

**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**

**NOVEMBER 15, 2016**

**CALL TO ORDER, PROOF OF NOTICE and ROLL CALL**

President Rob Hancik 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 11/10/16 online and at the kiosk in the Park. In addition, notification signs were placed at four entrances into Burnt Store Lakes on 11/10/16. Postings met the guidelines as set forth in the By-Laws. Sandy Funk, Secretary, took the roll call: Present were Rob Hancik, President; Karen Bishop, Vice President; Bob Reichert, Treasurer; Bob Lilley, Rick Mathis, and Gerry Laxton, Directors at Large. Bob Beahn, Director at Large was absent. A quorum was present.

**Public Input:**

There were 15 property owners in attendance. Rob Hancik 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 Kapcsos asked to speak on Long Range Planning.

**DISPOSITION OF MINUTES**

Rob Hancik stated that the Minutes of the October 11, 2016 Board Meeting was sent to all Board members electronically. Rob asked if there were any additions or corrections to the Minutes. There being no corrections or additions, Rick Mathis motioned to approve the October 11, 2016 Minutes as submitted with Bob Lilley seconding. ***The motion was passed with Bishop, Reichert, Lilley, Mathis and Laxton voting aye. Hancik abstained (not present for the meeting).*** Rob stated that the Minutes of the Reorganizational Meeting held on October 15, 2016 was sent to all Board members electronically. He asked if there were any additions or corrections to these Minutes. There being none, Rick Mathis motioned with Karen Bishop seconded to approve the October 15, 2016 Reorganization Minutes as submitted. ***The motion was passed with Bishop, Reichert, Lilley, Mathis and Laxton voting aye. Hancik abstained (not present for the meeting).***

**TREASURER'S REPORT**

Bob Reichert presented the financial report ending October 31, 2016, the first month of the fiscal year. He noted the cash position as of October 1, 2016 was \$524,451.57. Cash received was \$205,420.40 and included earned interest in the amount of \$135.52. Disbursements for the month of October were operating expenses in the amount of \$53,449.20, reserve expenses at \$7,380.10, and Annual Meeting picnic expenses \$616.81. The cash position ending October 31, 2016 was \$668,539.46. Assessment Receivables were \$582,717.42. The balances in the money markets and checking accounts were noted. The operating expenses for October were approximately \$5,000 less than September, and typical for the first month into the fiscal year. The reserve expenditures were \$3880.19 to FGCU for Lake Study, \$1,000 to Terra Landscaping for deposit on Cape Horn entrance landscaping, and \$2,500 to Action Door & Gate for deposit on the new park road gate. The amount of cash received in October was significantly higher than September due to new assessment billing collections. The current collection rate was not calculated since less than two weeks elapsed since the billing was mailed. Comparison of percentage of assessments collected will be reported in December.

Bob reported that the Bank of the Ozarks has a program to transfer money into other accounts without jeopardizing the \$250,000 FDIC insurance limit. More information will be presented to the Board in January.

There being no questions on the financial report Karen Bishop motioned to approve the October 31, 2016 Treasurer's Report and send forward for audit. Bob Reichert seconded the motion. ***The motion was unanimously passed with Hancik, Bishop, Reichert, Lilley, Mathis, and Laxton voting aye.***

### **MANAGER'S REPORT – Sandy Funk**

**New Brazilian Pepper Tree Removal Volunteer** – Bob Cook of 24501 Cabana Road has volunteered to assist Carl Millerschoen and Dick Sheely on the pepper tree removal team. His contact information has been given to Carl and Dick. The Board thanks Bob Cook for volunteering.

**Tax Sale** – The County has notified us there are four (4) properties scheduled for tax sale on January 10, 2017. They are 83506, 83720, 89005, and 90504. Discussion ensued on the status of these properties with the Association as well as the tax sale process for those who are unfamiliar. Once they are sold, and there is any surplus after the taxes are satisfied, the Association can submit a claim for that portion of the surplus that it is entitled to.

**Annual Meeting Minutes** – Sandy requested permission to post the Annual Meeting Minutes of October 15, 2016 on the website as "Unapproved" since it will be a year before they are sent out with the 2017 Annual Meeting packet. Rick Mathis motioned with Karen Bishop seconding, to post the "Unapproved" Minutes of the October 15, 2016 Annual Meeting on our website. ***The motion was unanimously passed with Hancik, Bishop, Reichert, Lilley, Mathis, and Laxton voting aye.***

### **LONG RANGE PLANNING (LRP) – Gerry Laxton**

Gerry Laxton reported that a LRP meeting was held on October 21<sup>st</sup>. Many items were discussed: Cape Horn entrance, the third pavilion, security gate and codes, and clearing and cleaning the playground area. Gerry also asked if there were policies outlining committee(s) responsibilities. Bob Reichert will provide him with the one for LRP. Gerry then turned the discussion over to Vic Kapcsos.

