

**BURNT STORE LAKES PROPERTY OWNER'S ASSOCIATION
MINUTES OF BOARD OF DIRECTORS MEETING
HELD IN THE BURNT STORE LAKES POA CONFERENCE ROOM
16500 BURNT STORE ROAD, UNIT #102, PUNTA GORDA, FL 33955**

April 12, 2016

CALL TO ORDER, PROOF OF NOTICE and ROLL CALL

President Bob Pietrasanta called the meeting to order at 5:00 p.m. and opened with the Pledge of Allegiance. It was noted that the Meeting Agenda was posted 4/9/16 online and at the kiosk in the Park. In addition, notification signs were placed at four entrances into Burnt Store Lakes on 4/7/16. Postings met the guidelines as set forth in the By-Laws. Sandy Funk, Secretary, took the roll call: Present were Bob Pietrasanta, President; Joyce Punt, Treasurer; Karen Bishop, Kate Ihrig and Bob Beahn, Directors at Large. Bob Lilley, Vice President, and Rick Mathis, Director at Large were absent. A quorum was present.

Public Input:

In attendance were Bill Giandonato, Vic Kapcsos, Bob Reichert, Ed Morris, Chris Peabody, Bill Lewis, Fred Boland, Rom Mattesich, Ron & Mary Jo Allen, Rich Elders, and Vicky Clawson. Bob Pietrasanta asked if anyone would like to speak on a specific Agenda item and when that item is discussed they can address their question at that time. Vic asked to speak on Item 7, Long Range Planning, and Bob Reichert on Item 6, Drainage.

DISPOSITION OF MINUTES

Bob Pietrasanta stated that the Minutes of the March 8, 2016 Board Meeting was sent to all Board members electronically. Bob Pietrasanta asked if there were any additions or corrections to the Minutes. . There being none, Kate Ihrig motioned to approve the March 8, 2016 Minutes with Joyce Punt seconding. ***The motion was unanimously passed with Pietrasanta, Punt, Bishop, Ihrig and Beahn voting aye.***

TREASURER'S REPORT

Joyce Punt presented the financial report ending March 31, 2016, the sixth month into the fiscal year. She noted the cash position as of March 1, 2016 was \$797,897.58. Cash received was \$31,580.85 and included earned interest in the amount of \$172.19. Disbursements for the month of March were operating expenses in the amount of \$37,541.23 and reserve expenses \$17,132.47. The cash position ending March 31, 2016 was \$774,804.73. Assessment Receivables were \$121,113.78. The balances in the money markets and checking accounts were noted. The operating expenses for March were approximately \$3,200 more than February, and typical for the sixth month into the fiscal year. The reserve expenditures were \$5,450 less than February. The reserve expenditures were for mangrove trimming, survey Muscat swale, Park apron at shell road, tractor rental for Park, and Ibis aerator repair. The amount of case received in March was approximately \$1,035 less than February. Accounts receivable ending March 31, 2016 was down \$24,200 from February.

The current collection rate for the end of March 2016 was 93.4% compared to 90.0% at the end of March 2015 (based on actual assessment and not 2 or more years in arrears plus interest and filing fees, or those on payment plans). There are a total of 137 property owners out of 2066 billed that have not paid their assessment, compared to 206 at the end of February 2016. Liens were filed on March 28, 2016 on all properties where the assessments were not paid by March 16, 2016.

There being no questions on the financial report, Kate Ihrig motioned to approve the March 2016 Treasurer's Report and send forward for audit. Karen Bishop seconded the motion. ***The motion was unanimously passed with Pietrasanta, Punt, Bishop, Ihrig and Beahn voting aye.***

MANAGER'S REPORT – Sandy Funk

Drainage – Bob Reichert obtained a quote to repair approximately 2500 feet of the swale that runs from Muscat (north of Cabana) to Peppercorn. The survey has been completed to determine swale width in relation to property lines. Additional quotes are being solicited. There is concern about a 36" County pipe that takes the water from the Muscat swale along Spice Lane and across the street into Ibis Lake. A meeting will be scheduled with Public Works since the pipe is in County right of way and it should be replaced with a larger diameter pipe. The estimated cost is \$42,000 which does not include sod. More information will be available for the May Board meeting.

An estimate has been received to correct the Ayson Way swale by regrading approximately 600 linear feet. The excess material is to be stockpiled for future use. After discussion, Karen Bishop motioned to expend an amount not to exceed \$4,500 and have C&J Excavating repaired in accordance with Banks Engineering's drawing with sod to be determined. Kate Ihrig seconded the motion. ***The motion was unanimously passed with Pietrasanta, Punt, Bishop, Ihrig and Beahn voting aye.***

Cape Horn Entrance – Ed Rackeweg was contacted to schedule reinstallation of the irrigation system which should be completed in about two weeks. The flag pole is still in the process of being relocated. Ric from i2 Visual was contacted regarding raising the entrance sign for better visibility. He will not have a completed evaluation and cost until the end of this week. Patten Sales will also be contacted this week to insure about deeding over the land where the entrance sign is located. This land is now leased which is due to expire in 2020.

