

**BURNT STORE LAKES PROPERTY OWNER'S ASSOCIATION
MINUTES OF BOARD OF DIRECTORS MEETING
HELD IN THE BURNT STORE LAKES POA CONFERENCE ROOM
100 MADRID BLVD., UNIT #212, PUNTA GORDA, FL 33950**

February 10, 2009

CALL TO ORDER, PROOF OF NOTICE and ROLL CALL

Jim Brown, President called the meeting to order at 6:10 p.m. Secretary, Sandy Funk, announced that the Meeting Notice and Agenda were both posted on Friday, February 6, 2009. Both postings meet the guidelines as set forth in the By-Laws. Sandy took roll call of the Board members as follows: Jim Brown, President; Rob Hancik, Vice President; Scott Pitser, Fred Boland, and Marion Jinkens, Directors at Large were present. Jim Thiel, Treasurer and Bob Lilley, Director at Large were absent.

Public Input: No comments.

DISPOSITION OF MINUTES

Jim asked if there were any corrections or additions to the Minutes of the regularly scheduled Board Meeting held on January 13, 2009. There being none, the Board members present accepted the January 13, 2009 Minutes by unanimous consent.

TREASURER'S REPORT – Jim Thiel

In Jim Thiel's absence, Jim Brown reported that our cash position as of 1/1/09 was \$578,101.05. Cash received for the month ending 1/31/09 was \$33,637.52 and total disbursements were \$44,715.97. Assessments receivable were \$134,153.44 (includes prior years not collected). Our cash position ending 1/31/09 is \$576,022.60. Jim noted that our assessments receivable is at approximately 25%. However, this appears high due to inclusion of "prior years" that remain unpaid—a few of which are significant. It was also noted that we have realized a very positive response to delinquent accounts due to the recent "Certified Mailing". Jim stated that at the beginning of the fiscal year (October 1, 2008), we had \$272,000, and our year to date figure is \$576,000 and subtracting our reserves (\$377,000) leaves us \$199,000 available for operations. Jim stated that it is planned to move the \$57,000 from the Wachovia account to Regions. He also stated the amounts remaining in the money market and the two CD's with Regions.

Sandy noted that our safe deposit box is with Wachovia. Jim suggested we talk to Regions regarding obtaining a box without rental costs. If not, transfer to Regions when Wachovia rental expires. Sandy also mentioned that the Annual Dinner Dance checking account is also with Wachovia. It was decided to talk to Regions regarding transfer of this account, or check with Webb Lorah about collecting/dispersing these funds through our regular BSLPOA account(s) with proper documentation.

Jim Brown asked if there were any comments on the financial report. There being none, Jim motioned that we approve the Financial Statements and send forward for audit. Rob Hancik

seconded the motion. ***The motion unanimously passed with Brown, Hancik, Pitser, Boland, and Jinkens voting aye.***

98709 – After presenting the history of this property, Sandy requested the Board to write off the outstanding balance of \$1200 that we cannot collect from prior owners. The owner, who bought the property through the foreclosure process circa March 2006, is currently paying all recent assessments. Jim stated that he would like to talk to the present owner prior to the Board approving a write-off.

88621 – After presenting the history, Sandy stated that the current owner telephoned with a request to hold adding additional interest on the account until the property is sold—at that time, all past due monies (\$6893.95) will be paid at closing. After discussion, the Board requested that an agreement be drawn up for the owners to sign and have notarized. The agreement should stipulate that the Association would hold adding any additional interest effective March 1, 2009 for a period of one-year, or until the property is sold at which time the entire amount of \$6893.95 will be paid at closing. If the property is not sold at the end of one year, the situation will be re-evaluated and whereas any new agreement may or may not include retroactive interest.

OLD BUSINESS:

DIRECTORS REPORTS:

SAFETY & PREPAREDNESS – Bob Lilley & Fred Boland

Fred Boland reported that he and Bob met the end of January with Dave Prins and Matt Butcosk. Dave and Matt will get together to re-organize the Neighborhood Watch. There was nothing new to report on a preparedness program.

MECHANICAL & MAINTENANCE – Scott Pitser & Bob Lilley

San Edmundo Greenbelt – Johnson Engineering: The meeting between the BSLPOA, Johnson Engineering and the DEP has been rescheduled for 9:00 a.m. on Friday, February 20th. Jim reported that a meeting has been scheduled for Thursday, February 12th with Ken Ice and David Pears of Pirate Harbor regarding this project.

