

# Tamarind Cay



Issue 1 ~ May, 2008

Community Newsletter

## Board of Directors

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Member Ed French  
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Member Tom Lemley  
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## Committees

Landscape Jean Long  
Fining Tom Anderson  
Speeding Bill Lamoreaux

## Property Management

Suitor & Associates  
15751 San Carlos Blvd #8  
Fort Myers, FL 33908  
Sheila Ullmann, CAM  
[Sheiladgs@Comcast.net](mailto:Sheiladgs@Comcast.net)  
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## Useful Phone Numbers

Pre-call Gate Access 482.6998  
North Gatehouse 482.5039  
South Gatehouse 433.0110  
Security Patrol 340.8994  
Sheriff Non-Emergency 477.1000  
Poison Control 800.282.3171

For other Emergency numbers  
Tune in Comcast Channel 95

## Painting Work Completed

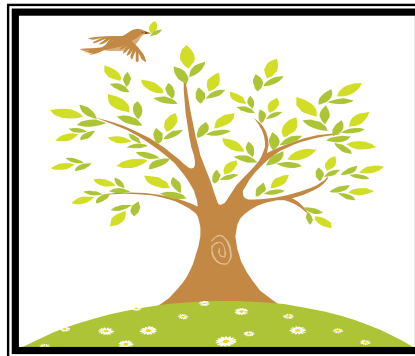


The roof pressure washing and painting of buildings and courtyard gates in Section 2 and part of Section 3 was completed on April 24, 2008 and a 'walk through' was conducted by the contractor, Elias

Brothers, as well as B of D members and Property Management, Suitor and Associates. Any noted problems with painting will be corrected by Elias Brothers in the next day or so.

The remaining buildings in Section 3 (buildings 9 & 10), along with the buildings in Section 4 are scheduled for painting in the Spring of 2009.

## Tamarind Tree Replaced



The large Tamarind tree that had been a part of our neighborhood in the vicinity of the bridge since the earliest days of Tamarind Cay was apparently the victim of a lightning strike and/or hurricane damage sometime in the last few years.

It had been showing even more signs of ill health in recent months and had to be removed last month.

Jean Long of the landscape committee looked far and wide for a replacement Tamarind tree and the one that has been planted in the place of the original is the largest one she could find.

## New Speed & Parking Signs



New signs have been ordered and will soon be installed in an attempt to slow auto traffic down in the vicinity of the blind curve by building 4.

Also, the 3 small guest parking areas in the same vicinity will be designated for guest parking of compact cars only.

Full size autos, trucks and SUVs, when parked in these areas, make the blind curve problem even more dangerous.

Next BofD Meeting ~ May 15th, 3PM @ TC Pool

## 'Gators and Bobcats



Keep a careful eye on your children and small pets. Alligators (small ones) have been seen in our lake in recent days. Don't attempt to feed the 'gators or water birds - either of which will cause the critters to become more likely to try to interact with humans.

Security has reported the sighting of Bobcats at various places within Gulf Harbour, and strongly advise homeowners to be on the look out and to keep their garage doors closed.

## Help Needed Reporting Speeders



Our neighborhood continues to be plagued by people operating their vehicles far in excess of the posted speed limit of 15 MPH, endangering pedestrians (adults and children) and bikers

in the area.

Your help is requested to identify vehicles you observe speeding. Make note of a description of the vehicle, including type, color, and perhaps the tag number, and make an anonymous report to our Property Manager, Sutor & Associates who will follow up with Security and other proper authorities.

Thank you.

## Q & A re: Our Lake Problems

One of our condo owners recently sent an email to the B of D asking questions re: our 'Lake Problems' - The following, while not a legal or official position, is an attempt to respond to some of those questions.

**Q** - Our understanding of the problem: the ground slope into the lake is steeper than Lee County code allows . . . (Correct / Incorrect?).

**A** - Correct...the code states that the slope should not exceed 4:1, and in many areas of our lake, the slope exceeds this ratio.

**Q** - Since Gulf Harbour is private property - where does Lee County have the authority to place restrictions on our lakes?

**A** - Lee County is the code enforcement authority for the design of such topography...especially as it may concern public safety...the same as they would if a homeowner built a swimming pool on their private property, the County would rightfully insist that a proper fence, gate, etc. be part of the design.

**Q** - Were these restrictions in place when the lake was formed?

**A** - Yes, and the County accepted the certification of the developer's engineer that the design was 'substantially in compliance'.

**Q** - Why is the responsibility to bring the lake back into compliance not placed on the entity(s) that failed to maintain the lake properly over the years.

**A** - We are taking legal action in an attempt to recover the repair costs from those aforementioned entities.

**Q** - Why is Lee County forcing the issue after the fact?

**A** - We think for 2 reasons...1, because the Master Association gave the County an engineering study that showed our lake as being out of compliance (our lake should not have been part of the study since the lake did not belong to the Master Association) and 2, because of accidents that have happened within Gulf Harbour and elsewhere in the County the situation has been highlighted as a public safety hazard.

**Q** - For what ever the reason - why do us home owners have to bear the cost?

**A** - At the time you purchased your condo in 2002, Tamarind Cay had not been cited by the County for not being in compliance. Since discovering the violation, the County's position is that if we now own it, we have to fix it.

**Q** - Lastly - if our lake is not in compliance, why is Lee County's Lake on Gladiolus acceptable?

**A** - We can only say that in our discussions with the County re: our lake, they have indicated that ours is not the only lake they are working to get into compliance.



