

Burnt Store Isles Association Board of Directors Meeting (Final)

In-Person Meeting – (Twin Isles Country Club)

April 1, 2022

Called to Order 9:00 a.m.

Pledge of Allegiance - Opened the Meeting with the Pledge of Allegiance

1 PUNTA GORDA POLICE DEPARTMENT, BY LT JUSTIN DAVOULT

Topic Areas Shared by Lt Davoult for This Past Month:

Traffic Speed Control BSI – Was again a focus of effort by PDPD. A traffic study was completed on Tripoli between Monaco and Madrid. The results are with the traffic engineer for analysis. The radar trailer was removed during the study.

Questions:

- Who controls the timing of the traffic light at Monaco and US 41 and could it be adjusted? Lt. Davoult said the light is controlled by FDOT.
- Is it legal to cross a double yellow line to safely pass people on bicycles and electric scooters? Per Lt. Davoult, yes. Although the electric scooters are not legal to be on the streets. What can be done about commercial trucks that pass cars traveling the speed limit in BSI? Lt Davoult stated that several times a year he reaches out to the delivery companies regarding speeding in BSI and PG in general. Bill C commented that if the passing truck is from a local contractor or landscape company and we can get the name form the truck, then our Neighborhood Security Director can make a call to the offending company and lodge a complaint.

2 ROLL CALL –

Officers

Bill Courtney, President

Faith Ferris, Vice President

Lee Brandt, Treasurer – Not able to attend the meeting

Dave De Gerome, Secretary – Not able to attend the meeting

Directors Present

Patricia Iorio, Community Standards

Jenny Anderson, E Communications

Brian Bender, Legal Liaison

John Bothwell (JB), Membership

Tom Tomaszewski, Neighborhood Security
Mary Boeringer, Planning – Not able to attend the meeting
Wanda Daugherty, Social
Kathy Martinelli, Special Projects

Ian Milne, Past President - Not able to attend today's meeting

Other Board and Committee Representatives

Diane Peterson, Newsletter and Directory – Not able to attend today's meeting
David Elkins – Advertising Sales

A quorum has been established.

Other Attendees

Pam and Rich Bevak - BSIA Members and BSI Residents

3 REVIEW AND APPROVE BOARD MEETING MINUTES

Faith moved, seconded by Tom, to approve the Minutes dated March 4, 2022. Motion carried.

4 OFFICER'S REPORTS

President – Bill Courtney

Nothing the report this month outside of topics on the agenda.

Vice President – Faith Ferris

No additional applications for new construction were received the last month.

Secretary – Dave De Gerome

Dave was not able to attend but provided a copy of the minutes from the last meeting for approval.

Treasurer – Lee Brandt

Lee was not able to attend but provided all meeting attendees with copies of the 2022 Budget vs. Year-to-Date Actual Report along with a copy of the Operating Account and Reserve Account cash balances.

5 OLD BUSINESS

Deed Restriction Mailing

Bill reported that nine BSIA Board members had responded to the email ballot sent on March 19, 2022 in favor of mailing a 16-page booklet containing the BSI deed restrictions to all BSI residents versus a simple postcard with a message and a link to online posted deed restrictions. At an approximate cost of \$2,400.00.

Bill indicated that we have budgeted \$2,000 in 2022 for such a mass mailing and that the additional cost of distributing a booklet form would need to be taken from reserves.

Bill then asked Faith, Brian and Pat to assist him in the drafting of the booklet. He also asked Jenny to provide, if possible, a copy of the annotated deed restrictions found on the BSIA website to aid in the prep of the booklet. Once the text is completed, it will be forwarded to Buffalo Graphix who will handle the printing and distribution.

Pat asked how do we obtain the addresses of all BSI residents and Bill in turn noted the ability to go to the property appraisal office to request mailing labels of all Section 15 properties (using residents' tax addresses maintained by the county).

Deed Restriction Enforcement Remedies

Brian and Faith provided history regarding a continuing situation they are dealing with, in which a builder, Lewis Maguire Homes LLC, who has a number of lots (22) in BSI, is still not responding to BSIA's requests for new applications and construction plans. At present the builder has 2 single family homes and 2 duplex buildings underway in various stages of construction.

Brian further reported that the information provided by our attorneys regarding the need to first have pre-suit mediation was not correct because BSIA is organized under Chapter 617 of Florida law as a social non-profit and not Chapter 712, as is typical for HOA's. This means that our only enforcement option is to file a lawsuit to compel compliance.

