 2:04 p.m. The President, Ken Clark, presided and the managing agent assisted in recording the minutes.

A moment of silence was observed followed by the Pledge of Allegiance.

### MEMBER PARTICIPATION GUIDELINES

Ken Clark welcomed and reminded the guests of the Member Participation Guidelines for the meeting.

### PRESIDENT'S REPORT

Ken Clark expressed a hope for rain soon.

### TREASURER'S REPORT

Month Ending June 30, 2011: A written report was received, presented by Joni Pursley, and accepted with no corrections.

## **CONSIDERATION OF MINUTES**

A motion was made by Lee Sargent and seconded by Barbara Moore to accept the minutes of the June 22, 2011 regular meeting as written. The motion was unanimously approved.

## **RESIDENT COMMENTS**

Elgean Shield stated that their fire rating had been reduced to a 6 and advised members to update their insurance as this may provide a discount on their rate. James Chesser noted that they may even receive a rebate for the previous year. A copy of the letter showing this change is on the POA website.

Denise Hall of the CAVFD reported that for the month of July, month to date, the Fire Department had responded to 1 false alarm, 2 public service calls, 2 vehicle traffic accidents, 1 Medvac landing zone, and 10 water search and rescue. This included aiding another department once.

## **MEMBER PRESENTATIONS**

James Chesser presented information regarding the addition of 18-20 spaces on "Pier G" to increase income for the POA. Spaces could rent for approximately \$169 each, with a premium rental price for non-members. It would cost approximately \$300,000.00 to build with an estimated return rate of 8-10 years. Ken Clark asked what the current occupancy rate was and it was noted that there are 6 on the waiting list.

Mary Shay stated that she has a property owner that has rented the Civic Room for approximately 15 teenagers and an almost equal number of adults to supervise. The property owner would like to have access to the pool for all 15 guests, excluding adults. Ms. Shay stated that this would require Board approval. Ken Clark noted that, per the contract, the renter must provide a certified lifeguard at their expense. Ms. Shay made it clear that a lifeguard was only required after hours and she would update her contract to reflect this more clearly. It was asked if the property owner may pay for additional guests on her pool pass to bypass Board approval all together. It was decided this was permissible and that from this point forward, property owners who possess a pool pass and rent the Civic Room could proceed to use the pool at the pool pass rate, rather than the Civic Room rental pool rate.

## **TENNIS COURT RESURFACING**

Charles Buck presented 3 proposals for improvements to the tennis courts. Mr. Buck noted that there is a 6-10 inch void under various areas of the courts and this has been the result of erosion, lack of maintenance, and a variety of other factors. Lee Sargent motioned that the Board approve the proposal by Berkley for \$34,848 to repair and resurface. Joel McDowell seconded this motion. The motion did not carry. It was decided to table this proposal until further clarification was obtained on what the bid includes.

## **RESERVE F BULKHEAD**

Three bids were reviewed to carry out work on the Reserve F bulkhead. It was noted that Mosley did not have proper liability insurance and this bid was ruled out based on this

information. Charles Buck made a motion to accept Lakefront Builders' proposal and it was seconded by Barbara Moore. Some questions were raised about the cost of dirt. Ken Clark proposed accepting the bid with the provision that it not exceed \$23,000 with the cost of dirt. The motion was unanimously approved. Dick Collier noted that the project was approved in the 2011 budget for approximately \$18,000 - \$20,000. However additional funds could be allocated from the Ash Park repair fund. It was further noted that there are no funds available for Ash Park for 18 years.

#### **CLUB/OFFICE/CIVIC EXTERIOR BUILDING REPAIRS**

Four bids were reviewed to carry out the exterior repair of the Club, Office, and Civic center. Charles Buck recommended Gunter Construction as the bid with the best references and price. Mr. Buck also noted that the bid would have a \$2,000.00 contingency added to it for the replacement of wood as needed. Sandra McQuiggin noted that property owners strongly recommended this contractor as well. Lee Sargent moved to accept the proposal from Gunter Construction and Joel McDowell seconded it. It was approved unanimously.

#### **OFFICE BUILDING LEVELING**

Two bids were reviewed to carry out the leveling of the office building. Charles Buck motioned to accept the proposal of Action House Leveling and Joel Mc Dowell seconded the motion. It was approved unanimously.

It was noted that a quote for pressure washing and painting of these buildings should be added to the future budget as preventative maintenance.