New Sidewalks – Construction of the Rio Togas sidewalk is finished except for the connection to Tyler Wilson's driveway. Construction of the Vincent sidewalk has begun.

Reclaimed Water to Rio Togas Lot 12 – We spoke to Bruce Bullert at CCU on 4/6. CCU is meeting with David Pears this week to firm up an agreement for Pirate Harbor water easement on San Edmundo greenbelt. As soon as it is signed, we will be receiving an agreement for installing reclaimed water on Rio Togas. Timing should be about 2 weeks. Vic Kapcsos was asked to research installation of electric to pump reclaimed water through irrigation lines. Jack Vogel of Long Range Planning is contacting FPL. The reclaimed water supply is available two (2) days a week; however, we can request three (3) days a week of necessary. More information below in Long Range Planning report.

Park Road – Closing out this portion of the SWFWMD permit requires grass in the swales. Bob Reichert looked into cost of hydro-seeding. We will contact Banks to confirm timing. There should be a 5-year permit with provision for extensions.

Mangrove Trimming – Marc Ebling of Suncoast Environmental completed the trimming for this year on March 18th. They trimmed along the BSL side of Jean Lafitte canal, San Ciprian weir to Bear Branch Creek (BBC), as well as the creek itself.

LONG RANGE PLANNING (LRP) – Karen Bishop

Karen reported the new Park driveway is open and in use. A stop sign supplied at no charge by Gibbs & Register was installed by Vic Kapcsos. Two gates were purchased (total cost of \$280) for the shell road and one for the far end of Rio Togas, and picked up by Vic Kapcsos. The landscaping at Rio Togas cannot be completed until the electric and irrigation is installed. The sod for the driveway sides costs \$90/pallet (400 sq.ft.) for a total cost of \$10,000. It is recommended to only cover 3 feet on either side or 33 pallets at a cost of \$2,970 once the rainy season begins. Bob Beahn suggested looking into "rolls of sod". Our goal is to complete in June—except the fencing for across the driveway. Karen thanked Vic, Bob Reichert, Rick Mathis, Kathy Hansen, Jack Vogel and Marty Leeper for their contributions to the Long Range Planning Committee. Vic was instrumental in saving over \$35,000 as he diligently questioned our engineers, suppliers and others involved in the cost of the project(s).

Adopt an Area – We have had some success in obtaining help in specific areas that need attention. Bill Giandonato volunteered to keep restrooms clean in the Park. Chris Peabody, Bill Lewis, and Tom Friemark also have volunteered to help with the Park—cleaning out gutters and mowing the sides of the multi-use path). Rick Mathis took care of the sign area around the kayak/canoe ramp, and Kathy and Pat Hansen have volunteered to take care of the Vincent entrance. They all have also volunteered to assist in the revamping of the Cape Horn entrance. Karen presented a short outline of “Adopt an Area Committee”, and would also like to include some funds in the next budget. Also discussed was a project to replace some of our signage at designated areas around the lakes. Karen also reminded all present that there are four positions open for the Board of Directors. An outline of various Board job descriptions will be printed in the next Newsletter.

SAFETY & PREPAREDNESS – Rick Mathis

In Rick’s absence, Bob Pietrasanta reported that a joint meeting was held on March 22nd with Burnt Store Village who is working on revitalizing their Neighborhood Watch. They haven’t met in two years. Two BSL block captains and Louise Barrett, co-chair of BSL’s Neighborhood Watch were in attendance.

MECHANICAL & MAINTENANCE – Bob Beahn

Bob Beahn reported that root system of the royal palms on Rio Togas have been disturbed due to the sidewalk construction. He has been watering the palms and will be fertilizing to try and revitalize them. He also spoke with A&L Landscaping about scheduling the trimming of the Washingtonian palms as well as taking care of the Vincent entrance. The Washingtonians along Vincent are to be removed in conjunction with the sidewalk project. A&L’s contract will have to be reviewed for changes (removal of Vincent Washingtonian trimming; addition of mowing along the multi-use path, and along the new Park driveway, etc.).