Acapulco Greenbelt: Fred Boland reported that about six bids have been received with a large difference between the low and high for felling dead pine trees, stacking downed trees, and bushhogging along both sides of Bear Branch anywhere from 5 to 60 feet from Cape Horn to Stork Lake near the Park. Fred gave a brief overview/summary of each bidder. A lengthy discussion ensued on the capabilities of some of the bidders, and the desire to narrow the number down to three. Fred Boland made a motion to approve funds not to exceed \$7,000 for the project as stated, with the decision of who to award the contract to be given to Bob Lilley and Fred Boland. Marion Jinkens seconded the motion. ***The motion unanimously passed with Brown, Hancik, Pitser, Boland, and Jinkens voting aye.***

Kiosk: Sandy reported that the kiosk has been relocated to the Park entrance area. American Neighbors rebuilt the kiosk at no additional charge to the Association. The Board expressed appreciation for their efforts.

Cape Horn Entrance Lighting Problems: Bruce Ladd, the electrical contractor, was contacted to evaluate the problem this week and report findings back to the office.

Road Edging: At Bob Lilley's request, Dawn Harrison (Dept. of Public Works) was contacted to inquire if MSBU funds could be utilized to edge both sides of all the roads in the Lakes. Sandy reported that there are approximately 26 miles of road (x2 – both sides) equals 52 miles of road at \$.30/linear foot. Cost would be around \$82,000. Discussion ensued on alternatives, i.e., pricing through other contractors and providing the information to the County.

LONG RANGE PLANNING (LRP) – Jim Thiel

On Jim Thiel's behalf, Sandy reported that the LRP Committee held a meeting on January 21st, and read the meeting minutes. The Committee discussed how the recreational path was funded, with the possibility of looking into the expansion of a sidewalk along Vincent Avenue for reasons of safety for pedestrians (would require funding through the MSBU). It was also suggested to look into providing bicycle stations located at various bus stops within the community. The school district will be contacted to confirm where the bus stops are presently located. The next meeting is scheduled for February 18th.

LAKES QUALITY AND MAINTENANCE – Scott Pitser, Bob Lilley & Fred Boland

Scott met with Aquatic Systems regarding additional midge fly treatments (larvacide) on Pelican and Heron Lakes and presented a Summary Proposal. It is planned to utilize a “grid” pattern to enable coverage of all the square footage of the lake(s). Scott made a motion to expend \$10,209 from the Lake Reserves for midge fly treatment of Pelican and Heron Lakes with a series of three treatments each two weeks apart. Fred Boland seconded the motion. ***The motion unanimously passed with Brown, Hancik, Pitser, Boland, and Jinkens voting aye.***

Scott also proposed that we treat Eagle Lake since there is evidence of another outbreak. Aquatic Systems is working on submitting a contract. In the interim, Scott made a motion to approve funds not to exceed \$9,000 from the Lake Reserves to similarly treat Eagle Lake for midge flies using a “grid” pattern with a series of three treatments each two weeks apart, pending receipt of the contract from Aquatic Systems and submission of Summary Proposal to the Board. Fred Boland seconded the motion. ***The motion unanimously passed with Brown, Hancik, Pitser, Boland, and Jinkens voting aye.***

Jim Brown reported that he spoke with Commissioner Loftus' office regarding lack of response to his letter about the ongoing midge fly problem in the Lakes. Commissioner Loftus state he did not receive the letter. Office Staff re-sent the letter via email to the Commissioner on 2/10/09. The County now has a helicopter available for spraying.

COMMUNICATIONS – Marion Jinkens

Marion reported that there were no CIN messages transmitted for January. Messages planned for January will be sent during February. The two messages planned for February are (1) an announcement for a planned Open House on April 14th, and (2) refuse container exchange information (smaller vs. larger receptacle) as well as compliance with Section 13 of the Deed Restrictions regarding storage of containers.

The website was updated to reflect the new Directors, and forms updated to note the new office location among other changes.

The current Association information was reviewed in the Directory, i.e., important emergency and telephone contact information was changed and/or updated for the July/August printing. Jim pointed out that the Directory is provided as a free service to the community through its advertisers.

The next Newsletter is scheduled for publication during May 2009. Articles for the newsletter should be prepared by the end of March to allow time for compilation and submission to the printer. The deadline for articles is March 20, 2009.

BEAUTIFICATION AND ENHANCEMENT – Rob Hancik & Marion Jinkens

Rob reported that the Committee met this morning (Minutes not available for BOD meeting). Rob could not attend due to a previous commitment. Office Staff continues to follow up with John Elias (DPW) regarding the completion of the lighting and irrigation phase of the Cape Horn Entrance project. In addition, follow up with Dawn Harrison (DPW) continues on the landscaping grant for plantings at the entrance. The application is now with Greg O'Connor (DPW). Image Sign stated they would have a proposed rendering of entrance signage by Friday (2/13) for review/input. Image Sign has been through Charlotte County sign approval and permitting in the past and will submit our final rendering to the County and follow through with the permitting process on our behalf. It was noted that a variance will be required if we wish to install more than one sign, i.e., another location in the community. Discussion centered on locating a sign at Burnt Store Road and Vincent Avenue. Jim mentioned the possibility of a deceleration lane at this intersection in the event Burnt Store Road is widened. Next meeting is scheduled for March 10th in the Park.

