



## Errol Estate Property Owners Association

# NEWSLETTER

May, 2010

### GOLF CARTS IN ERROL ESTATE

Golf cart operation in Errol was a point of considerable discussion at the March, 2010 EEPOA Annual Meeting. Several residents asked questions regarding the safe /legal use of golf carts within Errol and comments were also made regarding safety while jogging/walking on Errol streets.

This article attempts to discuss these issues and to put forth legal and common-sense answers to the questions.

#### Golf Carts — Common Sense

Operators must consider golf carts as they would any other motorized vehicle operated on any public street.

- Golf carts cannot be operated after dark. (without required lighting)
- Operators must be at least 14 years old
- Hand signals are required
- Stay to the right side of the road,
- Give the right of way to cars and trucks
- Stop at stop signs and observe the same rules of the road as required in your car



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### EEPOA DUES

**2010 annual dues were due on January 1, 2010.**

- Annual dues remain unchanged at \$185 for 2010.
- Unpaid Dues were delinquent on January 31st.
- As of May 6th, **213** 2010 dues were unpaid.
- A second notice was sent on February 15th.
- Final notices were sent to **250+** in April.
- Liens will be placed on all delinquencies.
- Lien fee is \$125.
- More than **115** dues are still unpaid for 2009.
- 2009 lien filings have been recorded for all **115** delinquencies.

**Please contact our office at 407-886-1333 with any questions regarding dues.**

### TREASURER'S DUES UPDATE

#### Delinquent Dues Put Pressure on EEPOA Finances

Delinquent dues have always been an issue for the EEPOA Treasurer. Until a couple of years ago it was an irritant, but this is rapidly becoming an operational nightmare. Before 2007 we would have a few dozen unpaid accounts that required liens being placed on the property. The addition of Parkside did increase the number of liens, but initially, only proportionately.

In 2008 we filed 90 liens— more than twice the historical average. In 2009 the number of lien filings increased to 150. Last month we sent out final notices to more than 250 homeowners informing them of our intention to file liens. These notices are required by law to be sent by registered mail and give the delinquent account 45 days notice.

Filing 150 liens last year was a heavy load for our small office. Potentially filing 200+ liens this year looks like a daunting task. Thus far the 250+ "final notice" letters have shook loose about three dozen responses.

Unless something happens to improve the situation, we will be falling more than \$40,000 short of our expected revenue this year. This is causing the EEPOA Officers to address alternative courses of action.

Stay tuned. We will keep the membership informed as we determine what actions are going to be necessary.

Carl Hancock



## SPRING SYMPOSIUM ADDRESSES BURNING QUESTIONS

The following issues and more were discussed during the Spring HOA Symposium which was held on April 21st at the Errol Estate Country Club.

1. Can the exterior of vacant homes be maintained by an HOA?
2. Why are there more than 20 different HOAs within Errol Estate?
3. What is the role of the Master Association?
4. When should I call Apopka Code Enforcement?
5. Can my HOA force me to maintain my yard?
6. How can I get rid of my HOA?

More than 50 Homeowners participated in a lively discussion.

If you missed the Spring 2010 Errol Homeowners' Association Symposium you should watch your email for the announcement

of the date of the Fall 2010 Symposium. In the meanwhile, if you have questions please send an email to [office@eepoa.com](mailto:office@eepoa.com).

**The answer to question #1 is;**

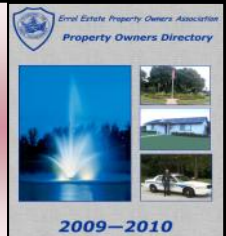
Yes, most HOA covenants allow for the HOA to perform exterior maintenance (mowing the lawn is the most common), after giving 30 days notice to the owner of record that the exterior of the home is not in compliance with the HOA's covenants. Furthermore, most covenants allow the HOA to bill the homeowner for all expenses incurred to provide necessary maintenance. The HOA can usually file a lien on the property to insure reimbursement for the maintenance expenses incurred to bring the home into compliance.

**Note: The HOA Board should consult with competent legal counsel before performing the exterior maintenance at a vacant home.**

*Dale Fenwick*

## EEPOA DIRECTORY 2009 — 2010 SEMI-ANNUAL UPDATE NOW AVAILABLE ON-LINE AT [EEOA.COM](http://EEOA.COM)

Many changes to our Property Owner's details have been made to the Directory and are displayed in a **RED FONT** for easy identification.



## GOLF CARTS IN ERROL — CONTINUED FROM PAGE 1

### APOPKA MUNICIPAL CODE

#### Apopka Code of Ordinances

Go to <http://www.apopka.net> "Sec. 78-5".

#### Operation of golf carts on roadway in Errol Estate:

(b) Operation permitted on designated streets. All dedicated streets within Errol Estates, including Vick Road between Welch Road and Sun Bluff Lane, for traversing between golf holes, are hereby designated for use by persons operating golf carts as permitted and governed by state law.