#### **MARINA GUEST FEES**

James Chesser presented a proposal for Marina Guest Fees on behalf of the Marina Committee. Mr. Chesser noted that not every member of the committee was in agreement with this proposal. The Board discussed and reviewed. Tom Bravenec stated that he did not think the Association had the right to legally charge any fees. Joni Pursley will research this matter and get back to the Board. The matter will be discussed further at a later date.

#### **FISH CLEANING AREA**

Don Freel requested a more specific sign be posted stating the responsibilities of patrons in the fish cleaning area in order to cut down on unsanitary conditions.

#### **GIFT CARD SALES AT MARINA**

James Chesser asked for clarification on the ability of the Marina to sell gift cards and stated that this issue will be put on the Marina Committee agenda for the next meeting.

#### **POOL FILTER REPLACEMENT**

Two bids were reviewed to replace the pool filter. Lee Sargent motioned to accept the proposal from Heavenly Blue Pools and Charles Buck seconded the motion. It was approved unanimously.

## **COMMITTEE REPORTS AND ANNOUNCEMENTS**

ACC: A written report was submitted. Oscar Schneider added that the meeting procedure had been reviewed and revised to make the process easier. Also, Mr. Schneider noted that the protocol for allowing contractors through Access Control had been altered to improve procedures.

Club: A written report was submitted. Pat Clark added that the ice maker was now fully functioning.

Communications: A written report was submitted.

Facilities: A written report was submitted. Dale Toronjo added that he would like to thank Sandra McQuiggin for her assistance in organizing this report.

Finance: No comment.

Gate: A written report was submitted.

Grounds: A written report was submitted.

Marina: A written report was submitted. James Chesser also noted an uninsured contractor had been parking his barge in the Marina. Given the Board's decision regarding liability insurance earlier in the meeting, it was questioned whether this was appropriate. It was decided that so long as the contractor was not working for the POA, it was acceptable.

Parks & Recreation: Barbara Moore reported that the park looked good and that lights had been installed at the basketball courts.

Pool: A written report was submitted. Barbara Moore reported that there was a good turn out for teen night.

Roads: No report.

Trailer Storage: A written report was submitted. Sandra McQuiggin noted that there are now 5 on the waiting list after the expansion was filled.

Wildlife Management: No report.

## **OTHER REPORTS**

AMI: Joni Pursley introduced Assistant Community Manager, Amber Faust, and advised the Board that an informational meeting regarding new HOA legislation would be held at Windsor Hills on August 23<sup>rd</sup> at 7pm. More information would follow.

Community Manager's Report: A written Manager's report was submitted. Sandra McQuiggin reviewed deed restrictions and noted that she had increased success in contacting property owners via the telephone in regards to deed restrictions. Mrs. McQuiggin noted there had been 2 certified letters, 12 first notices, and 12 second notices sent. Tom Bravenec voiced concerns about a boat parked in the front yard of a home in King's Point. Mr. Bravenec also stated that suit should be filed in regard to a recent fencing issue. The Board explained this was not necessary.

Utility District: No report.

Cape Royale Boating Association: A written report was submitted.

Civic Association: A written report was submitted. Mary Miller noted that the Terry Vaughan Golf Tournament would begin September 24<sup>th</sup>. Ms. Miller stated that they are searching for table umbrellas as well as volunteers to help put out flags on September 11<sup>th</sup>. Ms. Miller also stated that the flag pole was in need of repair and the directory was at the printer.

#### **ADDITIONAL BUSINESS**

None.

#### **ADDITIONAL RESIDENT COMMENTS**

Barbara McDowell stated that she believes the community has outgrown their facilities and requested that the Board look into "weekend" home renters to see if a deed restriction is being violated by these terms. Ms. McDowell also requested a task force be created to look into the enforcement of keeping this a private community.

#### **SCHEDULE NEXT MEETING**

The next Board meeting was scheduled for Wednesday, August 24, 2011, at 2:00 p.m.

#### **ADJOURNMENT TO EXECUTIVE SESSION**

The meeting adjourned at 4:25 p.m. to executive session.

#### **RECONVENE REGULAR MEETING**

Following the Executive Session, the regular meeting of the Board of Directors reconvened. No property owners were present for the meeting. No additional announcements were made nor business conducted.

#### **ADJOURNMENT**

On a motion duly made, the meeting was adjourned at 4:45 p.m.