Brian noted further that under Chapter 617, we can only levy fines against members of BSIA for failure to comply with deed restrictions. This means that a member being fined for a violation could escape the fine by merely resigning from the Association. This renders the policy passed at the March 4, 2022 Board meeting establishing a policy of \$100 a day fine, per violation instance, assessed until resolved, impossible to enforce.

As a result, Brian will be working with our attorney to draft a letter to be served to Lewis-Maquire Homes informing them of plans by BSIA to file a lawsuit to compel the company to comply with our deed restrictions. The Board will be advised when this action takes place and the response received.

6 NEW BUSINESS

Advertising on BSIA Website

Dave Elkins, Advertising Chair, asked for this topic to be placed on the agenda. In his marketing efforts on behalf of BSIA he noted that we do not have advertising on our website or our weekly bulleting and would like direction from the Board if that might be possible to add.

In discussion, the Board concluded that advertising on the BSIA website in the form of banners or small ads on the various pages such as you see on commercial websites is not something that we want to do now. However, the Board did feel that setting up a page that contained ads, perhaps static JPG or PDF

versions of the ads developed for the newsletter or directory, might be a good idea. The page could be titled something like, "Supporters of BSIA". This to be determined in a later meeting and after some research by Jenny and Dave.

Dave will look at websites from local HOA's to see what they are doing and to hopefully find out what they are charging if there are ads placed on the sites. Perhaps developing a cost per thousand reached to guide us in determining what to charge. He will report this back at the May Board meeting.

Jenny will investigate the feasibility of taking the ads and how to best organize or display them on the site and report back at the May meeting.

Solar Energy Panel Installations

Background: The Board discussed at the March 4 meeting the "Florida Solar Rights Act" from the FSEC Energy Research Center, which outlines the rights of residents for installation of solar equipment use. The law specifically prohibits a homeowner association from preventing the installation of solar collectors on roofs, although the association may determine where on the roof the collectors may be installed, so long as the installation is within the area required for its effective operation, that is, south, east, or west of the due south. While a homeowner cannot be prevented from installing a solar energy system, certain restrictions may be imposed without violating the law. However, those restrictions must be reasonable, not arbitrary, and uniformly imposed on homeowners in a subdivision. The restrictions cannot act to impair the performance of a solar system, or it may be seen as "effectively" prohibiting solar.

The discussion resulted in the request that Faith, for new construction, and Pat, for existing residential updates, develop a policy for consideration at the April 1 meeting regarding solar panel installation and one that was in line with the Act's guidelines and, where and when possible, to minimize exposure on the front roofs of residences, as part of BSI community interest in aesthetics, while simultaneously being sure to address the solar systems' planned efficiencies.

The draft policy was presented and is attached for reference. After discussion, the Board requested that Pat and Faith include in the policy mention of that the association may determine where on the roof the collectors may be installed, so long as the installation is within the area required for its effective operation.

7 DIRECTORS' REPORTS

Community Standards – Pat Iorio -

Standards Topics covered –

- **Architectural Change Requests** – For March 2022, requests for typical changes such as painting, storm shutters and screens were received.

- **Deed Restriction Notification Letters** – Pat indicated that she sent out a number of return receipt notification letters during March 2022 including for visible trash cans and improperly parked cars.

Communication – Jenny Anderson

Jenny noted that she had nothing further to cover outside of her input on topics addressed earlier in today's Board meeting.

Legal Liaison – Brian Bender

Brian noted that he had nothing further to cover outside of his input on topics addressed earlier in today's Board meeting.

Membership – John Bothwell (JB)

JB noted that membership totals are now 502. He continues to check monthly for new closings and either hand delivers or mails new member packets. John mentioned the desire for a table cloth or skirt with the BSIA logo on it for use at mixers and other functions. The Board was supportive in having one made.

He also shared that in the past BSIA membership tables were set up in the lobby for each Mixer, and said he plans to continue to work with BSIBC on this to arrange for presence going forward.

JB has received questions in the last month regarding the possibility of establishing a Pickleball league, whether fireplaces are allowed on your lanai and about multi-color driveways. For Pickleball, JB was advised to have members contact Mary Ann Gilroy. Regarding open fires on a lanai, it is thought this is not permitted by city code but to check with code enforcement. In terms of multi-color driveways, this would be a question for standards.

A question also was posed if the Board has a sheet highlighting the benefits of joining BSIA. Bill commented that he had drafted such a handout for use by Faith in her community. Faith edited what Bill sent her and will send it to Bill for consideration by the Board, and ultimately for general use.

