

**BURNT STORE LAKES PROPERTY OWNER'S ASSOCIATION
MINUTES OF MEETING
HELD AT THE BURNT STORE PRESBYTERIAN CHURCH
11330 BURNT STORE ROAD
PUNTA GORDA, FL 33955**

January 8, 2008

CALL TO ORDER, PROOF OF NOTICE and ROLL CALL

President Jim Brown called the Board of Directors meeting to order at 6:00 p.m. Secretary Sandy Funk announced that the meeting Notice and Agenda were posted on 1/3/07. Both postings meet the guidelines as set forth in the BSLPOA By-laws. Sandy took roll call of the Board members as follows: Jim Brown, President; Peg Varga, Vice President; Bill Fruit, Treasurer; Steve Steidel, Rob Hancik, and Scott Pitser, Directors at Large were present. Dave Chilcote, Director at Large, was absent due to illness.

Public Input: Jim Brown introduced Jim Gallagher who is a candidate running for Charlotte County Sheriff in this year's election. Resident John Haas requested that Mr. Gallagher be allowed to speak before the Board and those residents in attendance. There was a question and answer session following Mr. Gallagher's remarks. There were no other public comments offered at this time.

DISPOSITION OF MINUTES

Jim asked if there were any additions or corrections to the minutes of the regularly scheduled Board meeting held on December 11, 2007. There being no corrections or additions, the minutes were accepted by unanimous consent.

TREASURER'S REPORT – Bill Fruit

Bill reported that as of December 31, 2007, assessments reflect a 75% collection rate. Assessments receivable as of 12/31/07 (\$106,756.39) have been liened. The expense of liening these receivables has been capitalized. Our cash position as of 12/31/07 is \$601,135.78 with December collections at \$66,623.76. December disbursements were \$36,525.11 and all year to date expenses are within budget. Complete copies of the December financial report are on file in the office. Bill stated that the question has been raised as to why the general ledger and the bank statement do not reflect the same amount. Bill explained it is because we have deposits in transit as of 12/31 in the amount of \$4,750 and checks outstanding in the amount of \$12,288.05—therefore the general ledger and the bank statement does reconcile. Bill also noted that the separate Dinner Dance Account holds \$1,246.95 as of December 31, 2007.

Bill noted that our interest income is declining because the rates are dropping. The average blended interest rate changes every 30 days. Last fiscal year's blended rate was around 4.84%. Current rate is around 3%. Jim has asked Bill to look into time certificates to boost our interest income.

Bill submitted the financials and recommended acceptance for review. Jim asked if there were any objections or comments. There being none and by unanimous consent the Treasurer's Report will be sent forward for audit.

OLD BUSINESS:

ARCHITECTURAL (ARC) – Peg Varga

Peg reported that she would be attending the Commissioners Meeting on January 15th when the Tract 911 (Nazarian) change of zoning will be heard. The Association's stance remains unchanged. Bill questioned the increased attorney's cost as a result of duplication of responses and suggests questioning the charge if it appears on our next legal billing. In addition, she will attend the January 11th Zoning Hearing regarding Punta Dorada's request for a zoning height change. The height change requested is in accordance with the negotiated settlement with Punta Dorada in December 2006. She wants to insure that the Association's position on both hearings is documented. A letter was written to Punta Dorada requesting building application submission in accordance with the settlement. Submission was to be made at the same time application is made to DRC (Development Review Committee). The office is having difficulty contacting Punta Dorada. Peg will ask representatives at the hearing for the correct mailing address and telephone contact information.

Peg reported that a meeting was held on January 8th with Ron Oskey, Sr., and Ron Oskey, Jr. of Charlotte Development Corporation (CDC) regarding plans to build a gas station, convenience store and 'some' retail stores on Tracts D & E located north of Cape Horn (which is in the deed restriction agreement to build). These two tracts are zoned and deed restricted as commercial. Mr. Oskey informed us that Publix has not signed an agreement to build in the proposed shopping center to due current economic conditions. However, it has not been eliminated for future consideration. CDC will have their architects meet with ARC for design. CDC is aware of a possible DEP concern regarding gas tanks that must be researched. Peg also mentioned that of major concern to BSLPOA is the effect on our Cape Horn entrance redesign and increased traffic. CDC has agreed to engineer the entranceway for BSLPOA as well as take a look at the entrance into the shopping center off Cape Horn. A meeting with CDC, BSLPOA and the County is the next step to resolve some of these issues. Jim stated that prior to the next meeting with CDC, the Board would sit down and discuss what our mission and objectives are. Bill felt that CDC is a competent and well capitalized and funded developer. Jim will write a follow up letter to CDC requesting further plan information, etc.