Respectfully submitted,

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Secretary

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Date

APPROVED:

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## REPORTS

### Community Manager Report –July 2011

*Update of immediate goals for July:*

- **Deed restrictions -2- certified letters sent out regarding off street parking, 12- 1<sup>st</sup> violation letters sent out for numerous items such as off street parking, signage & project without ACC approval, 12 -2<sup>nd</sup> violation letters sent to property owners for same reasons. Property Owners have been cooperative when I have made contact via phone.**
- **Met with contractors compiling bid proposals for several pending projects including tennis courts, bulkheads, facility buildings and swimming pool.**
- **ACC committee is monitoring current projects. This committee remains to be very active on a daily basis with permits being issued continuously. Communicating with gate as to report modifications for quicker reference to approved job sites for contractors entering the gate. Property Owners are very cooperative and appreciate the quick service we can give them by using Form No. 7 when applicable. Oscar and I meet several times a week when he is in the Cape in order to keep the large project list in order and to answer Property Owner questions in a timely manner.**
- **Continue to meet with Tru- Green foreman weekly upon arrival to the Cape. Communicate with area manager and Linda Walker via email regarding our needs. I see an improvement of work since building upon this relationship.**
- **Trailer storage expansion was completed by committee and we worked together to get all spaces occupied from wait list, contracts signed and fees collected. A total of 5 are currently on wait list.**

- **Attended Marina and Gate committee monthly meetings and assisted with committee needs and employee direction.**

*Goals for August:*

- **Facilities / Maintenance- coordinate with Dale and Wayne regarding project list to gather supplies cost, completion timing and budget for 2012. Work with Wayne regarding regular weekly/ monthly check list maintenance items to maintain Cape common areas.**
- **Continue driving the Cape several times a month and contacting property owners that are not in compliance. Use of phone calls in order to be more personal with property owners before they receive deed restriction notice. Meet with board liaisons regarding certified letters to be sent for non responsive property owners.**
- **ACC committee –continue to focus on helping property owners by assisting and educating them with their application process. Continue building relationships with all contractors and represent our POA in a professional manner. Need to add a notice at gate regarding contractor hours 7am to 7pm to help eliminate contractors working past appropriate work hours. Educating the contractors on updated forms and policies is continuous at the POA office.**
- **Continue to monitor Tru Green Landscape schedule and evaluate the weekly visits to assure our contract is being implemented as written.**
- **Preparing items for budget meetings to begin in August.**

Submitted by: Sandra McQuiggin

## **CIVIC ASSOCIATION JULY 2011**

We had 70 people at the Potluck/Bingo July 16th.

August 20th we will have an Omelet breakfast.  
Serving from 8:30 am to 10:00 am. Cost is \$5.00 per person. Send payment to CRCA, #1 Sales Drive by August 17th.

The Terry Vaughan Classic golf tournament will be September 24th. Go to [www.caperoyale.org](http://www.caperoyale.org) and check the link for more information. If you would like to sponsor a hole contact Pat Stephenson at [pat.stephenson@mac.com](mailto:pat.stephenson@mac.com)

Mary Miller  
CRCA Pres.

Chairman

Date

## Club/Civic/Kitchen Committee 7/27/11

This month the club was rented twice to residents for a private function and it will be rented to a resident yet this month for a party. The Civic Association also used the club for a potluck followed by Bingo. We had a few problems with one of the rentals but everything was taken care of. The Civic Room was used for its usual meetings, bridge, and mahjong.

Ever since Wolf Creek was out here to put new filters on the ice machine we have had trouble with it. They have been back numerous times and now I am waiting for a part from the company which is supposed to fix it. I hope so as I have a big outside wedding next month.

Our committee did not have reason to meet.

Submitted by,  
Mary Shay, Committee Chair.

### COMMUNICATIONS COMMITTEE REPORT July 27, 2011

Chairperson: Pat Hitt

Summer Communicape went on-line July 17, with notifications sent July 18. Only 4 were returned, mostly because mailboxes were already full. Only one complaint about not being able to open. Made suggestions to him. As always, thanks to those that contributed.

There are still a few property owners on the "snail mail list". I will no longer mail the Communicape to anyone living in the Cape. Notice will be put on Info Board, and they can pick up a copy in office. This will be a black and white edition, but full edition. That leaves only one copy to be mailed and will enable me to only do one edition.

All contributions to Communicape are welcome. Next edition will be published in October.

