

**BAY POINT COMMUNITY ASSOCIATION  
REGULAR MEETING OF THE BOARD  
Monday, June 6, 2022 at 5:30PM  
BPCA Conference Room  
MINUTES**

**IN ATTENDANCE:** Samantha Dring, Justin Gorman, Walt Rankin, Debbie Rush, Catherine Seltzer Mitchell, Jen Shook, Zack Seltzer, Jose Velez, Patrick Green

**IN ATTENDANCE BY PHONE:** Doug Arent

**ABSENT:** Kevin Lynn

**ALSO IN ATTENDANCE:** John Townsend, Esq., David Renneker, Comptroller, Nancy Culp, Recording Secretary

**CALL TO ORDER:**

Catherine Seltzer Mitchell called the meeting to order at 5:30 PM.

**MEETING RECORDED BY:**

BPCA, Video

**QUORUM:**

A quorum was confirmed by Catherine Seltzer Mitchell, President.

**APPROVE AGENDA:**

**MOTION:** By Walt Rankin to approve the agenda, second by Jose Velez and unanimously approved.

**APPROVE CONSNET AGENDA:**

**MOTION:** By Jose Velez to approve the Consent Agenda, second by Walt Rankin and unanimously approved.

**FINANCE COMMITTEE REPORT:** Zack Seltzer

The finance committee met Tuesday May 31<sup>st</sup>.

- Consolidated cash balances totaled \$2.8 million
- Accounts receivable as of May 31<sup>st</sup> is \$95,000 that is more than last month because BPCA was able to bill Legend Lakes the prorated annual assessment after their revitalization was completed.
- Infrastructure projects:
  - No financial changes with pending infrastructure projects.
  - 912 Cobia project. We had a threshold budget of \$35,000 for the SE Dirtworks portion of the project, they have billed \$32,500. SCE billed

us \$6,700. The total project cost has been \$39,200

**MOTION:** by Zack Seltzer to approve the invoice from SCE for \$9,600, second by Jose Velez and unanimously approved.

- Gulf Glow made all of the signs in the neighborhood. They gave an estimate to go in and fix and repair the street signs and stop signs. There are roughly 50 signs in these categories. This price includes replacing all of the logo stickers with correct Bay Point logo. Gulf Glow will take before and after pictures of each sign.

**MOTION:** By Zack Seltzer to approve a \$10,000 threshold for Gulf Glow to come and repair street signs and stop signs throughout the neighborhood, second by Samantha Dring and unanimously approved.

- The finance committee recommended turning off RFIDs for renters of properties that are past due. We will send a letter to the owner and the renter with a 30 day notice to shut off the RFID.

**MOTION:** By Zack Seltzer to turn off renter/tenant RFIDs if the owner is past due with BPCA, second by Jose Velez and unanimously approved.

**PRESIDENT'S REMARKS:** Catherine Seltzer Mitchell

The Marina has opened and there is positive feedback and great pictures posted on Facebook. There have been some delays for the Alee condo project. They ran into an undetected powerline and are waiting on FPL to come out and relocate the line because it was not supposed to be there.

**REPORTS:**

- Bay Point West: Jen Shook
  - Bay Point West will have an annual meeting Saturday July 9<sup>th</sup> at 9:00 AM in the BPCA Conference Room. The annual packets will be going out next week. There are three seats open, the self-nominees are Denise Hindes, Walt Rankin, Harriett Reed, Dean Resch, Jim Penny, Leslie Chastain, and Kristin Curole.
  - The roads and grounds committee is working on enforcing the covenants and restrictions for several properties that are in need of attention.
  - ARC continues to approve approximately 25 new projects a month. ARC is working to decrease the time between project request and approvals.
- Canal Liaison: Justin Gorman
  - There are three boat lifts that the canal association is trying to get removed.
- Community Events: Debbie Rush
  - Tacos and Trivia is on the 17<sup>th</sup> at the Bay Point Golf Club.
  - Each Saturday in June the Sheraton at Bay Point has a cookout special from 12-4 PM.
- Governing Docs: Walt Rankin