Peg reviewed the legal response received regarding the condominium complexes on Acapulco and San Edmundo as related to assessment collection. The office staff will conduct further research of County records prior to seeking additional legal advice. Further discussion ensued on background and history of deed restrictions and amendments made by the developer (PGI, Inc.). Celeste reported that she has been in contact with the building contractor for Acapulco Gardens in that they agreed to lower the retaining wall on two of their projects in order to comply with the 3-foot height limitation as set forth in the deed restrictions. However, in certain sections, the height

will have to remain in order to keep in compliance with the American Disabilities Act (ADA). In addition, Celeste is following up with Jim Herston of Herston Engineering on obtaining a copy of a letter of explanation he was to provide to the County regarding the changes made to the retaining wall(s) plan submission. Jim asked Celeste to remind Mr. Herston that our Deed Restrictions supersede the County on this requirement.

BEAUTIFICATION AND ENHANCEMENT – Rob Hancik

Rob reported that there has not been any activity. They will be taking down the Christmas lights tomorrow (1/9). They will be scheduling a meeting shortly. The permit has been received from the County for building a second pavilion in the Park. We will be filing the Notice of Commencement with the County next week. Rob and Jim both stated that we would hold back 10% of the contract (as well as future contracts) until we are completely satisfied with the work. Rob said the Committee would begin working on signage replacement. Due to a power outage last week, the lighting timers have been reset at the round-abouts. Pinnacle Landscaping will reset the irrigation pump timers. In the future, Dennis Starnes, our maintenance contractor, will monitor and take care of resetting all timers. Pinnacle has also been contacted regarding the frequency of watering the new plantings in each of the round-abouts.

LAKES QUALITY AND MAINTENANCE – Scott Pitser

Scott reported that each of the four chairpersons from each of their assigned areas of the Lakes Committee would be meeting with Aquatic Systems on January 29th, at 6:00 p.m. at Scott's home to discuss weed control, algae, oxygenation, and midge control. Any of the Board members are welcome to attend. The Lakes Contract has been retyped to incorporate maintenance of the littoral plantings. Scott asked that it be signed by Jim, Bill or Peg so that Aquatic Systems could pick up their copy tomorrow (1/9). The contract runs from October 1, 2007 through September 30, 2008.

MECHANICAL & MAINTENANCE – Bill Fruit & Scott Pitser

A Proposal Summary for two areas requiring drainage work was presented for approval. Scott Pitser made a motion to approve cleaning out and repairing the culvert located on Asmara Court off of Peppercorn at a cost of \$525; and installation of 65 feet of black ADS plastic pipe, fill dirt and grading in a drainage swale next to Block/Lot 925/05 Peppercorn Road just west of the round-about at a cost of \$6500, for a total expenditure of \$7025 from the drainage line item of the Operating Budget. All work to be done by BTR Excavating. Peg Varga seconded the motion. ***The motion passed unanimously with Brown, Varga, Fruit, Hancik, Pitser, and Steidel voting aye.***

Sandy requested that some of the Board members meet with BTR Excavating to evaluate the scope of work desired for Phase III of the drainage ditch that runs from Burnt Store Road to Vellum Court (leads to Osprey Lake). Phases I & II were completed in 2006 and 2007, respectively (Cape Horn to Vellum). Jim volunteered to go with Scott. Jim would also like to know how much silt is being washed into this canal from the east side of Burnt Store Road. Scott would also like to obtain a price on cleaning out the drainage swale on the west side of Huancay. Sandy asked BTR to

review the drainage work performed in areas two years ago to see how they were holding up and if they needed any additional work. BTR reported these areas are fine.

LONG RANGE PLANNING (LRP) – Jim Brown

Jim reported that LRP did not meet on January 7th as scheduled. We are still awaiting an answer from Tom O’Kane (DPW) as to what decision, if any, the County would make concerning the entranceway to our Park in relation to the widening of Burnt Store Road.

COMMUNITY STANDARDS – All

The Board reviewed the monthly report prepared by Celeste. A new schedule for Board members to tour the community for deed restriction violations was handed out. Bill requested that “in process” dates be placed on the report, i.e., dated occurred, dated action taken, etc. Celeste requested a Board member look at the landscaping around the fence on Barcrest to determine if it is satisfactory. Bill asked about the length of time taken for fencing compliance around the pool on Pyrenees. He asked that Celeste contact County Code Compliance (again) to have them handle the situation instead of the Association incurring legal costs. Rob asked if we looked at the property at Vincent and Ainsie regarding what appears to be unsightly installation of riprap in the drainage swale. Permission was granted to the property owner to access the lake for irrigation purposes. The area will be looked at and findings reported back to the Board. Steve asked if the Board was satisfied with the plantings placed around the fence by the property owner on Belize. They are adequate. Discussion ensued regarding exploring with Attorney Shields the possibility of recouping the \$3,900 expended in legal fees to bring the property into compliance.

