

**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**

**October 14, 2008**

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

Jim Brown, President called the meeting to order at 6:00 p.m. Secretary, Sandy Funk, announced that the Meeting Notice and Agenda were both posted on Thursday, October 10, 2008. Both postings meet the guidelines as set forth in the By-Laws. Roll call showed all Board members present as follows: Jim Brown, President; Peg Varga, Vice-President; Bill Fruit, Treasurer; Dave Chilcote, Rob Hancik, Scott Pitser and Steve Steidel, Directors at Large.

**Public Input:** None

**DISPOSITION OF MINUTES**

Jim asked if there were any corrections or additions to the Minutes from the September 16, 2008 Board of Directors meeting as provided for review. There being none, the Board accepted the September 16, 2008 Minutes by unanimous consent.

**TREASURER'S REPORT – Bill Fruit**

Bill referred to a copy of the September 30, 2008 year-end Financial Report provided to each Director, stating that Association is in a good cash position with \$272,040.57 on hand. September collections were \$1,673.31 and disbursements \$43,868.33. Assessments receivable as of September 30, 2008 are \$59,544.35 (92% collection rate using current budget). He stated that after review of the financial statements prepared by Webb-Lorah, the general ledger was found in balance as of September 30, 2008.

Bill reviewed the various 'unadjusted' year-end expenses as follows: Reserves \$4818.75 over budget; Office and Administrative \$11,623.74 under budget; Financial Services \$18,513.21 over budget (due to recognition of bad dept expense); Legal \$5,517.69 over budget; and Maintenance (Lakes and Common Areas) \$3,528.90 over budget. Although the final figures have not been finalized as yet, it appears as if the balance in reserves is approximately \$327,000. We are present short on our cash available for operations in the amount of about \$12,293.28. This is understandable since on 10/1 accounts receivable shows approximately \$500,000. This will be reflected in the next financial report (ending October 31, 2008).

Bill read a prepared statement to the Board that he has submitted for publication in the November Newsletter as well as a preamble to his presentation at the Annual Meeting. He proceeded to outline to the Board why it is difficult to foreclose on delinquent properties. He

has received inquiries from various property owners asking why the Association doesn't go forward with foreclosures.

Jim asked if there were any other comments on the financial report. There being none and by unanimous consent, the Treasurer's Report will be sent forward for audit.

Colonial Bank: Jim reported that he met with representatives from Colonial Bank to pursue the possibility of switching Association funds from Wachovia to Colonial. Due to the economic crisis and the situation with Wachovia as well as the drastically reduced interest received over the past year on our funds, it may be prudent to change banks. Colonial offers a program designed for associations such as ours called CDARs. They are currently offering around 4% interest. The program will also keep us within the FCID insurance coverage by utilizing CD's with various other banks. This is a 'work in progress' and will be discussed by the new Board in November.

### **OLD BUSINESS:**

### **DIRECTORS REPORTS:**

#### **SAFETY & PREPAREDNESS – Dave Chilcote**

Dave Chilcote reported that David Prins has resigned as Chair for the Neighborhood Watch. He will make note of this at the Annual Meeting and ask if there is anyone willing to take on this program. There was nothing new to report on the development of a Disaster Recovery Program for the Lakes. Dave will meet with the new Board member who will be assigned this area of responsibility after the Annual Meeting and transfer the files and other information.

#### **MECHANICAL & MAINTENANCE – Bill Fruit & Scott Pitser**

Bill and Scott had nothing new to report this month. Jim reported that he will review the problems and actions being taken by the Board to maintain (mow) vacant homes that are either in foreclosure or bankruptcy. There are about 16 immediate problems of which 12 have been resolved. We currently contract with local companies to obtain the best price, have it mowed, and add the cost plus an administrative fee to the property account, and a lien filed. Jim reported that some property owners have written either a letter or email asking what action is being taken to keep the community looking well. Jim responded to these property owners who have a valid reason to be concerned.

#### **LONG RANGE PLANNING – Jim Brown**

Jim reported that he met with Laura Kleiss Hoeft of the Charlotte County Parks and Recreation Advisory Committee on September 18<sup>th</sup> regarding a master plan for our community. However, any assistance the County would provide goes with the caveat that the area be for "public use"—not just private. Jim also explained the liability issues (insurance) with providing any type of playground equipment. Since Dick Kopsack will be out of town when the Annual Meeting is held, Jim will make the presentation for Long Range Planning. He went on to explain that the Long Range Planning Committee is basically a "think tank" for items to be considered for the future of the community—stressing that not all concepts will come to fruition.

### **LAKES QUALITY AND MAINTENANCE – Scott Pitser**

Scott had nothing new to report this month. Jim Brown reported on his recent conversation with Ginny Day (Charlotte County Environmentalist) regarding the midge fly, in that the Marina does not have a midge problem and have an aerial spray (helicopter) mosquito control program. Ms. Day told Jim that they do not spray for non-disease biting mosquitoes; however, they do use a helicopter to spray the salt marshes along the Charlotte Harbor buffer area. Jim indicated that the problem should be brought to the attention of the Commissioners. On a prior occasion, Jim spoke with Commissioner Dick Loftus and he asked that Jim send him a letter regarding the midge situation in Burnt Store Lakes.

