

**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**

MARCH 14, 2017

CALL TO ORDER, PROOF OF NOTICE and ROLL CALL

President Rob Hancik called the meeting to order at 5:01 p.m. and opened with the Pledge of Allegiance. It was noted that the meeting Agenda was posted 3/10/17 online and at the kiosk in the Park. In addition, notification signs were placed at four entrances into Burnt Store Lakes on 3/10/17. 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, Gerry Laxton, and Joyce Punt Directors at Large. A quorum was present.

Public Input:

There were 15 property owners in attendance—Vic Kapcsos, Kate Ihrig, Rich Elders, Edwin Morris, Paula Short, Chris Peabody, Jay Day, Don Cavallini, Eric Sauer, Vickey Clawson, Colleen & Brian Buon, Charlene Laxton, Fred Boland, and John Colelasure. 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 #8, Long Range Planning.

DISPOSITION OF MINUTES

Rob Hancik stated that the Minutes of the February 7, 2017 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, Karen Bishop motioned to approve the February 7, 2017 Minutes with Rick Mathis seconding. ***The motion was passed with Hancik, Bishop, Reichert, Lilley, Mathis, Laxton and Punt voting aye.***

TREASURER'S REPORT

Bob Reichert presented the January and February Financial Reports for review. He noted the cash position as of February 28, 2017 was \$940,914.37. Cash received was \$25,396.98 and included earned interest in the amount of \$296.64. Disbursements for the month of February were operating expenses in the amount of \$45,755.92, reserve expenses at \$7,650 and Dinner Dance at \$200. The cash position ending February 28, 2017 was \$912,705.43. Assessment Receivables were \$156,586.93. The balances in the money markets and checking accounts were noted.

The operating expenses for February were approximately \$11,395 less than January and typical for the fifth month of the fiscal year. The Reserve expenditures in February were \$7,000 for pavilion expansion, \$350 pavilion engineering, and \$350 to Banks Engineering. The amount of cash received in February was approximately \$10,489 less than January due to decrease in assessment collections. Accounts Receivable ending February 28, 2017 was \$21,450 less than January.

The current collection rate for the end of February 2017 was 83.3%, compared to 90.0% ending February 2016. Note the 83.3% is less than reported in January 2017 (85.5%) due to added interest and certified mailing fees. *(The collection rate is based on actual assessment and not 2 or more years in arrears plus interest and filing fees, or those on payment plans.)* There is a total of 241 property owners out of 2066 billed that have not paid their assessment for 2016-2017.

It was noted that the Achieva account was closed and monies moved to Bank of the Ozarks CD for Disaster Recovery (\$130,000) with balance deposited into Bank of the Ozarks ICS account. There being no questions on the financial report Bob Reichert motioned to approve the January and February 2017 Treasurer's Reports and send forward for audit. Joyce Punt seconded the motion. ***The motion was passed with Hancik, Bishop, Reichert, Lilley, Mathis, Laxton and Punt voting aye.***

Rob asked if the Board had any objection to streamlining the reporting of the financial activity at the Board meetings, noting that copies are available for property owner review. Everyone agreed to reporting a summarization.

OLD BUSINESS

MANAGER'S REPORT – Sandy Funk

Foreclosure Sale – The Dematos property (87901) at 16288 Cape Horn scheduled for foreclosure sale on 2/8/17, was acquired by the Association (no other bids). The Association initiated the foreclosure. In order to recoup the \$8,900 expenses, Bob Reichert motioned with Joyce Punt seconding to sell the lot for \$11,000. ***The motion was passed with Hancik, Bishop, Reichert, Lilley, Mathis, Laxton and Punt voting aye.***

Dr. Serge Thomas (FGCU) – Dr. Thomas will be making a presentation at Charlotte Harbor Watershed Summit on Wednesday, March 29th, on "Limnological assessment of the ponds of Burnt Store Lakes POA. A notice (with location) will be sent out so that we may have representation at the Watershed Summit.

Sunset Palms Developer - A response to our December 2016 letter was received from the new developer who is going to build out the remainder of Sunset Palms units. He is willing to discuss deeding the leased land where our sign is located at the time he begins build out in approximately 18 months. He stated during his visit to the site, the live oak trees along the Burnt Store Road frontage do not need to be trimmed. After discussion, it was decided that Rob would draft a response letter.