COMMUNICATIONS – Steve Steidel

Steve reported that the next printing of the Newsletter is scheduled for May. Steve noted an addition to the website under ‘Agendas’. A list of the Board meeting dates and times for the year 2008 have been posted. He also noted that only one CIN message has been sent since last reported, i.e., closing of the office during Christmas week. For the calendar year 2007, we issued 15 Notifications, 2 Alerts, and 2 Grapevine messages. Steve asked for direction on the types of messages that are disseminated by the CIN network. When it was originally designed, and up to this point, the Community Information Network (CIN) consists of three types of messages—Alerts (more ordinate pertinent messages), Notifications (important but not as urgent involving Association business and actions that may have been taken by the Board of Directors), and Grapevine (information about events and activities that support neighborhood unity). There is a question about whether certain types of area meetings should also be included in the CIN message system. Steve would like CIN to continue to be observed by our community as important messages so that when they see the logo (heron) that it is pertaining directly to them—not necessarily something that, while interesting or informative, is a broader message. Discussion ensued and it was determined that messages such as notification of a Tax Seminar will be sent out through Sunny Martinek’s email database system.

SAFETY & SECURITY – Dave Chilcote

In Dave's absence, Jim reported that there have not been any meetings of the BSL Neighborhood Watch Initiative or a meeting of the BSL Safety and Security Committee. Also, due to the lack of response to the February 1st Burnt Store Corridor Owners' meeting, Dave recommends that it be cancelled. He will inform Wayne Sallade of the cancellation. Dave will give the March 6, 13, 20 & 27th CERT Training Program another month to see if any more individuals sign up. The Board felt it might be premature to cancel the February 1st meeting. Steve planned on sending out a follow up message. Jim stated that he knows Wayne Sallade will be speaking on safety and security, which also leads to evacuation utilizing Burnt Store Road. Jim was going to invite Mel Martinez's congressional assistant to this meeting to hear Wayne Sallade and understand the urgency of the evacuation issue, to possibly assist in obtaining money from other sources for widening Burnt Store Road. Steve will issue two more CIN messages announcing the February 1st meeting and the March CERT Training Program.

COUNTY RELATED ITEMS

South Charlotte County Coalition (SCCC) – Jim Brown, Liaison

Jim reported that he met with Commissioner Adam Cummings yesterday (1/7) to discuss the lack of adequate monies coming into Charlotte County to widen Burnt Store Road. Jim stated that out of every \$1.00 sent to Washington, 52 cents is returned. Of the 52 cents, 75% goes into the State's general fund—most of which goes to places like Orlando, Miami, and I-75 projects. The remaining 25% goes to each County's MPO who prioritizes and determines where the money will go. Commissioner Cummings stated that the Counties receive only about 50% of that 25%. Charlotte County's MPO decided to put money into Aqui Esti vs. Burnt Store Road. Jim said that they (SCCC) plan on contacting State legislators (Senate and Representatives) starting with Mike Grant. Commissioner Cummings stated it is better if SCCC goes directly to these sources. Once attention is received, support will have to be obtained from citizens through letter writing, petitions, etc.

Jim was pleased to report that at today's County Commissioners' meeting, they approved the mutual aid agreement between the City of Cape Coral and Charlotte County Fire/EMS Department. Jim received confirmation of this from Diane Gant (Commissioner Cummings' assistant) this afternoon. We can thank SCCC for this effort. The Board asked Jim for a copy of the written agreement. The agreement will also help reduce some residents' insurance rates (fire coverage), not just emergency response time. However, the insurance companies need to see documentation.

MSBU Advisory Board – Rob Hancik

Rob reported that the next meeting of the Advisory Board is scheduled for this Thursday, January 10th at 10:30 a.m. at the DPW.

OTHER ITEMS

Peg has nothing to report on a new construction policy for underground electric.

Century 21's office rent is cost prohibitive and they will not negotiate a lower rate. The owner of our existing office building has been out of the country and will return mid-January. At that time she will meet with members of the Board re our lease for 2008.

NEW BUSINESS

None.

ADJOURN

Steve Steidel moved to adjourn the meeting at 7:30 p.m. that was seconded by Peg Varga. *The motion passed unanimously with Brown, Varga, Fruit, Hancik, Pitser, and Steidel voting aye.*

OPEN FORUM

Rick Mathis reported that what appeared to be a rabid raccoon was removed from his area around Trading Post Road. He also asked if there were any restrictions on installation of solar panels. He inquired as to the cause of the power outage last week. In addition, Rick stated that you could go to www.winknews.com to obtain information on the proposed tax reform to be voted upon on January 29th.

Open forum ended at 7:35 p.m.

Respectively submitted,

Sandy Funk, Secretary
To the Board of Directors

January 13, 2008

Note: The next regular meeting of the Board of Directors is scheduled for **Tuesday, February 12, 2008** at **6:00 p.m.** at the Burnt Store Presbyterian Church, 11330 Burnt Store Road, Punta Gorda FL.