(d) Responsibility of operators. Although the city council is hereby authorizing use of the dedicated streets by golf carts, vehicular traffic will have the right-of-way, and persons operating golf carts on these streets accept all responsibility for their actions.

### FLORIDA STATUTE

#### FS (Florida Statutes)

Go to <http://www.flsenate.gov/statutes/> "316.212- Operation of Golf carts on certain roadways.

"The operation of a golf cart upon the public roads or streets of this state is prohibited except as provided herein: (The statute is too lengthy to include)

Your Board suggests that those interested please review the appropriate statutes. If there are questions, contact the Apopka Police Department or refer to the City of Apopka Web page.

#### PEDESTRIANS:

- Walk on the right side of the roadway whenever possible.
- Always walk facing on-coming traffic.
- Give vehicles the right of way.
- Use a flashlight if walking at night.
- Wear reflective clothing and/or reflective tape.

*Rich Gesell*



## NEWSLETTER SURVEY — E-MAIL VS. REGULAR MAIL

Considering cost cutting measures, the EEPOA Board of Directors recently e-mailed a survey to the 1,100 of our Property Owners who have provided their e-mail addresses.

We requested a response indicating their preference for receiving our quarterly newsletter.

If you did not receive this e-mail survey and wish to participate, please go to [eeboa.com](http://eeboa.com) and enroll your e-mail address on the Home Page. You will receive the e-mail survey soon after enrolling.

If you do not wish to communicate with us electronically, you can still let us know your opinion by fax, phone, mail or in person at the EEPOA office.

**We prefer to receive the Quarterly Newsletter:**

\_\_\_ **Via e-mail only**

\_\_\_ **Via regular mail only**

\_\_\_ **Via both e-mail and regular mail**

\_\_\_\_\_  
**Property Owner Name**

\_\_\_\_\_  
**E-mail Address**

Thank you for your participation.  
EEPOA Board of Directors

## APOPKA CITIZENS PUBLIC SAFETY ACADEMY CLASS — UPDATE

Originally presented in our February, 2010 Newsletter, this Public Safety Academy Class was delayed until the end of April, 2010, but is fully underway now.

We have over a dozen participants, fellow Apopka citizens from all walks of life. One thing we all have in common is an interest in public safety and what is happening within our community. Being a former cop, I had a natural interest in the program and being one of the Coordinators of the Muirfield Home Owners Association "Neighborhood Watch" program, I thought why not! Never did I realize what a great program was really being offered until I started!

I have learned more about our Community in the first two sessions than I ever thought I had an interest in learning over the last twenty one years as an Apopka resident.

We have a great Public Safety department in our City. The discussion / instruction

on CPR / First Aid were worth attending by themselves.

I am looking forward to future sessions with positive anticipation, and must say the sessions I have already attended have been full of good practical information, and real down to earth presentations by some of the most dedicated, public servants I have met in years.

The environment is inter-active and friendly, allowing active or passive participation or just taking in the presentations, personal involvement is encouraged, and the opportunities to participate are numerous.

The thought that Apopka is a sleepy little town which is not progressive is far from being correct. We have the highest rating a fire department can receive (ISO #1), as well as an award winning "Special Response Team" and highly acclaimed K-9 training program.

I am looking forward to completing the program and joining the Apopka Citizen Police Academy Alumni Association, enabling me to assist this great community through various volunteer positions which are offered to its members.

If you are interested, contact the EEPOA office for future dates or the Apopka Police or Fire Departments for enrollment applications.

*Rich Gesell*

### **APOPKA POLICE DEPARTMENT**



## YOGA CLASS OPEN TO ALL ERROL ESTATE RESIDENTS



Gentle Yoga - Every Monday 10:00am - 11:15am at the Country Club

Increase flexibility, strength, endurance and balance

Reduce stress and tension.

Restore body, mind and spirit.

No prior yoga experience needed.

Bring a yoga mat

Wear comfortable clothing.

Classes are \$10 each

**Instructor — Colleen Gallman**

352-409-0806 [jcgallman@mpinet.net](mailto:jcgallman@mpinet.net)



## Errol Estate Property Owners Association

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PRSTD STD  
US POSTAGE  
PAID  
MID FL  
PERMIT #12132

### EEPOA Office Hours

Mon.— Fri. 9:00AM-2:00PM  
Sat. 9:30AM-11:30AM

### Administrators

Janie Shimp & Bob Popp  
Please contact the office with  
any name or address changes.

The EEPOA Board meets at 7:00 PM on the third Thursday of every month at the country club

*Newsletter is published quarterly — February, May, August and November  
Please contact us with article suggestions.*

*This newsletter and previous editions can be viewed on-line at [www.eepoa.com](http://www.eepoa.com)*

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