LONG RANGE PLANNING (LRP) – Karen Bishop

Karen reported that a meeting was held on March 3rd. The first item discussed was the purchase of a swing set for the Park plus play safe mulch and a retention border. Total cost would be \$2,650.17 of which \$1,785.41 is for the swing set. Discussion ensued on play safe mulch, vs rubber mulch which has been in place for the past 6 years for the existing play equipment. As a result of the discussion, Rick Mathis made a motion to purchase the 4-seat swing set to include the rubber mulch at a total cost not to exceed \$7,400. Bob Lilley seconded the motion. ***The motion was passed with Hancik, Bishop, Reichert, Lilley, Mathis, Laxton and Punt voting aye.***

Karen stated that Charlotte County requested seven (7) corrections or additional items for our new pavilion request for permit. These are being worked on by the contractor and Vic Kapcsos for submission. The committee also suggested installing pavers in the area where existing picnic tables are on the grass/dirt at a quoted cost of \$3,600. No action was taken.

The Park gate off Rio Togas is not in operation as of now. The irrigation system is slated for installation within the next two weeks. Updated quotes for the landscaping are being compiled (around \$8,000) as required by the County. Gerry Laxton has ordered a sign for the gate. He has also offered to work on the sign for the entrance to the Park on Cape Horn. The sign will read:

BURNT STORE LAKES
BEAR BRANCH TRAIL
PROPERTY OWNERS ONLY

Karen suggested that the Board conduct a field trip to the Park to determine where the proposed storage unit should be placed. Bob Reichert noted that the County will want the unit above the flood zone which will play a part in choosing a location.

The Committee also discussed the “observation deck” for the Park. Jack Vogel extensively researched this project and costs will be included in the 2017-2018 budget.

SAFETY & PREPAREDNESS and PARK STATUS – Rick Mathis

Rick reported how often the Park is being used, i.e., birthday party last week with 25+ children in attendance. The Military Museum also held a picnic which was sponsored by two property owners who volunteer at the museum.

MECHANICAL & MAINTENANCE – Gerry Laxton

Gerry stated he met with A&L Landscaping. They will be trimming the 30 queens on the other side of the Park in April. Mulch will also be added to the roundabouts and front entrance. A&L asked that other people stop fertilizing the trees since it is covered in his contract to provide. The keypad sign is currently being made (black with reflective lettering) with the following wording: Burnt Store Lakes Member, Call the Office for Lost Code Issues, and the Association’s phone number. The sign should be ready for pick up in a few days. Once installed, the gate will be placed in operation. Gerry will be renting the equipment to re-shape the berm from Rio Togas to the Park area. It will not be available until 3/24 or 3/26.

Gerry reported on the newly formed Burnt Store Lakes Kayak Launch Security Committee (meeting minutes were provided). They are not ready to make recommendations at this time. Gerry spoke to Chairperson, Eric Sauer, about changing the name of the Committee. The word “security” should not be part of the name due to liability issues.

DRAINAGE – Bob Reichert

Bob reported on the status of the aggressive swale program that is now in place—due largely to a new contractor (C&J Excavating). The pipeline was put back in place between Sugar and Spice and then sod was installed. The Nutmeg swale (near Sugar was realigned by reshaping and sodding). A water drainage problem existed because of how the grading was done when the Peppercorn house at Sugar was constructed. Work began on the Muscat swale which is 2500 linear feet. Work began at the north end (around Vagabond and Peppercorn), and as of this date is about half finished. To date 84 pallets of sod was laid (33,000 sq.ft.). Once this swale is completed and final costs are calculated, we can determine how many other swales can be worked on this year. The cost of sod was not fully funded but determined necessary to prevent erosion. About 1200 yards of soil taken from the Muscat swale was moved to low areas in the Park.

Prior to the mowing season, Bob and Gerry will be meeting with Joe Tancer (All Lots Bushhogging). Their goal is to keep the gang mowers out of the swales. They weigh about 16,000 lbs. and over the years have done a lot of severe damage. Bob proposes three categories of cutting: (1) Gang Mowers for vacant lots and “open” greenbelt areas; (2) Articulated arm machine to cut the bottom of the swales at 3-4 times/year, and (3) zero turn mower(s) to cut the slopes. All Lots contract will be re-negotiated. A letter is being sent to the owners of homes adjacent to the swales asking them to mow down to the slope of the swale. It was also discovered that a property owner has been utilizing the swales to run ATV’s. A notice was sent to cease.