## CAPE ROYALE BOATING ASSOCIATION JULY 2011

The main event in recent weeks for CRBA has of course been the 4<sup>th</sup> of July boat parade and picnic. Though in recent years, the boat parade has been a good bit smaller than the 30+ boats we used to get, the dozen boats who participated were wonderfully decorated and showed the patriotism that is so evident in the Cape. The picnic was marvelously successful, with 125 tickets sold for the BBQ, and those who were there can attest to the outstanding cooking. The team of Richard Masterson & Lynn Watkins & JR Shuttleworth has become a real treasure for us at the Cape. My thanks especially to them and to all those who helped with set-up, serving, judging the parade, and to all who decorated their boats for the occasion!

Our summer calendar concentrates on social occasions, while the wind and heat are less than ideal for racing sailboats, but in September, we'll resume those events. Check out our full calendar at [www.crba-livingston.com](http://www.crba-livingston.com), and mark calendars particularly for October 1<sup>st</sup> for the CRBA Street Dance!

Also, Sandra, this reminds me, we had to move the Street Dance from the Oct. 8<sup>th</sup> date that we'd originally targeted (to Oct. 1<sup>st</sup>), and I'd asked some time back if we could reserve the Club

Room as a back-up in the event of rainy weather. Since we've had to move it to Oct. 1, might we be able to get the Club reserved that evening instead?

If the Marina Committee has any items that might benefit from CRBA cooperation, please encourage them to contact me.

Best to you and the Board,  
Paul

**CAPE ROYALE POA**  
**Grounds Committee Report**  
**July 26, 2011**

**Linda Walker.....Chairman**  
**Melanie McLendon.....Liaison**

**Information Previously Presented:**

Another month of drought! Wonder when it will be over? I know one day it will end and we will wish it would stop raining. I will look forward to that day.

In spite of the lack of rain the crepe myrtles are doing their best to look good. ☺ Nice to have a little color.

The Hunter Battery timers are purchased and installed by Wayne Gladden and me (mostly Wayne). This covers almost everything we have irrigated from the front entrance to pass the swimming pool. This is a help. Now, I'm not out at 10:00 PM turning off sprinklers. I still need help from everyone watering the memorial trees, shrubs and beds around the loop on Cape Royale Drive. If you can help please call me at 936-635-3543 or just bring a jug of water and pour anywhere it's needed.

The memorial monuments have been delivered and installed. They look great! We have 2 monuments that will be installed in the Fall or whenever we get out of this drought and can plant trees.

Linda Walker  
Grounds Committee Chairman

**Marina Committee Report  
July 2011**

**Members:** James Chesser, Pat Clark, John Davis, Norm Matticks, Barbara McDowell, John Ward

**POA Liaison:** Joel McDowell

**Meeting Schedule:** Monthly, Second Thursday, 1:00 PM

Activity	Comments/Status
Annual Contracts	<ul style="list-style-type: none"> <li>The majority of contracts have been received. Sandra McQuiggin is following up with the remainder.</li> </ul>
Delinquent Fees	<ul style="list-style-type: none"> <li>Delinquencies grew slightly with the contract renewal, but still manageable.</li> </ul>
For consideration per POA and Finance Committee	<ul style="list-style-type: none"> <li>Received an estimate for adding an additional pier. The total is approximately \$300k, which equates to a 7-8 year payout.</li> <li>A proposal for Marina fees was developed at the request of the POA and will be presented at the July meeting.</li> </ul>
Store Sales	<ul style="list-style-type: none"> <li>Store/gas sales remain strong.</li> </ul>
Slips Rental	<ul style="list-style-type: none"> <li>All but a few covered slips on Pier J are rented. We now have a backlog of potential renters.</li> </ul>
Sailboat Pier Lighting	<ul style="list-style-type: none"> <li>Still getting complaints from residents on sailboat pier spotlight that was added after Hurricane Ike. Researching alternatives on how to position or change lighting.</li> </ul>

**Follow-up Needed from POA Board:**

None

Pool Committee Report July, 2011

\*Over the July 4<sup>th</sup> weekend there were approximately 265 members and guest at the pool.

\*Teen night has been a success! Friday, July 8 there were 25 teens. They enjoyed sandwiches, sodas, music and friends.

Next Teen Night is scheduled for Friday, July 29.

\*As of July 15 there have been 183 pool memberships sold.

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## **Trailer Storage July, 2011**

The trailer lot was expanded with the addition of 11 more spaces. They have been filled from the waiting list, and we still have 5 on this list.

I'm looking for a way to further expand to handle the demand.

Thanks!

Jim