- Vic state that in the 9/13/16 Board Minutes, under Beautification & Enhancement, that an inquiry was made by a property owner on Stork Lake requesting landscaping on the opposite wide of the lake to help shield the noise from Burnt Store Road. LRP was tasked with looking into possible implementation. Access for lake treatments had to be taken into consideration. He reported there are well over 80 lots adjoining the lake/park area. This could become a precedent and a maintenance issue. Discussion ensued which resulted in the Board taking the recommendation of the LRP Committee not to consider this project.
- Vic presented the landscape plan for the Rio Togas park road entrance designed by Charlotte Engineering & Surveying on behalf of Banks Engineering. After reviewing the placement of 6 trees (3 on each side) of the new driveway into the Park, he questioned the necessity. It was determined that they were not a County requirement, and therefore the drawing will be changed to reflect utilizing only 1 tree on each side. A lengthy discussion ensued on various aspects of the drawing contents and County requirements. There will be a \$50 fee to re-submit to the County and another fee (unknown at this time) for Charlotte Engineering to redraft the drawing. Bob Lilley noted that Banks Engineering subcontracted this project to Charlotte Engineering and should bear some responsibility. The bids have been received for the landscaping (\$11,065 and \$6,763). Gonzalez of Pine Island was the low bidder. As soon as the re-permitting has been completed, landscaping can begin shortly thereafter.
- A discussion ensued on the addition of a third pavilion. Vic and Chris Peabody staked out the area in accordance with the plans. It will not fit in the area without removing the live oaks and palms. Additional stakes were placed 13 feet back which will allow the oaks and palms to remain. If not, the tree roots will probably intrude into the concrete pad. However, the one corner will be close to the road. The Board was reminded that a sound system is also budgeted for installation. After discussing further, it was decided to meet in the Park on Saturday, 11/19 at 9:00 a.m. Vic stated that a contractor should be chosen for construction. After discussing ADA requirements, replacing electrical panel box, etc., Rick Mathis motioned to award the expansion of the pavilion to Elmon Burton, LLC at a cost of

\$46,950 subject to the Board's field inspection. Gerry Laxton seconded the motion. ***The motion was unanimously passed with Hancik, Bishop, Reichert, Lilley, Mathis, and Laxton voting aye.***

### **SAFETY & PREPAREDNESS and PARK STATUS – Rick Mathis**

Rick reported that the CERT team and neighborhood watch will combine to sponsor the January 8, 2017 Potluck Picnic in the Park. He also stated that CERT has gained two new members, making the total team members at 18. He also stated that 145 attended the November Turkey Potluck. Rick requested permission to purchase additional wire shelving for the storage room. Cost is estimated at approximately \$125.00. The Board approved (no motion necessary).

### **MECHANICAL & MAINTENANCE – Bob Beahn**

Maco Deaton replaced the two flood lights at the Cape Horn/Saragossa roundabout. Rob Hancik reported that effective January 1, 2017, there will be no more fluorescent light bulbs; they will be LED's. Bob Reichert stated that he is going to contact Jim McCans regarding the multi-use path entrance sign.

### **DRAINAGE – Bob Reichert**

The new swale was completed at Peppercorn and Vagabond. Sod was put down about 10 days ago. The swale on Balearic is partially completed. It needs to be sodded. Bob plans to do one more small swale prior to addressing the emerged pipes between Sugar & Spice. He has been waiting for the area to dry out.

### **LAKES WATER QUALITY – Bob Lilley**

Bob Lilley reported that Dr. Serge Thomas of FGCU, presented his findings to the community at a seminar held on November 10<sup>th</sup>. Dr. Thomas reported that two lakes (Ibis and Kingfisher) were high in nutrients. He indicated a possible leeching of nutrients from the treatment plant into the water system. The County will be contacted for more information. However, due to the history of the land once being a gladioli farm, it's possible the nutrients are in the soil. High nutrients in the water causes algae. Dr. Thomas will continue his studies to include the amount and depth of the sedimentation in the lakes in addition to taking soil samples to test for nutrients. The study has given us a baseline to assist in what future treatments are applied to the lakes. A copy of the report was made available electronically to the attendees and the Lakes Committee. Ron Kent inquired about our plans for additional aeration in the lakes. Dr. Thomas indicated that aeration is essential, but there can be too much. He is willing to look at our next aeration project and give his input. Bob feels more oxygen in the lakes benefits the vegetation, but in the wrong balances it could cause an algae bloom. He stated that additional electrical supplies will be installed at new compressor stations and adding to the aeration; or adding additional stations at the existing locations and making the tubing lines longer. This may be more feasible financially.