Bob plans on finishing up the southeast corner of the subdivision (Peppercorn to Vincent and Cape Horn) and then move north to Trading Post, then to the southwest, etc. The program should take 3-4 years to complete—stressing the point that the mowers must be kept out of the swales.

Lastly, Bob noted that the County has started working on a list of right of way swales submitted in 2014. Lists are provided by the Association to the County through our MSBU meetings. They have been behind in their scheduling. They will be starting work on the 2015 and then the 2016 lists. The cost of re-shaping the County right of way swales is paid through our MSBU non-ad valorem tax structure. Also noted was that some of the Washingtonian palms had to be removed to accomplish the swale work. These will not be replaced.

LAKES WATER QUALITY – Bob Lilley

Bob Lilley reported that he contacted Eric of Superior Waterways to move crowded littoral plantings to other areas. Bob had asked volunteers to relocate the littorals over a 2-weekend period. However, Eric has agreed to continue cleaning out overgrown vegetation as part of the contract. There is also a list of desired littorals that Superior can provide at a cost for those who would like to plant along their lake edge. Bob stated that the water quality of the lakes is good. He also plans to stock fish for midge control in about 5-6 of our lakes. He reminded everyone of the Lakes Committee meeting scheduled for March 21st. Bob reported that our prior contractor (Lake & Wetlands) has obtained a “truxsaur” to clean out lake “fingers” that is specifically designed for this purpose. However, Superior is also purchasing this equipment and Bob will make arrangements with Eric for a demonstration, i.e., half day.

BBQ Purchase – Bob Lilley reported that he has researched the purchase of a stainless steel BBQ grill that has 8 burners and is 60” long for \$1,599 (on sale) with free delivery. In January 2017, the Board approved expending \$2,500 for a BBQ grill. Bob explained that he can obtain an additional grill for approximately \$2,600. One grill utilizes wood chips or charcoal, the other propane. Bob Lilley motioned to purchase both grills at a cost not to exceed \$4,500 (which includes the previously approved \$2,500). Joyce Punt seconded the motion. ***The motion was passed with Hancik, Bishop, Reichert, Lilley, Mathis, Laxton and Punt voting aye.*** It was noted that the BBQ pad will not be installed at this time.

COMMUNICATIONS – Karen Bishop

Karen noted the deadline for the May Newspaper in April 7th. She asked that Rob write information regarding policy enforcement and the updating of the Deed Restrictions. She asked that CIN messages include only one message at a time vs. multiple messages since some people manage to miss information with more than one is included. She suggested that we consider adding some information from our updated deed restrictions and policies for the 2018 Directory.

BEAUTIFICATION & ENHANCEMENT – Joyce Punt

Joyce reported the Committee met on February 23rd. Mary Jane Kamper had several ideas, one of which was putting rope lights on the palms (at front entrance) and leaving them up all year. They also discussed revamping the center of the roundabouts with new plantings, soil and mulch. Vic Kapcsos had drawn up a plan for their review. There was concern about whose responsibility it would be to fertilize the plantings. This will be taken care of by Gerry since fertilizing is part of A&L’s contract. They decided to postpone planting on the north side of the front entrance. We are currently waiting for a pump repair and the County to address the entranceway for safety, etc. After further discussion, Joyce Punt motioned to re-landscape the center of both roundabouts at a cost not to exceed \$2,500. Bob Lilley seconded the motion. ***The motion was passed with Hancik, Bishop, Reichert, Lilley, Mathis, Laxton and Punt voting aye.***

ARCHITECTURAL REVIEW COMMITTEE (ARC) – Karen Bishop

Karen stated that ARC recommends approval of six (6) projects. Bob Lilley motioned to approve new home plans at 17427 Medillin Ct. (Casas del Sol), paver patio addition at 24287 San Ciprian, two exterior paint and trim—one at 17527 Tuxpan, one at 16464 Cape Horn, a patio addition at 24049 Cedar Rapids, and a fence replacement at 17422 Cardenas Ln. Karen Bishop seconded the motion. Bob Reichert questioned the type of fence replacement which was explained and accepted. ***The motion was passed with Hancik, Bishop, Reichert, Lilley, Mathis, Laxton and Punt voting aye.*** The remaining items on the report were reviewed.