LAKES WATER QUALITY – Bob Lilley

In Bob Lilley’s absence, Bob Pietrasanta reported that interviews were conducted with Superior Waterway Services, Inc., and Aquatic Services as potential replacement for our current lake contractor, Lake & Wetlands. Both bids were almost identical; however, Aquatic Services’ did not include aerator maintenance (\$10,000 additional). After careful consideration, it is recommended that we award the aquatic management contract to Superior Waterways. After discussion, Joyce Punt motioned to award the aquatic management of our lakes to Superior Waterway Services, Inc., effective May 1, 2016, at a monthly cost of \$5,275.00. Kate Ihrig seconded the motion. ***The motion was unanimously passed with Pietrasanta, Punt, Bishop, Ihrig and Beahn voting aye.*** Bob noted that the new contract is \$64 less/month that Lake & Wetland. Any fish stocking will be an added cost, however, they will provide some littorals at no additional cost. Lake & Wetland was notified that their contracted is terminated effective April 30, 2016.

COMMUNICATIONS – Kate Ihrig

Kate Ihrig reported there were eight (8) CIN messages sent out since the last Board meeting—regarding park access for the potluck, book launch reminder, Parrot Outreach Society Benefit, County message about mosquito and aquatic weed control on the Zika virus, cruise wine and cheese event, ribbon cutting ceremony for the opening of BSR, and Rio Togas lane closures due to sidewalk construction. Kate noted that the 2016 Directories have been delivered. A CIN message will be sent out regarding picking up a copy at the office.

BEAUTIFICATION & ENHANCEMENT – Kate Ihrig

Kate stated that Mary Jane & Randy Kamper have agreed to head the Committee. As noted above, pricing is being obtained for possibly raising the Cape Horn entrance sign. This will include a proposal to enhance the LED lighting and addressing the script lettering. Bob Pietrasanta reported that he and Vic Kapcsos, Bill Giandonato and the Kamper’s met at the entrance. They will solicit 2-3 others to serve on the Committee. They will be looking at Tern Bay and various areas in the Marina, etc., to obtain more landscaping ideas. Also,

as mentioned earlier, Bob does not want to institute any changes at the entrance sign or landscaping until we obtain ownership of this land that is currently leased. Another meeting is scheduled for Friday morning.

COMMUNITY STANDARDS – All

Bob Pietrasanta and Bill Giandonato reviewed Community Standards last month. Some of the items were removed (i.e., dirty roofs) and additional violations added. He noted that Vagabond Circle is vastly improved. Bob also stated that when a house is under an agreement of sale, notification should be made to correct any deed restriction violations. Office Staff does look at the homes when notified of potential sale and reports any violations and requests correction. Other violations listed on the report were discussed. Since it is the Board's responsibility to enforce the deed restrictions, it was decided to have a Board member tour with another property owner to save time and cover more of the community. Kate Ihrig, Joyce Punt, and Karen Bishop volunteered to conduct a review, each taking a property owner with them, and report findings at the May Board meeting. It was also mentioned that we only have two Fining Committee members due to a resignation. After Fred Boland expressed an interest in serving in this capacity, Joyce Punt motioned with Kate Ihrig seconding to appoint Fred Boland as a member of the Fining Committee. This will enable the property owner of 93213 to come before a quorum of the Board and the Fining Committee for a decision on the dirty roof condition. Discussion ensued on various deed restriction violations by members in attendance.

Bob noted that he has received some feedback from the article in the Newspaper regarding potential future changes to the deed restrictions, i.e., procedure for removal of Board of Director, minimum size of new home, and capital improvement fee. He received 5 responses. Not everyone addressed all the items, except the capital improvement fee—1 positive, 1 needs more information, 3 negative (increase assessment instead). Two of the five were in favor of increasing the home size, and 1 responded to change in Board of Director removal procedure. Bob noted that we cannot intermingle funds with operating funds, but can put aside for special projects, i.e., drainage, lakes, cleaning lake 'fingers', etc. Comments were also received about installing fountains in the lakes as well as an entry feature at Cape Horn.

ARCHITECTURAL REVIEW (ARC) – Joyce Punt

Joyce Punt reported there are six (6) projects seeking approval as recommended by ARC. Joyce Punt motioned to approve repainting exterior and trim at 17065 Torreon (89017), 24085 Pyramid (90301), 24424 Peppercorn (91310), 24392 Cabana (95503), a new home construction at 17197 Thyme (89308) by DM Dean Construction, and a new pool construction by Flamingo Pools at 24487 Sol Court (87602). Kate Ihrig seconded the motion. ***The motion was unanimously passed with Pietrasanta, Punt, Bishop, Ihrig and Beahn voting aye.***

There are four (4) projects seeking final ARC inspection prior to closing out the file. Joyce will conduct these inspections. The house on Ainse Ct. has received a Certificate of Occupancy. There are still some drainage issues and lot conditions that need correction before the Association releases escrow funds and clean site deposit. There are currently 18 new homes under construction, one pool, and one lanai cage. We are awaiting approximately 11 new home plans for submission. Joyce noted that the review process for all plans has been revised—which now includes a check off list of items for submission, and ARC meeting more frequently as a group.