### **COMMUNICATIONS – Karen Bishop**

No report.

### **BEAUTIFICATION & ENHANCEMENT – Karen Bishop**

Karen reported that the Committee consists of Kathy Coliadis and Mary Jane Kamper. They have been working with Karen to plan for common areas that need attention. The first plan is to add 11 Crown of Thorn bushes to the pork chops at Saragossa and Cape Horn. The eight pork chops now have oyster grass and some Crown of Thorns. The cost to purchase and plants is \$110.00. Three new members will join the committee in January—Sandra Wilz, Dawn DePalo, and Bill Kimber, who is a "Florida Master Naturalist". The next effort will be the centers of the roundabouts to remove dead bushes, trim where needed and put a plan together for some colorful shrubs or plants in the middle. Sometime in the Spring of 2017 they would like to tackle the south entrance and do a redesign. Karen noted that the Hansen's have been trying to work on cleaning the area. It was noted that A&L Landscaping is supposed to be removing dead bushes and trim

where needed, as well as maintaining the back entrance. A&L will be contacted, to discuss this and other issues that need to be addressed.

Rob Hancik stated that his understanding of Committees is that they have a chairperson and a Board member is assigned as liaison to a committee(s). Karen explained the history of the Beautification & Enhancement Committee and how it is now separated into two groups, the second being the Holiday Decorations Committee. She further stated that the Holiday Decorations Committee will be disbanded after this holiday season since these members are no longer interested in serving. The two committees will then be joined again as the Beautification & Enhancement Committee.

A property owner, Gary McCallister, indicated that he was not happy with the appearance of the front entrance. Discussion ensued explaining the history and current issues associated with the entrance including the effect on the entrance with the road being widened.

Karen gave a report on the Holiday Decorations Committee, of which Bob and Jinx Carlson have chaired for 12 years. They and a number of their team will be leaving the Committee after this holiday season. The decorations will be put up on November 26<sup>th</sup> and taken down January 7<sup>th</sup>. They will order 50 poinsettias to be placed in the roundabouts and other areas. Fifty (50) stakes were provided to mark placement of the plants. The poinsettias will be removed after the holidays. The decorations are stored in the green container in the Park. It is felt they can be held there for another year. Bill Lewis attended their meeting on 11/8 and is a potential new chairperson. He was shown the entire stock of decorations which were clearly marked. Additional people are being sought for next year. The Carlson's and their team were thanked for their many years of service to our community.

### **COMMUNITY STANDARDS – All**

Various non-compliance issues were discussed by area. Gerry Laxton reported the current status of 86204. Rick reported on his section—specifically 87703 and the existence of a portable gazebo in the back yard. It is considered a separate structure and the owner will be notified to remove it. Bob Lilley did not have a chance to review his section; however, it was reported that two previous issues have been resolved. In Karen's section it was noted that 88607 has been resolved. Bob Reichert reported a continued problem with 96508 irrigation system. A letter will be written to legal. The roof at 95205 still remains to be cleaned after three letters. The Board decided to take this to the Fining Committee. Bob Beahn was absent to report on his section; however, it is noted that a boat/truck/trailer is parked on the side of the house at 95108. A letter will be sent to this property owner. Rob Hancik reported on Section 7. A lengthy discussion ensued on various aspects of the process for enforcing the deed restrictions. A separate meeting will be scheduled to discuss this issue.

### **ARCHITECTURAL REVIEW COMMITTEE (ARC) – Karen Bishop**

Karen has had three meetings with ARC. There are nine members of the Committee, some of which are new. Chris Peabody joined and brings knowledge of reading house plans, etc. The main concern of ARC is to maintain consistency throughout the community. Three policies were amended and sent to the Board for review prior to this meeting.

**Policy #3B – Clean Site Program:** Rick Mathis motioned to amend the Policy 3B to increase the refundable deposit from \$500 to \$1000, correct the mailing address, minor change in Process by adding “email” contact, and under Scope #7 add “and vacant” lots. Policy will become effective January 1, 2017 to allow for notification of the new policy by mailing to contractors. Bob Reichert seconded the motion. ***The motion was unanimously passed with Hancik, Bishop, Reichert, Lilley, Mathis, and Laxton voting aye.***

**Policy #2 – Requirement for New Home Construction & Additions:** After discussion, Rick Mathis motioned with Bob Lilley seconding to amend Policy #2 to include a statement under Procedure #2, “It is required that the footprint of the house, including cement pads for A/C units, pool equipment, etc. be placed so that these appendages do not intrude into the 7-1/2 foot side setbacks.” Policy will become effective immediately. ***The motion was unanimously passed with Hancik, Bishop, Reichert, Lilley, Mathis, and Laxton voting aye.***

The need to hold noticed workshops to discuss proposed changes in policies, deed restrictions, etc. in order to adequately review and not extend the length of the Board meetings was unanimously agreed to by the Board. The suggested changes to Policy #7 – Architectural Review, and Policy #7 Schedule A Landscaping Requirements, will be discussed at a workshop.