- The list of issues that were emailed in about the rules were sent to the Board. We still have to schedule the Board meeting to go through the rules and approve them.
- Information & Technology: Patrick Green
  - We had a meeting to demo a few software suites, there will be a meeting in the future to discuss those demos and what our goals are moving forward.
- Infrastructure: Catherine Seltzer Mitchell reported for Kerry McLane
  - Residents Gate Arm replacement – supply chain issues, we are still waiting on Gorrie Regan to receive the parts.
  - Redfish pond – we held a special meeting for the residents to come talk with the contractor and engineer. This project is nearing completion.
  - Main Gate Renovation – the new sliding glass doors have been installed; they will be starting interior work soon.
  - Jan Cooley, Legends Renovations, and firehouse roof – these projects were approved last month, they were able to order supplies.
  - Pending items:
    - Road striping is an ongoing discussion with the committee. We need to look at the reserve study before any major decisions are made. The committee is looking to do safety striping now.
    - Dragons Ridge fence – no update
    - Landscape – A proposal was sent from BrightView to improve the landscape at the front gate. This will be distributed to the Board for further discussion.
    - Street light improvements – remove four broken decorative lights. Zack is working with FPL to come out and look at all the lights to get the lights throughout the neighborhood to match.
- Security Liaison: Samantha Dring for Jim Moore
  - June is the beginning of hurricane season; security is taking necessary training steps to make sure they all know what to do in case a hurricane comes to the area.
  - Signs concerning closing of the canal will be posted at the Post Office, Main Gate, Jan Cooley and Thomas Drive gate.
  - Hurricane watch signs will be posted 36 hours before any predicted landfall; canal closing will be posted 24 hours before predicted landfall.
  - If you plan to stay, please let Bay Point Security know so that they can check on you after the storm.
  - Security is still understaffed, looking for people who can work at the gates and patrol.
- Stakeholders Liaison: Doug Arent
  - We are trying to set up a Stakeholders meeting to go over the new agreement and new budget.

**GENERAL MANAGER's REPORT:** David Renneker for Debra Haydn



- For the last two weeks we have been having problems with the RFID system. All new RFIDs that were put on were not working because the main computer in the BPCA office was not talking to the readers at the gates. Gorrie Regan was contacted; they were able to solve the problem. They were also able to replace the keypad at the Reflections gate as well as the timing on the open loop gate at Bar 72.

#### **NEW BUSINESS:**

##### **A. Overview BPCA Covenants and Rules Regarding Outdoor Structures - Justin Gorman**

- The setbacks for the rear of the property in Bay Point is 25 feet. All outdoor structures are supposed to fall within those setbacks.
  - Outdoor structures include anything that is elevated: decks, pools, pool decks. If they are elevated, they are supposed to be in the setbacks. Most houses on the canal break this rule.
- Section 5 of the rules states “Outdoor swimming pools and hot tubs are not subject to the building setbacks and may be installed up to the property lines. On canal and lagoon lots, it is preferred that a minimum of 18 feet be provided between the seawall and the pool shell so as not to interfere with the seawall’s tiebacks or deadmen. If the pool is to be closer than 18 feet to the seawall, it shall be completely elevated above the seawall’s tiebacks and deadmen or engineering drawings shall be provided for the relocation of these tiebacks and deadmen.”
  - This already goes against the covenants. Justin is proposing that we add more rules with language like that to allow outdoor kitchens with roof structures.
- Catherine presented a question about the covenants. Paragraph 30 “Developer may at any time release any one or more lots shown on said plat from any or all of the restrictions and covenants running with the land herein set forth, and also from any or all additional restrictions and covenants imposed pursuant to the provisions of Paragraph 29 above, provided the written consent thereto of the owner or owners of not less than three-fourths in number of the lots shown on said plat shall be obtained.”
  - Refine the rules to better define terms in the covenants to update them to fit with the current time since they were written so long ago.
  - There have been covenants that were not strictly enforced the way they are written. They are not abandoned, it can come back on the association as selective enforcement. The way to correct this is to send out a Chattel Shipping Letter stating that we have not enforced everything in the past but we will be enforcing them from this point forward.

##### **B. Overview BPCA Budget Process Regarding Establishing Annual Assessment**

- The Board approves the budget in July of each year. Debra and David will work with Zack to set up a budget workshop. The budget will then go to the finance committee to be approved then will be presented to the Board to be approved at the July Board meeting.
- Our annual assessment is defined in the Articles of Incorporation under article 7. In the last line of B it states that “total annual dues beginning in year 2010-2011 shall not exceed \$1,325”. Section C states “any assessment larger than the aforesaid amount shall be levied only by the affirmative vote of a majority of the members of the corporation in voting at the annual meeting of the membership, or at a special meeting called in accordance with the provision of these Articles and the By-Laws.”
  - In order to amend the articles you have to have a majority vote of the membership. BPCA will have to call a special meeting of the membership. If a special meeting is called it must be posted and noticed 14 days in advance.
    - Jen Shook asked John Townsend if we can add a new buyer fee to the documents since we will already be amending them.
  - Assessments are usually talked about in the by-laws, not the articles of incorporation.

**OLD BUSINESS:**

There was no old business to discuss

**ADJOURNMENT:**

At 6:48 PM **MOTION:** by Walt Rankin to adjourn, second by Jose Velez and unanimously approved.