## April 17, 2008 Board Meeting ~ Unofficial Draft of Minutes

**Unofficial Draft** - Tamarind Cay Association, Inc. Board of Directors Meeting - April 17, 2008 at the Tamarind Cay Pool - 3:00 P.M.

### **Establish a Quorum/Call to Order**

Board members present were Bert Payne, Walt Kittredge, Susette Nordstrom, and Tom Lemley. Also present was Sheila Ullmann from Suitor and Assoc. Eleven residents were present. The meeting was called to order by President, Bert Payne, at 3:10 P.M.

### **1. Minutes**

*Motion was made by Tom Lemley; seconded by Walt Kittredge to approve the minutes from the March 13, 2008 meeting. Motion carried unanimously.*

### **2. Old Business**

#### **a. Lakes**

There will be a meeting between Tamarind Cay and the GH Master Association on April 29<sup>th</sup> to hopefully negotiate a settlement of our lawsuit against them which would eliminate further litigation costs.

#### **b. Exterior Painting**

The exterior painting of Section 2 and part of Section 3 is almost completed. The dumpster areas will be painted next year. There was a question about extending future 5 year painting cycles to save money. This will be evaluated when Section 1 is scheduled for repainting.

Increasing the times the roofs get power washed was discussed. Although this would improve their appearance, it would also increase the possibility of roof damage.

#### **c. Status Proposed Document Changes**

The paper work is back from the lawyers. The changes must be recorded with the proper agencies. Confirmation of the filing and recording will then be sent out to the owners.

### **3. Treasurer's Report**

Bert Payne reported that the financials at the end of February were good. A request was made of Suitor to send the financials to the Board electronically rather than by mail.

### **4. Landscape Committee - Jean Long**

a. Lewsader finished the landscape work inside the pool entrance. This has greatly improved the appearance of the area.

b. Lewsader also completed the necessary trimming for the current condo repainting project.

c. The dead Tamarind tree has been replaced with a much smaller one. Although it is a "native" tree, this was the largest one we could find in any local nursery.

d. Because of our recommendation, Twin Palm Tree Service received the bid for the Gulf Harbour north ficus fence project. In appreciation they trimmed all the palms around our pool for free.

e. As soon as twice a week watering is allowed, Bob Hecker will reset our timers.

f. Next month the summer landscape projects that are within the budget will be set up.

g. There was a question about planting some noise barrier along McGregor. Nothing will be considered until after the lake project is finished. Suitor will write to Veolia informing them of a noise restriction law stating that there should be no garbage collection at the Hess Station before 6:30 AM.

### **5. Speeding Committee Report**

Bert Payne reported for the committee. Their suggestions included installing signs by blind curves and driveways. They also thought that certain guest parking spots should be limited to compact cars so vehicles wouldn't extend too far and block vision. Walt Kittredge will follow up on this and provide samples of signs at the next meeting.

### **6. Topics Related to Maintenance Person**

Bob Hecker should have received a raise in January. *Motion was made by Walt Kittredge; seconded by Tom Lemley to pay him a lump sum to make up for the salary deficit and increase his salary by 5%. Motion carried unanimously.* The Master Association will pay Bob Hecker separately for all overtime work he does for water monitoring of the new GH fountain.

### **7. Status of Open Maintenance Requests**

a. Roof repair is being done to Buildings #12, 16 and 20.

## Unofficial Draft (Continued)

- b. Bob Hecker still has a few upper lanais that need the weep holes drilled. Letters will be sent to those owners stating that if keys are not provided, entry will be obtained by a locksmith and they will be charged.

### New Business

#### a. Establishing A Fining Committee

Any owner called before the committee will be given a 14 day notice. The committee will decide if the infraction justifies a fine. Their recommendation will be sent to the Board. The Board can fine the owner \$100 / incident, up to \$1,000 total.

*Motion was made by Walt Kittredge; seconded by Susette Nordstrom to establish a fining committee for Tamarind Cay. Motion carried unanimously.*

The new fining committee will hold their first meeting on Monday, April 21<sup>st</sup>. The current members are Tom Anderson, Patti Jean Collins and Carol Scarecello.

#### b. Consolidation of Financial Accounts Currently Maintained by Section

*Motion was made by Bert Payne; seconded by Tom Lemley to consolidate the financial accounts of the four Sections of Tamarind Cay into one account as soon as the new documents have been recorded. Motion carried unanimously.*

This motion was made subject to Sheila Ullman confirming that there would be no legal ramifications.

This will not have any negative effects on any Section and will greatly simplify the accounting system for Tamarind Cay.

### Schedule Next Meeting

The next Tamarind Cay Board meeting will be held on Thursday, May 15, 2008 at 3:00 PM at the Tamarind Cay pool.

*Motion was made by Walt Kittredge; seconded by Bert Payne to adjourn at 4:25 P.M. Motion carried unanimously.*



In an effort to keep our expenses down, this newsletter is distributed by electronic mail only (a hard copy may be obtained from Suitor for standard photocopy costs). If you know another Tamarind Cay owner who you think would like to receive this newsletter but is not on our email list, encourage them to provide Susette Nordstrom ([susetten@comcast.net](mailto:susetten@comcast.net)) with their email address for future editions.

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This newsletter will be published on an irregular basis, when we have sufficient material that we deem to be of general interest to everyone. If you have questions you always wanted to ask... or subjects of common interest...or want to contribute your writing skills, please contact Susette or Walt Kittredge ([Captwalterk@cs.com](mailto:Captwalterk@cs.com)).