COMMUNITY STANDARDS – All

Various Deed Restriction issues were discussed. Boca Vista vegetation at curbside was discussed in addition to debris in the rear of the adjoining lot. Office Staff will follow up. Additional follow up needs to be done on the Cherrystone property that has been with Legal. There is insufficient landscaping and property owner has not complied with his submitted schedule of plantings. Decision was made to refer back to Legal. Follow up will be made on Peppercorn house where landscaping around fencing has perished and has not been replaced. Discussion ensued on Pyrenees house with unprotected pool fencing (fallen down). The County attorney was notified and a lien placed on the property. It is also in the foreclosure process. Jim requested that a letter be sent to the County attorney, under his signature, with a copy to Chris Shields stating that the BSLPOA will not be held responsible if anyone is injured or drowned in the exposed pool.

ARCHITECTURE REVIEW (ARC) – Fred Boland

Fred reported very little activity during the month of January. The residence construction on Vagabond is nearing completion. The landscaping should be completed in a few weeks. Escrow funds will not be released until we receive a copy of the final Certificate of Occupancy. The construction progress at 97503 is proceeding on a timely basis. We have received escrow funds from Avant Construction. The owner of the house under construction

on Cuillagan Court is working closely with Weiss construction for a completion date. He may pursue the right to complete the home independently. Jim Brown reported that he and Bob Lilley met with Mr. Newman (94903) regarding the trim color on his house as well as permitted color of sidewalk and driveway. The will continue to work with him to come to a satisfactory agreement. Marion reported that Mr. Newman has asked permission to place an ornamental eagle (28" tall x 36" wide) in his front yard. Permission was granted since this is no deed restriction issue. Fred asked Jim if he spoke with anyone at the Burnt Store Marina regarding the road overgrowth on the Lee County side of Vincent near Boca Vista. Jim stated that they are in the process of changing their management company. Jim will follow up with someone in the Marina.

COUNTY RELATED ITEMS – Jim Brown & Rob Hancik

SCCC: Jim reported that MSBU's were the topic of discussion at the SCCC, noting that Commissioners Starr and Skidmore are against having MSBU's—citing the problems with MSBU's in Port Charlotte. Jim has invited Tara Musselman from the Public Works Dept. to the February 25th SCCC meeting to explain MSBU's and how they work. It is planned to ask Commissioner Skidmore to attend the March SCCC meeting.

MISCELLANEOUS ITEMS

Underground Electric – Before reporting on this topic, Rob noted that it is on the next Proposed Commissioners Meeting Agenda to discuss the County acquisition of additional easement of 104 properties along Burnt Store Road in conjunction with Phase I of the Burnt Store Road widening project (Rt. 41 to Notre Dame). Rob reported that a new estimate was received from FPL that went from \$7.7 million to \$12.3 million. The UE Committee met with FPL on 2/9 to ask why it was significantly higher than previously when the costs of material and labor are down. FPL could not provide the Committee with a breakdown of the figures to explain how they arrived at the \$12.3 million (does not reflect 25% discount). This new figure was provided to the County. The Commissioners, at their meeting this morning (2/10), set a public hearing for consideration of establishing a separate UE MSBU for 2/24 at 10 a.m. A CIN message will be sent out regarding the public hearing.

Office Open House – It was agreed to hold an Open House at the new office facility on April 14th from 4-6 pm.

Office Security System – The Board reviewed the updated spreadsheet analysis of the various security companies contacted that now includes Ultimate Security as suggested at January's Board meeting. After review and lengthy discussion, Rob Hancik made a motion to engage the services of Ultimate Security at a cost of \$375 for the equipment and installation and \$15/month for monitoring (plus tax). Scott Pitser seconded the motion. ***The motion unanimously passed with Brown, Hancik, Pitser, Boland, and Jinkens voting aye.***

NEW BUSINESS

Fred Boland brought to the Board's attention the recent number of solicitors canvassing the community without identification or permits. He asked if "No Solicitation" could be added to our existing signage. Jim suggested discussing the problem with Deputy Robert Melendez, District 3 Community Policing Officer. Beautification and Enhancement Committee will be working on replacement signage and could incorporate this wording at that time.

ADJOURN

Rob Hancik moved to adjourn the meeting at 8:10 pm, which was seconded by Scott Pitser. ***The motion unanimously passed with Brown, Hancik, Pitser, Boland, and Jinkens voting aye.***

OPEN FORUM

Rick Mathis had a question regarding armadillo lawn damage. He was given some advice on how to control them.

Open Forum ended at 8:15 pm.

Respectively submitted,

Sandra Funk, Secretary
To the Board of Directors

February 23, 2009

Note: The next regular meeting of the Board of Directors is scheduled for **Tuesday, March 10, 2009** at **6:00 p.m.**, in the Burnt Store Lakes POA Conference Room, at 100 Madrid Boulevard, Unit #212, Punta Gorda, FL