

**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**

February 9, 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 2/7/16 online and at the kiosk in the Park. In addition, notification signs were placed at the entrances of Saragossa & BSR and Cape Horn & Vincent on 2/6/16. Postings met the guidelines as set forth in the By-Laws. Sandy Funk, Secretary, took the roll call: Present were Bob Pietrasanta, President; Bob Lilley, Vice President; Karen Bishop, Bob Beahn, Kate Ihrig and Rick Mathis, Directors at Large. Joyce Punt, Treasurer was absent. A quorum was present.

Public Input:

In attendance were Bill Giandonato, Vic & Helen Kapcsos, Rich Elders, Bob Reichert, Ed Morris, Gregory & Elizabeth Kelly, Bud Boyer, and Terry Lindemann. 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. Even though not an agenda item, Bob Reichert suggested putting up an addition meeting notification sign at Peppercorn and Cape Horn.

DISPOSITION OF MINUTES

Bob Pietrasanta stated that the Minutes of the January 12, 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, Rick Mathis motioned to approve the January 12, 2016 Minutes with Kat Ihrig seconding. ***The motion was unanimously passed with Pietrasanta, Lilley, Bishop, Beahn, Ihrig and Mathis voting aye.***

TREASURER'S REPORT

In Joyce Punt's absence, Bob Pietrasanta presented the financial report ending January 31, 2016, the fourth month into the fiscal year. He noted the cash position as of January 1, 2016 was \$882,541.05. Cash received was \$23,280.26 and included earned interest in the amount of \$164.18. Disbursements for the month of January were operating expenses in the amount of \$34,438.48, reserve expenses \$4,205.95, and dinner dance \$450.00. The cash position ending January 31, 2016 was \$866,726.98. Assessment Receivables were \$174,532.56. The balances in the money markets and checking accounts were noted. The operating expenses for January were approximately \$34,816 less than December, and typical for the fourth month into the fiscal year. The reserve expenditures were for replacement compressor on Eagle Lake, millings for Park driveway, and gopher tortoise permitting. The amount of cash received in January was approximately \$91,781 less than December due to slow down in assessment collections. Accounts receivable ending January 31, 2016 was down \$18,425 from December.

The current collection rate for the end of January 2016 was 85.8% compared to 85% at the end of January 2015 (based on actual assessment and not 2 or more years in arrears plus interest and filing fees). There are a total of 293 property owners out of 2066 billed that have not paid their assessment, compared to 356 at the end of January 2015.

On February 1st, the second billing was mailed certified to those property owners who have a remaining balance on their account(s). The foreign accounts were either emailed or sent regular mail. This 2nd billing

give property owners the required notice that if their assessments are not paid after 45 days of the notice, a lien will be filed on the property (March 16, 2016).

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

MANAGER'S REPORT – Sandy Funk

Drainage – Deferred to later in the meeting.

Cape Horn Entrance – We are still working with County on center island soil and sod. Cement pad at the flag pole is on the contractor's punch list for repair. A meeting regarding the irrigation system with the County, Ed Rackeweg, Gibbs and Register, and the POA is scheduled for Friday at 10 a.m. Follow up will be made with the County regarding operation of the replacement light on the south side of Cape Horn at Burnt Store Road.

The County has followed up with Gibbs & Register about timing on replacing the broken light at Cape Horn and Burnt Store Road (BSR). No reply as of today. All of the other lights on the south side of Cape Horn are out. This is as a result of the light pole damage. After the replacement pole is installed, conduit and wiring repairs will be made and lights turned back on.

New Sidewalks – A pre-construction meeting is scheduled for Wednesday, 2/10 at 10 am in the County Purchasing Department. Rob Hancik, Rick Mathis and Bob Pietrasanta will be attending. Request will be made to prioritize the work, i.e., Rio Togas scheduled first so that the Park driveway apron can be installed as soon as possible.

Reclaimed Water to Rio Togas Lot 12 – CCU is still working on firming up a start date to begin under Burnt Store Road (BSR) to provide reclaimed water to Lot 12. An agreement between CCU and the Association is being prepared by CCU and the County attorney.