Karen reported a request from a property owner (98630) to install a chain link fence. A lengthy discussion ensued regarding the Fence and Enclosure Shield Policy. It was agreed that the Board makes the final decision on all ARC's recommendations. A motion was made by Rick Mathis and seconded by Bob Lilley to deny the request for the chain link fence. The motion also included the Board not approving the new home construction at 94310. Letters will be sent to both the property owner and builder in each case. ***The motion passed with Hancik, Reichert, Lilley, Mathis, and Laxton voting aye. Karen Bishop voted nay.***

As a result of the discussion regarding issues with fencing, Rick Mathis motioned with Bob Lilley seconding to add to Section 1 of Policy #13, Fence and Enclosure Shield Policy, the following statement: "***Chain link fences of any design, or type of weave, structure, or composition shall not be allowed.***" ***The motion was unanimously passed with Hancik, Bishop, Reichert, Lilley, Mathis, and Laxton voting aye.***

A motion was made by Bob Lilley and seconded by Bob Reichert to approve the following projects as recommended by ARC: 90005 fence enclosure; 90610 pool cage extension; 91310 exterior garage door/front door change; 84107 new home construction (Rock Hard Homes); 94107 garage addition; 91310 well application for irrigation; and 87401 exterior color change. ***The motion was unanimously passed with Hancik, Bishop, Reichert, Lilley, Mathis, and Laxton voting aye.***

After a lengthy discussion regarding the non-compliance of Monopoly Builders with Deed Restrictions and Policies, Rick Mathis motioned with Karen Bishop seconding to not approve the construction application for 89806 at 24236 Peppercorn Road. ***The motion was unanimously passed with Hancik, Bishop, Reichert, Lilley, Mathis, and Laxton voting aye.*** Attorney Chris Shields will be contacting outlining the non-compliance issues and request his assistance.

Karen asked for clarification from the Board regarding the solid fence placed on the property line at 16437 Cape Horn that is not in compliance. Since the fence is on the property line, it is in the 6-foot County easement. It was decided to contact the County to inquire if the fence occupying the easement is in compliance with County Code.

## **COUNTY RELATED ITEMS**

**SCCC** –The meeting was held on October 27<sup>th</sup>. Rick Mathis reported that a member has volunteered to be President of the SCCC. The organization's future was endangered without leadership.

**MSBU** – Rob Hancik reported that through a request at the last MSBU meeting, a section of sidewalk on Cape Horn was replaced.

## **MISCELLANEOUS ITEMS**

**Use of Park** – Sandy noted that requests have been received from others outside our community who would like to rent our Park for events. After a lengthy discussion, the Board decided to maintain the present policy of allowing use by property owners only. The only exception would be a request for use from a non-profit organization for fundraising with special approval by the Board.

## **NEW BUSINESS**

Bob Reichert stated there are two areas of concern regarding the removal of pepper trees and other brush at two locations on Vellum Circle. The one is impeding the ability of the mower to access the greenbelt; the other area needs to be addressed to provide access to the greenbelt. Bob Reichert motioned to approve an expenditure in the amount of \$1,550.00 to Joe Schiro for removal of the pepper trees and brush from these two

areas. Bob Lilley seconded the motion. Monies will be taken from the greenbelt maintenance line item of the budget. ***The motion was unanimously passed with Hancik, Bishop, Reichert, Lilley, Mathis, and Laxton voting aye.***

**ADJOURNMENT** – Gerry Laxton motioned to adjourn the meeting at 8:20 p.m. with Bob Reichert seconding. ***The motion was unanimously passed with Hancik, Bishop, Reichert, Lilley, Mathis, and Laxton voting aye.***

**OPEN FORUM**

No comments.

Respectfully submitted,

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

This next meeting of the Board of Directors will be held on **Tuesday, December 13, at 5:00 p.m.** in the BSLPOA Conference Room located at 16500 Burnt Store Road, Unit #102, Punta Gorda, FL 33955 (Turtle Crossing)

November 19, 2016