Amended Policy 11, Boat/Kayak/Canoe Usage and Storage – Joyce presented proposed changes to the policy as recommended by the ARC. Under Section 2. Storage, a sentence was added as follows: "Under no circumstances shall boats/kayaks/canoes be stored temporarily or otherwise on greenbelt and/or lake shoreline." At the end of the second paragraph under "Storage", a sentence was added as follows: "This may include shrubbery and/or approved fencing or enclosure shield that is either attached, abut or adjacent to the house." After discussion, Kate Ihrig motioned with Joyce Punt seconding to amend Policy 11 to include the above statements. ***The motion was unanimously passed with Pietrasanta, Punt, Bishop, Ihrig and Beahn voting aye.*** The policy will be posted on the website as amended.

COUNTY RELATED ITEMS

MSBU –The MSBU Advisory Board did not meet this month.

SCCC – The South Charlotte County Coalition (SCCC) met on March 24th. Speaker Brian Barnes, Charlotte County Project Manager for widening of Burnt Store Road, addressed Phase II of the widening project. He explained that the County has \$5 million it is spending on the planning phase of the project, of which \$4 million will be required for land acquisition and another \$30 million for construction. It is estimated that 100% of the plans will be completed by March 2017, though total project completion is more than 5 years due to lack of monies. When asked about the viability of legislative action to require the State to give land for a right of way along that stretch of road, he explained the 3 tiered processes ending with the Governor’s Cabinet, which is normally used when making such requests. Past attempts have been futile due to environmental lobbying groups that campaign against such intrusion onto preservation areas. He noted that permission to provide for shoulder banking along Phase I was requested and denied by the State which is why a concrete retaining wall is along that stretch of road.

When asked about the connection from BSR to Tucker’s Grade, he stated that the project has been on the books for years but it is not likely to happen during the next 2 decades. The connection would be more of an alignment of Notre Dame with the traffic signal at Tucker’s Grade.

When asked about the raising of Zemel Road by 4 feet as part of the Bond Ranch project, he stated there are no plans for that. He described the State project as more of a cleansing action rather than restoring sheet flow of water to the area as many environmental groups would like to see. Those advocating restoring the sheet flow of waters from the east suggest eliminating Zemel Road rather than raising it. He indicated that the 600 acre retention pond which the ranch would become would hold water while nutrients filtered out on their way to discharge points to the west—such as Bear Branch Creek.

When asked about the signage along Phase III of the BSR widening, he indicated he would get together with the County Sign Dept. to make any corrections to the privately purchased signage. He also indicated that the roads are funded through the gas tax.

The Aqui Esta Marina project was discussed and the impact of additional traffic would have on Aqui Esta. The developer has permission to proceed with 250 units but is looking to place 500 units on the property as well as a marina. Existing residents in the area are concerned about lighting and operation noise which would emanate from the marina as well as the increase in traffic along the road. This is the same road the Punta Gorda City Council is considering for a bike path.

The South County Overlay District was mentioned—this overlay would amount to creating “deed restrictions’ for the Route 41 corridor. Many existing property owners are fighting the creation of such rules and regulations—fearing increased costs of doing business. It was pointed out that currently, when properties are sold, a different set of ordinances kick in for purchasers of the properties.

MISCELLANEOUS ITEMS – None

NEW BUSINESS – None

ADJOURNMENT

Kate Ihrig motioned with Joyce Punt seconding to adjourn the meeting at 7:00 p.m. ***The motion was unanimously passed with Pietrasanta, Punt, Bishop, Ihrig and Behn voting aye.***

OPEN FORUM

Vic Kapcsos noted the installed fence at the Rio Togas lot. There is a trimming and maintenance issue. Vic asked for permission to contact FPL and obtain 1 load (8 yards) of mulch (at no cost) to spread on each side to control the vegetative growth. The Board granted approval.

Sandy asked that we spruce up the "berm" along BSR by mowing/trimming the grass and then eventually reshape or contour it. We will ask All Lots to mow the berm. He will begin the mowing on April 25th.

Fred Boland asked if there was going to be a gate at the Park to control access. Vic reported that it is planned to put a keypad at a gate located at Rio Togas. Vicky Clawson expressed concern about a keypad. She also asked how to control the no-see-ems. It was suggested she spray or fog the area. She also questioned the legality of people fishing on the lake behind her house. Discussion ensued on past experiences with non-property owners illegally fishing. She was asked to call the Sheriff's Office.

Open Forum concluded at 7:20 p.m.

Respectfully submitted,

Sandra J. Funk, Secretary
To the Board of Directors
Community Association Manager

The next meeting of the Board of Directors is scheduled for **5:00 p.m.** on **Tuesday, May 10, 2016** in the BSLPOA Conference Room located at 16500 Burnt Store Road, Unit #102, Punta Gorda, FL 33955 (Turtle Crossing)

April 16, 2016