Propane Tanks – It was discovered that a newly constructed house on San Edmundo installed a propane tank for kitchen cooking along the right side of the house. It is about a 50# tank approximately 40" high. The gas company will not bury a tank this small. Another property owner on San Edmundo (in attendance) put in a request since they observed this tank installation. An additional request was received from a property owner whose house is currently under construction. Both are the small propane tanks that cannot be buried. After a lengthy discussion, it was decided ask the ARC to review the Fence/Enclosure Shield Policy to address concealing these tanks. A letter will be written to the owners of the existing tank notifying them of the pending policy to address this issue. The property owners in attendance were granted their request to install a 40" high tank with appropriate shielding. A follow up letter will be sent to them as well.

Mosquito Spraying – Due to the dangers associated with the Zika virus, Jim Brown has been contacting County officials for additional spraying in BSL.

Community Center – Issues have been encountered with setting up/taking down before and after various group usage of the Community Center. After discussion, Bob Pietrasanta and Sandy will get together to discuss a solution.

Request for Special Event in Park – A request has been received from a resident to use the Park for raising funds for the Parrot Outreach Society. This is similar to prior use by the Mural Society for fundraising. Jim Morris has been engaged to provide music for the event.

LONG RANGE PLANNING (LRP) – Karen Bishop

Karen reported that the park driveway surface has been completed. Four (4) sets of crossovers for water and electric were added. Eight (8) additional loads of road millings (base material) was purchased to complete the road. Quotes are being obtained for the 10 foot apron at the shell road to complete the exit off the driveway on the north end. It is expected the County will start the Rio Togas sidewalk in the next few weeks which includes construction of the apron onto the new driveway. The driveway cannot be used until the sidewalk is complete. As soon as the reclaimed water for irrigation is installed by CCU, the landscape plan for the Rio Togas driveway sides will be finalized.

The fence at the entrance into the Park will be relocated closer to BSR to keep normal traffic from entering. The gate will be locked with the combination given to Waste Management and other necessary service personnel. The entrance at BSR is now considered a 'service entrance'.

LRP suggests removal of the logs encompassing the circle at the Park entrance and use them as bollards to outline the driveway in from BSR as a safety precaution for drivers. The kiosk has already been removed for relocation inside the Park. There are additional poles in the Park area if needed. It may also be possible to obtain the poles removed on Watchtower. Kate Ihrig will look into this—realizing that FPL may not move them for us.

Karen and Vic distributed the estimated/actual costs of the project. To date \$63,000 has been expended of which \$44,000 came from eminent domain funds—leaving \$19,000 to be funded through infrastructure reserves. This does not include work not completed, i.e., concrete apron at north end of driveway, landscaping and irrigation of Rio Togas lot, and sod.

Once the current projects have been completed, LRP will not suggest another major project to the Board this budget period with the exception of working on implementation of a "Capital Contribution Fee" that was presented to the Board last year.

LRP is missioned to bring ideas to the Board. One new idea is an "adopt an area" task where community members would take responsibility for certain projects, i.e., entrances into the community, park maintenance, clean up after storms, etc.

SAFETY & PREPAREDNESS – Rick Mathis

Rick stated that a meeting was held on 1/27 for the purpose of revitalizing the Neighborhood Watch at which 32 people attended. The Charlotte County Neighborhood Watch coordinator was present along with Charlotte County Deputy/Policing Office for our area. Bill Jinkens and Louise Barrett have agreed to co-chair the Committee.

Because Neighborhood Watch groups are so respected by the Florida State Sheriff's Association, they sponsor an event called "Celebrate Safe Communities 2016". This brings together all the different Neighborhood Watch groups to exchange ideas on how to make the program more effective. Awards are given individually and for how well the group operates. This gathering will take place at the Port Charlotte Beach Complex on March 5th from 10 a.m. until 1 p.m.