### **COMMUNICATIONS – Steve Steidel**

Steve commented that the next Newsletter (scheduled for distribution in November) and that the deadline for articles is Monday, 10/20. Steve reported that one boil water alert was sent out as well as four CIN messages (2 underground electric, 1 annual meeting update, 1 traffic issues at Cape Horn construction site), and 1 Grapevine message re the upcoming Dinner/Dance. Steve also reported that the new website was activated today, however, due to technical difficulties; he could not provide a demo at tonight's meeting

### **BEAUTIFICATION AND ENHANCEMENT – Rob Hancik**

Rob reported that the pavilion has been completed and landscaping has been installed at the four (4) new BBQ grills by volunteers on the Committee. New shell was delivered and graded on the road leading into the Park. Rob noted that the County contractors are moving slowly on construction of the Cape Horn entranceway. A progress meeting with the County, contractor, and BSL scheduled for tomorrow, 10/15.

### **COMMUNITY STANDARDS – All**

The Deed Restriction Report was discussed in general noting improved resolution to most issues. Jim noted that we are keeping on top of yard maintenance (abandoned/foreclosed properties). He also noted that the property owner on Muscat has removed the non-compliance structure (addition) and is aware that he must submit full plans for a new addition and pool construction.

### **ARCHITECTURE REVIEW – Peg Varga**

Peg reported that the Committee recommends approval of a pool construction plan as well as a 5-foot rear variance for 97503, and approval of the submitted house color for 94903, and made a motion for Board approval of both. Dave Chilcote seconded the motion. ***The motion unanimously passed with Brown, Varga, Fruit, Hancik, Pitser, Chilcote, and Steidel voting aye.***

Peg further reported that for 97503, future plans to extend the roofline to cover part of the lanai area are pending, noting that property owner resolved deed restriction violation and removed the flat roof over the lanai.

## COUNTY RELATED ITEMS – Jim Brown

**SCCC:** Jim reported that Bob Starr, republican candidate for County Commissioner (District 1) was a guest speaker at the last meeting as well as democratic candidate Percy Angelo (running against Bob Skidmore in District 3). Bob Skidmore is scheduled to speak at October 23<sup>rd</sup> meeting, and possibly Bill Cameron—republican candidate for Sheriff. Jim had also asked Teresa Van Eps, a Burnt Store Lakes resident), to speak before the Coalition regarding re-districting of the school district (sending children to East Elementary instead of Sally Jones, which entails almost twice the distance to be bussed to school. In a conversation Jim had with one of the school board members, the census (based on the population) was not what it was supposed to be and the re-districting may be a dead issue. Jim also reported that a representative of Pirate Harbor (and also a member of the MSBU Board), along with Pirate Harbor's association president were in attendance to discuss their sewer project issues with Charlotte County. It appears as if Pirate Harbor will be assessed an additional \$6,000 per property and penalized if they do not hook up within a year.

**MSBU:** Rob reported that the next meeting would be held sometime in November. He also is in the process of applying for County grant money for landscaping the Cape Horn entranceway when construction is finished. Bids are being obtained from County licensed landscapers (requirement) for grant money consideration. Rob stated that the process for utilizing the MSBU for funding the underground electric is in progress. In order for the County to set up a separate MSBU for this project, they want a mailing to all property owners showing enough interest in the project in order to proceed. We are in the process of developing a letter and a postcard to be included with the letter for mass mailing by the County. The postcard will have cost information and a YES/NO choice to be returned to the County for tallying. Rob indicated that Frank Bishop is to follow up with FPL regarding postponing the "hardening" of Cape Horn Blvd until the underground electric project is resolved.

## OTHER ITEMS

**Annual Meeting:** As stated earlier, Steve is unable to display the new website at this meeting. He requested that each Board member take a look at the site—specifically the Administration dropdown menu as it reflects new email addresses for the directors. He also mentioned that under Committees, there is a section for each one along with which director is responsible—including home telephone numbers. It was decided to remove the telephone numbers. Steve stated that the Annual Meeting power point presentations are almost completed. He explained about the slides and utilizing the remote control to change the slide(s) as needed.