COMMUNITY STANDARDS – All

Office staff requested that deed restriction reports be handed in a week prior to the Board meetings to allow enough time to prepare letters and update the Board report. Bob Reichert stated that he was asked to look at a ‘landscaping’ encroachment (trees planted on property line). The property owner asked for Board assistance. The Board stated that this is not a Board issue and should be resolved between the property

owners. It was noted that the County would also probably not get involved unless it was creating a drainage problem.

Sandy stated that a Fining Committee Hearing has been scheduled for March 21st. However, one of the Committee members had to cancel. It was suggested the Board appoint an alternate. Kate Ihrig and Vickey Clawson both volunteered to serve as alternates. Rick Mathis motioned with Bob Lilley seconding to appoint Kate Ihrig and Vickey Clawson as alternates to the Fining Committee. ***The motion was passed with Hancik, Bishop, Reichert, Lilley, Mathis, Laxton and Punt voting aye.*** Vickey Clawson will attend the meeting on the 21st.

It was discussed at February's Board meeting to hire an independent person to canvas the community for deed restriction non-compliance. Discussion ensued resulting in Bob Reichert motioning to hire Norma Mathis as a contract employee for deed restriction review twice a month with \$100/day compensation. Bob Lilley seconded the motion. ***The motion was passed with Hancik, Bishop, Reichert, Lilley, Mathis, Laxton and Punt voting aye.*** She will be accompanied initially for training purposes.

The remaining items on the report were reviewed. The Board discussed various situations of non-compliance situations where property owners have a financial issue and cannot correct the violation in a timely manner. Karen noted that Sunset Palms is not scheduled to clean the roofs of their buildings for two years (when monies will be allocated in their budget). Another notice will be sent.

COUNTY RELATED ITEMS

SCCC –Rick Mathis reported that the SCCC met on February 23th. He stated that they are trying to schedule Chris Constance to talk about the City of Punta Gorda's sewer expansion. The MPO and the County have approved the funds for Phase II of the Burnt Store Road expansion. The City is also going to again improve Aqui Esta Road. Fred Boland asked about the construction on Burnt Store Road across from the church. It is not a housing development, but a storm water drainage project.

MSBU – Rob Hancik reported a meeting was held on February 21st. He noted that the MSBU is now required to submit an Annual Report to the Commissioners. It is available in the office for those interested. Rob stated that we will have to start re-paving our roads in 2024 at a cost of \$5 million, which the property owners will have to pay for through the non-ad valorem portion of the tax bill. The Advisory Board asked the County to look at a plan to increase the MSBU tax to pay for the re-paving. In order to obtain a 5-year loan with a 10-year payout, the current tax rate of \$53 would have to be increased to \$298. The County would start to collect the extra tax in 2018. The County Commissioners will advertise a public hearing regarding the proposed increase. Rob noted that if the increase does not start in 2018 and we wait until the actual paving begins, the cost would be \$500-600/year for ten years. Bob Reichert stated we should educate our property owners on the cost of the re-paving program.

MISCELLANEOUS ITEMS

Bob Reichert suggested a sentence be added to the new construction letter stating that when the final grade is completed, the slope be 4:1 in the rear where there is a swale

NEW BUSINESS – Change in Board meeting time. It was decided by the Board to change the meeting time from 5:00 p.m. to 3:00 p.m. The meetings will still be held the second Tuesday of each month.

ADJOURNMENT – Bob Reichert motioned to adjourn the meeting at 7:40 p.m. Gerry Laxton seconded the motion. ***The motion was passed with Hancik, Bishop, Reichert, Lilley, Mathis, Laxton and Punt voting aye.***

OPEN FORUM

Ed Morris asked if Casa del Sol could be removed as a preferred building in the Lakes. The Association can require performance and completion bond or escrow funds since we do not have a preferred builders list.

Vic Kapcsos asked that we do not put additional much in the roundabouts since it will be part of the new planting contract. Gerry Laxton stated that mulching the roundabouts is the responsibility of the existing contractor and he is not doing what is already in the contract. Since the new plantings will only be in the center of the roundabouts, it was suggested that they mulch the 'pork chop' portions of the roundabouts.

Open Forum closed at 7:42 p.m.

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, April 11, at 3:00 p.m.** in the BSLPOA Conference Room located at 16500 Burnt Store Road, Unit #102, Punta Gorda, FL 33955 (Turtle Crossing)

March 20, 2017