The next Neighborhood Watch meeting is scheduled for February 25th at 1 p.m. in the BSL Community Center.

Rick reported that the BSL Potluck has donated \$150.00 to the CERT program, and will be used to replace some of the medical supplies and install lighting and wiring for power to the trailer. The CERT team thanks them for their generosity.

Within the next few weeks the kiosk will be relocated to an area on the restroom building in the Park.

MECHANICAL & MAINTENANCE – Bob Beahn

Bob Beahn reported that two dead Washingtonians on Cape Horn are scheduled to be taken down and stumps ground. Bob also purchased a router at his own expense which Jim McCans will use to make replacement Lake signs that have been destroyed or missing due to weather conditions.

LAKES WATER QUALITY – Bob Lilley

Bob mentioned a problem with people fishing behind homes. Complaints have been received from property owners stating this is interfering with their privacy; whereas fishermen have the right to fish from greenbelt. However, the footage of greenbelt behind homes and lots is difficult to determine since it varies throughout the community. After a lengthy discussion, it was decided to table this item and place on the March Agenda.

Bob noted that Lake & Wetland's (L&W) service has declined since Denny Kunish left their employ. He is looking to replace L&W and is meeting with two vendors—Superior Waterways and Aquatic Weed Control. He has been working with Bill Morgan who lives in BSL and sells aeration equipment. L&W has been subcontracting with Bill Morgan's company for aeration work now. In conjunction with this discussion, Bob recommended that the Board approve payment for the fish stocking which has been held in abeyance for several months. He outlined several reasons, i.e., not written in the contract that stocking must be observed by BSL representative, and avoidance of any possible legal action on L&W's part. Discussion ensued after which Rick Mathis motioned to Pay L&W \$7,150 for fish stocking with Bob Lilley seconding. ***The motion passed with Pietrasanta, Lilley, Bishop, and Mathis voting aye, and Beahn and Ihrig voting nay,***

With the resolution of payment for the fish stocking, Bob proceeded to outline a plan to exercise the 30-day out clause with L&W which entails interviewing the two companies mentioned above (with Bob Pietrasanta). Based upon the interviews, Bob asked the Board for approval to replace L&W without waiting until the March 8th Board meeting. After discussion, Bob Lilley motioned, with Karen Bishop seconding, to authorize releasing L&W from their contract as soon as it is deemed to be advantageous to BSLPOA and awarding a contract to one of the two companies aforementioned provided the contract is within or under our existing budget, and bringing the new company's contract before the Board for final approval at the March meeting. ***The motion was unanimously passed with Pietrasanta, Lilley, Bishop, Beahn, Ihrig and Mathis voting aye.***

Bob presented a proposal from Dr. Serge Thomas from Florida Gulf Coast University to conduct a Limnological assessment of the lakes (8 months duration). Bob has been looking for several years for someone to review what has been done over the past several years in the lakes to determine what improvements should be made in treatment(s), etc. This will give us a baseline that we do not now have. A similar study was conducted in a community in Naples at a considerable cost which resulted in Dr. Thomas publishing a paper. He is interested in the study of our lakes since it is in close proximity to Charlotte Harbor. After further discussion Rick Mathis motioned to engage the services of Dr. Serge Thomas of FGCU for the purpose of conducting a Limnological assessment of the lakes at a total cost of \$10,477.69, payable in accordance with outlined schedule, and funded through the Lake Aeration portion of the Reserve budget. Kate Ihrig seconded the motion. ***The motion was unanimously passed with Pietrasanta, Lilley, Bishop, Beahn, Ihrig and Mathis voting aye.***

COMMUNICATIONS – Kate Ihrig

Kate Ihrig reported there were five (5) CIN messages sent out since the last Board meeting—two regarding lane closures on BSR, two notifying residents of the 1/27 Neighborhood Watch meeting, and one reminding residents of the deadline for submitting information for inclusion the 2016 Directory. It has been decided that we will not be using Sea Breeze Communications to publish our 2016 Directory due to time restrictions. It will be published by PCI Communications.