Neighborhood Security – Tom Tomaszewski

Cameras and Security Equipment – Tom shared that the new box fabrication for the DVRs and other equipment is completed and installation finalized. With the new system, information can be pulled wirelessly without the need to open the boxes. The view of license plates at the Madrid location is still a problem due to the angle of the monument wall and the subsequent placement of the camera. However, a very good image of all cars passing is still taken.

Planning – Mary Boeringer

Mary was not able to attend the meeting.

Social – Wanda

Events

BSIA Picnic : A great time was had by all the nearly 100 members who attended. She thanked her committee for their hard work.

Other Events Being Worked On –

- *April 21, guided tour of Punta Gorda library*
- *July 4th celebration with the Boat Club at Cass Cay restaurant in Burnt Store Marina*
- *Wine Tasting*
- *Bowling*
- *Edison Ford Museum*
- *Christmas Party – On December 10th*

Special Projects – Kathy Martinelli

Kathy provided the following updates:

Shredder Day:

Set for Saturday, April 16 from 9 am to 12 noon. Discussion was held regarding how much to charge non-members of BSIA or TICC and it was concluded to keep the fee at \$20. Also, to limit the amount to what can be brought by one person to what would be reasonable for a household and not a commercial business. If someone comes up with a larger amount, then the fee will be increased to \$50.

Anchor at Madrid and US 41: Kathy and her husband cleaned and painted the anchor, as well as weeded and cut back some of the bushes.

Pence Lawn-care and Landscaping -

- Kathy noted that the relationship with Pence Landscaping is working out very well and the grounds are improving each week due to the better care.

8 PUBLISHER REPORTS

Newsletter (published 3 times a year) - Diane Peterson

Due to a conflict, Diane was not able to attend the meeting and nothing more was covered under this topic but had Bill send out the production schedule for the May-June Newsletter. Articles and pictures from Board members are due to Diane NO LATER than April 22. The goal is to publish the newsletter by June 13.

Directory – Diane Peterson

The 2022 membership directory is at the printers

Advertising Sales - Dave Elkins

No update

9 GUEST /MEMBER COMMENTS OR ISSUES

None

10 ADJOURN

Faith moved, seconded by Wanda, to adjourn the meeting. Motion carried.

Meeting adjourned at 11:00 AM

The next Board Meeting is planned to be held on Friday, May 6, 2022, and will be an "In-Person" Meeting.

Respectfully submitted by Bill Courtney & Board to Dave De Gerome, Secretary

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Burnt Store Isles Association
Budget vs. Actual
Jan 2022, Q1 2022, Feb 2022, Mar 2022