**Office Relocation Status:** Jim reviewed the status of negotiations with Turtle Crossing. After discussion, Bill motioned that we cease negotiations with Turtle Crossing and notify them that within 48 hours the Association will make a decision to go to an alternative site. Peg seconded the motion. ***The motion unanimously passed with Brown, Varga, Fruit, Hancik, Pitser, Chilcote, and Steidel voting aye.*** Rob reported on an alternative office space at 100 Madrid Blvd. that some of the Board members toured prior to the meeting. There was some question as to the actual square footage offered (1435 sq.ft.). The rental cost was reasonable (\$4,000 quarterly plus sales tax) with a 5-year lease (fixed for first 3 years with \$600/year increase in each of year 4 and year 5). All CAM (common area

maintenance) costs, including water/sewer) would be absorbed by the owner. We would have to pay for electric service. Only minor modifications would have to be made to the unit. West Coast Builders offered to oversee any modifications not able to be accomplished by volunteers. It has a conference room that may be utilized for monthly Board meetings. It was decided to check the actual square footage and obtain a copy of electric bills from the realtor.

The existing office space and costs were reviewed. All costs (electric, water, taxes, trash collection, etc.) are included in the rent as well as use of the conference room and kitchen area.

Jim stated that the current office does not provide enough privacy as well as being very cramped due to the small space (200 sq. ft.). He further stated that it does not lend itself to a good business environment, and that we need some form of professionalism. Bill noted that any changes that need to be made could be done over a period of time. He also suggested that we could ask the community for loan of furniture (used but in good condition) as well as art work. Bill thought a decoration committee could be considered by the new Board.

Further discussion ensued regarding cleaning of carpets, etc. prior to move in. Jim asked the Board if they were comfortable with the distance required for traveling—not just office staff, but property owners. Peg did point out that the current location is more convenient for holding committee meetings. Bill responded by stating that you must look at the alternative space available (Turtle Crossing) and the fact that we are 30 days from being “homeless” since we are currently on a month-to-month basis. Bill also pointed out that 90% of Association business is done either by fax, telephone or email. He felt strongly that the decision whether to move the offices or not should remain with the current Board and not the new Board. Without further discussion, Peg Varga made a motion to move the offices to 100 Madrid Blvd., Unit #212, at the negotiated rate of \$4,000 quarterly plus sales tax, with an offset for cleaning carpets, verification of square footage, determination of electric usage, final review of the lease effective December 1, 2008, and with a 30 notice to current landlord. Dave Chilcote seconded the motion. ***The motion unanimously passed with Brown, Varga, Fruit, Hancik, Pitser, Chilcote, and Steidel voting aye.*** Rob asked Jim if he would announce the office move at the Annual Meeting this Saturday, October 18<sup>th</sup>.

**Boat Ramp Update:** The following is an overview of what Bill will state in the upcoming Newsletter and Annual Meeting regarding the status of the Boat Ramp: “The boat ramp project was put on hold this year, primarily because of permitting obstacles put in our path by several of our neighbors in Pirate Harbor. Even so, we could not have proceedd until the current budget was approved. That is because the Capital Reserve sufficient to pay for boat ramp construction was to be funded over two years (2007-2009). With this year’s (2008-2009) Reserve Fund, we will be able to continue our work. A different location is now under consideration. The new site is off of Acapulco at Bear Branch Creek. We have engaged in preliminary discussions with potential contractors and when permits are obtained, the project will be put out to bid. Your Board understands that this is considered a priority by most property owners and we know that it is certainly one that will bring increased value to our community.”

## **NEW BUSINESS**

**Copier Replacement:** Bill Fruit reviewed the discussion held earlier this week with Celeste and Sandy along with a representative of Xerox regarding the leasing of a copier vs. purchase. Our existing copier would cost \$455.00 to repair which is more than half the cost of purchase. The advantage to leasing is that it includes all repairs, toner, etc. It also has the capability of networking if we choose to do so later. After further discussion, Bill Fruit made a motion to lease the Xerox copier at a cost of \$132.00/month plus \$.0139 “per click”. Peg Varga seconded the motion. It was also agreed that if a property owner would like a copy made a nominal fee would be charged. ***The motion unanimously passed with Brown, Varga, Fruit, Hancik, Pitser, Chilcote, and Steidel voting aye.***

**Restaurant Brochure:** Jim announced that the Burnt Store Golf & Activity Club restaurant is open to the public. The Club asked Jim if we could send an attachment to the Newsletter, which could possibly increase the cost of mailing, etc. After discussion, it was agreed to place an article in the Newsletter informing property owners that this restaurant is open to the public and also include information about neighboring facilities, i.e., Allegros, the Deli, La Piazza, etc. under the heading “Community Notes”.

## **ADJOURN**

Steve Steidel moved to adjourn the meeting at 7:20 pm, which was seconded by Dave Chilcote. ***The motion unanimously passed with Brown, Varga, Fruit, Hancik, Pitser, Chilcote, and Steidel voting aye.***

## **OPEN FORUM**

There were no comments offered.

Respectively submitted,

Sandra Funk, Secretary  
To the Board of Directors

October 31, 2008

**Note:** The next regular meeting of the Board of Directors is re-scheduled for **Tuesday November 11, 2008** at **6:00 p.m.**, at the Burnt Store Presbyterian Church, 11330 Burnt Store Road, Punta Gorda FL