BEAUTIFICATION & ENHANCEMENT – Kate Ihrig

Kate noted that there is interest from one couple to co-chair the Committee with another active member. However, no one has come forward. In the interim, this couple will research plantings and cost for the Cape

Horn entrance. A notice will be placed in the Heron Herald asking for new member volunteers. It was discussed to have two separate committees—(1) Beautification & Enhancement, and (2) Holiday Decoration Committee. The co-chair volunteer inquired about existing budget monies. The only funding available this fiscal year is to refurbish the landscaping at the Cape Horn entrance. It was advised that they develop a comprehensive landscaping plan and present it to the Board for consideration.

ARCHITECTURAL REVIEW (ARC) – Joyce Punt

In Joyce Punt's absence, Bob Pietrasanta reported there are two projects seeking approval as recommended by ARC. Bob Lilley motioned to approve a lanai cage (no pool) at 17433 Cape Horn (93701, and an exterior paint and trim color change for 89908 at 17150 Sarong Lane. Kate Ihrig seconded the motion. ***The motion was unanimously passed with Pietrasanta, Lilley, Bishop, Beahn, Ihrig and Mathis voting aye.***

Under projects seeking final inspection, the pool construction at 17440 Cayo Lane is complete except for landscaping. Bob reported there are 20 new homes under construction or under ARC review, with 7 plans waiting to be submitted.

COMMUNITY STANDARDS – All

Bob Lilley and Rick Mathis were assigned to review Community Standards last month. However, they started investigating the purchase of a new storage trailer to replace the existing one in the Park, and there was not enough time to do the review. They will bring a recommendation for trailer replacement to the next Board meeting. They agreed to review Community Standards this month and will report on March 8th.

COUNTY RELATED ITEMS

MSBU –The MSBU Advisory Board met on January 26th. Due to term limit changes made by the County, the chair and vice chair members cannot serve more than 3 consecutive years. Jim Brown is now the Chair of the Committee with Rick Mathis as Vice Chair. The Sunshine Law and Roberts Rules of Order were again reviewed. The sidewalk contract was subsequently awarded to the low bidder and the pre-construction meeting notification will be given when scheduled. A request was again made to prioritize the construction of the sidewalks. The drainage on Balearic was discussed. The cost to date for the drainage work recently completed in County right of ways was \$38,809. These funds originated from the MSBU tax and not our BSL assessment. Residents on Vincent Avenue have requested 3-4 additional 30 mph signs due to safety issues created by excessive vehicle speed. This item will be placed on the next MSBU agenda.

SCCC – The South Charlotte County Coalition (SCCC) met on January 28th. Deputy Steve Burke of the Charlotte County Sheriff's Office was the speaker. He provided a short biographical sketch and summarized his duties as primarily crime prevention responsibilities. He encouraged registration of golf carts/bicycles to assist in deterring theft and to locate them faster if stolen. Cars should always be locked when not in use. The Sheriff's office encourages wristbands for elderly "wanderers" to help in locating them should they wander off. A Charlotte County App is now available for cell phones that indicates where problem areas exist within the County. Deputy Burke made those present aware of the County's Civilian Police Academy where citizens can register and learn all the activities of the Sheriff's Office as well as possibly do a "ride-along" with police officers on road patrol.

Tom Cavanaugh, Punta Gorda Councilman, addressed the group over an issue which he is requesting SCCC support. The City would like to meet with the County Commissioners to discuss Route 41 south of the city and what can be done to improve and change the signage and construction of buildings on that part of the road as it leads into Punta Gorda. City fathers are concerned that if restrictions are not put in place, the road will eventually look similar to the highway through Port Charlotte and Charlotte Harbor north of the Peace River Bridge. They would like a standard implemented that would allow for signage and a quality of construction similar to that which currently exists in Punta Gorda. The County has resisted such talks. The SCCC President was directed to draft a letter to be sent to the County Commissioners supporting such a meeting and consideration.