FINANCIAL ROW	AMOUNT	BUDGET AMOUNT	AMOUNT OVER BUDGET	% OF BUDGET
Ordinary Income/Expense				
Income				
4100 - Membership Dues	\$22,543.58	\$23,625.00	(\$1,081.42)	95.42%
4200 - New Construction Fees	\$1,000.00	\$3,000.00	(\$2,000.00)	33.33%
4300 - Directory Ads	\$2,124.50	\$2,307.00	(\$182.50)	92.09%
4350 - Newsletter Ads	\$3,589.00	\$1,500.00	\$2,089.00	239.27%
4400 - Interest Income	\$2.96	\$150.00	(\$147.04)	1.97%
4600 - 50/50	\$227.00	\$0.00	\$227.00	0.00%
4610 - Misc. Income	\$25.00	\$100.00	(\$75.00)	25.00%
4620 - Badges - Member Paid	\$20.00	\$0.00	\$20.00	0.00%
4700 - Events - Member Paid	\$3,395.00	\$1,594.00	\$1,801.00	212.99%
Total - Income	\$32,927.04	\$32,276.00	\$651.04	102.02%
Gross Profit	\$32,927.04	\$32,276.00	\$651.04	102.02%
Expense				
6100 - Landscaping Reserve	\$0.00	\$1,000.00	(\$1,000.00)	0.00%
6150 - Landscaping/Property Mgmt	\$3,074.12	\$1,878.00	\$1,196.12	163.69%
6300 - Directory Preparation	\$0.00	\$1,145.00	(\$1,145.00)	0.00%
6350 - Newsletter Preparation	\$1,443.09	\$4,095.00	(\$2,651.91)	35.24%
6400 - Legal Fees	\$420.00	\$3,000.00	(\$2,580.00)	14.00%
6420 - Liability Insurance	\$2,616.97	\$2,900.00	(\$283.03)	90.24%
6500 - Donation Given	\$165.85	\$250.00	(\$84.15)	66.34%
6620 - Badges	\$20.33	\$0.00	\$20.33	0.00%
6700 - Events Member Paid	\$3,160.00	\$1,594.00	\$1,566.00	198.24%
6710 - Events BSIA Paid	\$450.95	\$700.00	(\$249.05)	64.42%
6730 - Storage Unit Rent	\$154.43	\$144.00	\$10.43	107.24%
6750 - PO Box Rental	\$100.00	\$200.00	(\$100.00)	50.00%
6760 - Postage and Delivery	\$13.45	\$525.00	(\$511.55)	2.56%
6770 - Safe deposit Rent	\$0.00	\$100.00	(\$100.00)	0.00%
6800 - Software	\$0.00	\$935.00	(\$935.00)	0.00%
6810 - Web Data Remote Hosting	\$0.00	\$588.00	(\$588.00)	0.00%
6820 - Web Emails Constant Contact	\$1,054.08	\$0.00	\$1,054.08	0.00%
6830 - State Fees	\$61.25	\$65.00	(\$3.75)	94.23%
6900 - Misc. Expense	\$175.00	\$1,050.00	(\$875.00)	16.67%
6920 - Surveillance Cameras	\$1,585.87	\$6,280.00	(\$4,694.13)	25.25%
6930 - Meeting Room Rent	\$0.00	\$630.00	(\$630.00)	0.00%
6940 - Shredder Day	\$0.00	\$600.00	(\$600.00)	0.00%
6950 - Banners	\$0.00	\$250.00	(\$250.00)	0.00%
6970 - Mass Mailings	\$0.00	\$2,000.00	(\$2,000.00)	0.00%
Total - Expense	\$14,495.39	\$29,929.00	(\$15,433.61)	48.43%
Net Ordinary Income	\$18,431.65	\$2,347.00	\$16,084.65	785.33%
Net Income	\$18,431.65	\$2,347.00	\$16,084.65	785.33%

Alerts

Stay Alert

Know about changes to your finances and online security. Choose when and what alerts you get by email or text message.

Accounts

OPERATING ACCOUNT

XXXXXX3729

Available Balance

\$32,327.40

Recent ▼

RESERVE

XXXXXX3750

Available Balance

\$52,488.32

Recent ▼

OPERATING ACCOUNT - XXXXXX3729 ▾

Search Transactions

Activity: Date range: Start date: Mar 01, 2022; End date: Mar 29, 2022; Type: All

Transactions

○ Pending ● Posted

Total debits: -5,749.42 (12) Total credits: +2,351.44 (8)

Date ▾	Description ◊	Debit ◊	Credit ◊	Balance
● Mar 24, 2022	PAYPAL TRANSFER 1019149636410		89.74	32,327.40
● Mar 24, 2022	<u>DEPOSIT</u>		372.00	32,237.66
● Mar 22, 2022	<u>CHECK 1327</u>	60.71		31,865.66
● Mar 22, 2022	LOCKBOX DEPOSIT		45.00	31,926.37
● Mar 21, 2022	<u>CHECK 1328</u>	366.95		31,881.37
● Mar 21, 2022	<u>CHECK 1319</u>	20.33		32,248.32
● Mar 18, 2022	<u>CHECK 1324</u>	13.45		32,268.65
● Mar 17, 2022	<u>CHECK 1326</u>	2,616.97		32,282.10
● Mar 16, 2022	<u>CHECK 1325</u>	236.25		34,899.07
● Mar 15, 2022	<u>CHECK 1309</u>	60.00		35,135.32
● Mar 14, 2022	<u>CHECK 1323</u>	90.85		35,195.32
● Mar 14, 2022	<u>CHECK 1322</u>	44.95		35,286.17
● Mar 14, 2022	LOCKBOX DEPOSIT		45.00	35,331.12
● Mar 14, 2022	<u>DEPOSIT</u>		1,389.83	35,286.12
● Mar 07, 2022	<u>CHECK 1320</u>	85.87		33,896.29
● Mar 07, 2022	<u>CHECK 1317</u>	1,443.09		33,982.16
● Mar 07, 2022	PAYPAL TRANSFER 1018816836706		44.87	35,425.25
● Mar 04, 2022	<u>CHECK 1318</u>	710.00		35,380.38
● Mar 04, 2022	LOCKBOX DEPOSIT		45.00	36,090.38
● Mar 01, 2022	<u>DEPOSIT</u>		320.00	36,045.38