In other business, it was recommended that a letter be drafted to support legislation that would permit the State to turn over a 150 foot right-of-way along Burnt Store Road for the purpose of expansion of the road to 4 lanes. It was noted that a bike lane is under consideration for Aqui Esta.

MISCELLANEOUS ITEMS

None

NEW BUSINESS

Board of Directors Job Descriptions – Each director was asked to write a brief job description of their area(s) of responsibility. This becomes important for any new candidates that may want to run for a director and be able to refer to a job description to see what the position responsibilities are and what is expected.

Future Amendments to the Documents – Now that we have changed the voting criteria for passing future amendments, it is time to start thinking of the kinds of items we would like to amend in our deed restrictions and by laws. For example, discussion in the past was to amend the size of a house to be built in the lakes (i.e., from 1200 square feet to 1800 square feet). Another consideration for adoption would also be a Capital Contribution Fee. Bob would like to write an article for the Newspaper to obtain the input from the property owners. He suggested establishment of a separate email address for community response.

DRAINAGE – Bob Reichert, Coordinator

Bob Reichert reported that as a result of a major rain event on January 16th, several swales are in need of repair. He noted that C&J Excavation will begin work on the Belo Court swale on February 11th. About 480 feet will be rebuilt back to Gull Pond. One of the major swale problems is Muscat which runs from the north side of Cabana to Peppercorn (about 2500 linear feet as well as ‘side swales’ that feed into it totaling over 4,000 linear feet. Even though the Board has addressed this swale over the past 10 years, it appears as if the 18” pipe at Peppercorn cannot handle the water going into the 42” pipe which eventually ends up in Ibis Lake at Spice Lane. In discussions with Banks Engineering, it is noted that the original drainage system was not designed for a “100 or 500 year storm” as are drainage systems today. As this area becomes more built out, the drainage problems will increase. Bob proposed to the Board that a survey be conducted to outline the Muscat swale/greenbelt area noted above so that the area is defined to enable deepening and widening of the swales to carry water to the designated areas. If the deepening and widening cannot be accomplished, he suggested purchase of a lot on Nile Court to create a small retention pond. Bob has received one quote for the survey (\$3,700) and is awaiting a second. In order to expedite before the next Board meeting, Bob Lilley motioned to expend NTE \$3,700 to conduct a survey of the Muscat swale area. Kate Ihrig seconded the motion. ***The motion was unanimously passed with Pietrasanta, Lilley, Bishop, Beahn, Ihrig and Mathis voting aye.***

Bob suggested postponing the 2016 swale work program to 2017 in order to enable addressing the Muscat swale as well as other that have flooding conditions. He also pointed out that there have been 19 cases of the Zika mosquito virus reported in Florida so far. The State recommends that communities remove standing water. Jim Brown and others have been on contact with the County regarding additional spraying in the Lakes (i.e., aerial). Bob stated we have 4 areas other than Muscat with a lot of standing water that has the potential of breeding mosquitoes, namely, south side of Saragossa (near Togas Court), near the kayak launch at Lot 2 on Acapulco, creek bed in the Park (about 350 feet long and 3 feet deep), and another in the Park near where work was done about 2 years ago (about 150-200 feet). There is still more work needed to improve the drainage on Megra Court to Hog Creek.

It is important that our lake contractor continue to spray the swales for overgrowth of vegetation. The vegetation impedes the flow of water.

ADJOURNMENT

Bob Lilley motioned with Kate Ihrig seconding to adjourn the meeting at 8:00 p.m. ***The motion was unanimously passed with Pietrasanta, Lilley, Bishop, Beahn, Ihrig and Mathis voting aye.***

OPEN FORUM

A property owner inquired if there was a start/stop time limit for building contractors. The response was no, there is nothing in the documents; however, County ordinance states 7:00. He also reported that fishermen were also observed walking between properties as well as along the lake banks behind homes.

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, March 8, 2016** in the BSLPOA Conference Room located at 16500 Burnt Store Road, Unit #102, Punta Gorda, FL 33955 (Turtle Crossing)

February 23, 2016