

**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**

October 13, 2009

CALL TO ORDER, PROOF OF NOTICE and ROLL CALL

Jim Brown, President, called the meeting to order at 6:05 p.m. Secretary, Sandy Funk, announced that the Meeting Notice and Agenda were both posted on Friday, October 9, 2009, in addition to the BSLPOA website. Postings meet the guidelines as set forth in the By-Laws. Sandy took roll call of the Directors as follows: Jim Brown, President; Rob Hancik, Vice President; Jim Thiel, Treasurer; Marion Jinkens, Fred Boland, Scott Pitser and Bob Lilly, Directors at Large, were present.

Public Input: Jim Brown noted the property owners present as follows: Peg and Ray Varga, Bob Reichert, Dennis and Doreen Gardner, Patrick Liberti, Norm and Madonna Waal, and Mike Wiesenthal. Jim asked if anyone had any agenda item questions. Mike Wiesenthal asked if he could place his own solar lighting at the Cape Horn entrance until the County completes the project. Both Rob Hancik and Marion Jinkens were not in favor of this as they are coordinating the project with the County and do not want anything hampering the progress. Mike stated he was not familiar with what was going to transpire with the amended Policy 13, Enclosure Shield Policy and indicated that the community may want to have some input prior to it being voted upon. Finally, Mike asked Jim Brown to use his proxies to vote no on the budget at the Annual Meeting. The remark was deemed out of order.

DISPOSITION OF MINUTES

Jim asked if there were any corrections or additions to the Minutes of the regularly scheduled Board of Directors meeting held on September 8, 2009. Jim stated that his copy of the Minutes did not reflect Rob Hancik's nay vote on the Budget and his comment that he supports the \$300 budget. Sandy noted that this correction had been made and is reflected in the Minutes. There being no other corrections or additions, Jim stated that the Minutes of September 8, 2009 are considered approved by unanimous consent.

TREASURER'S REPORT

Jim Thiel reported that our cash position as of 9/1/09 was \$349,065.36. Cash received in September was \$8,433.91, which included interest earned in the amount of \$1,819.84 (\$1700 of this was from the \$200,000 CD and the balance from interest on the money market fund). The total disbursements for the month ending 9/30/09 were \$55,701.52. This was higher than usual due to legal, aquatic maintenance, mowing and annual meeting expenses. Reserve expense of \$7,800 was to Banks Engineering for work on the Park project. The cash position at the end of September was \$301,797.75. The total Assessments Receivable at month ending September 30, 2009 was \$67,091.22. Jim reviewed each of the bank accounts balances. Jim Brown asked if there were any

comments on the financial report. There being no corrections or additions, Jim Brown stated the Financial Report ending September 30, 2009, is considered approved and will be sent forward for audit.

OLD BUSINESS:

DIRECTOR REPORTS:

SAFETY & PREPAREDNESS – Fred Boland

Fred reported that in a communication sent out by Frank Trestka (resident and Lee County law enforcement officer), there have been two robberies in the neighborhood and requested that the Association enact some type of security patrol. The Neighborhood Watch has been patrolling the community and have not reported any incidents. Jim Brown asked if the sheriff's office was called. Fred reported that they were but no information was obtained. The attempted break-ins were homes on San Edmundo and Cape Horn. Discussion ensued with Jim Brown stating that an incident report should have been made and be available upon request, and suggested contacting Bill Cameron, Sheriff.

MECHANICAL & MAINTENANCE – Bob Lilley

Bob Lilley reported that he walked the area from Spoonbill Lake at the Park to Cape Horn to see if we lost any more trees since the tree removal work performed last winter. He is pleased to note that there are only four trees that are suspect (dying) from pine beetles. Once the budget is approved, he plans to continue cutting through the area so the area continues to be nourished and drainage is not impeded. The area on the other side of Cape Horn towards the Harbor just needs cutting—there does not appear to be any additional dead trees, therefore, the maintenance in this area will be minimal as far as dead tree removal and drainage impediment. He suggests we start the cutting in the next month or when the rains have stopped.

LONG RANGE PLANNING – Jim Thiel

Jim Thiel stated there was nothing to report at this time.

LAKES WATER QUALITY – Scott Pitser

Scott's reported that Aquatic Systems performed five midge fly treatments this month on Pelican and Heron Lakes. They were observed performing the crisscross method of application and submerged release of the larvacide. Scott stated we are starting to see the effects of the deep-water treatments. They have concluded that the reason for so many problems (midge fly) in Heron Lakes is due to its depth (25 to 30 feet). Therefore, they have switched from the liquid application to granular (Abate). It seems to be working since there is a 3-4 day span without new hatchings.

Scott motioned that we continue the midge fly treatments on Pelican Lake and Heron Lake by applying Aquabac for seven applications (every two weeks) starting approximately November 16th. Fred Boland seconded the motion. ***The motion***

unanimously passed with Brown, Hancik, Thiel, Boland, Lilley, Pitser and Jinkens voting aye.

Jim Brown noted for the benefit of the audience, that even though monies are in the budget for expenditure, they are not spent without a formal review and specific request for the funds by submitting a Proposal Summary form to the Board members outlining what the expense is for and the actual cost. Rob also stated that in most cases there are 2-3 bids solicited and noted on the Proposal Summary.

Celeste reported that Denny Kunish of Aquatic Systems telephoned to report that the malfunctioning aerator behind Mr. Stanek's house (Barcrest) was repaired at no charge because of the standing of our Association with Aquatic Systems and value us as a customer.

COMMUNICATION - Marion Jinkens

Marion reported there were no Alerts sent out this month. Three CIN messages were sent, one regarding the use of the recreational path, a reminder about the Annual Meeting Picnic on October 17th, and another regarding issuance of influenza shots on November 8th. However, the flu shot program may be cancelled. There were three Grapevine messages—request for Salvation Army bell ringers, children's Halloween gathering on 10/31, and the annual holiday dinner dance (December 5th).

Scott stated that there is difficulty in doctors being able to obtain the regular influenza. Marion noted that even if our flu clinic is cancelled, the Marina plans to go forward with theirs on October 28th. The Marina will accept people from the Lakes, however you must register first.

BEAUTIFICATION & ENHANCEMENT – Rob Hancik & Marion Jinkens

Cape Horn Entrance: Rob reported another “snag” with the County in that they elected to only go forward with the landscaping and irrigation portion of the project and not the lighting due to the lack of MSBU funding. After Jim Brown discussed this problem with the County Administrator, Roger Baltz, a meeting was scheduled with Director Robert Halfhill (Public Works) and various members of his staff along with Rob and Sandy to try and resolve the funding issue. After two hours of discussion, it was determined that there is enough money to do the project. Rob noted that the landscaping/irrigation portion was scheduled for bidding through County Purchasing Dept., and was withdrawn pending additional work (lighting). The whole package (landscaping, irrigation and lighting) will be resubmitted to Purchasing for bidding, a pre-bid meeting scheduled and hopefully within 45-90 days commence the work.

Park Master Plan: Rob reported that Banks Engineering continues to work on the Master Plan. They have submitted for permitting with SWFWMD, FPL, and Charlotte County Utilities.

New Signage Wording: It was decided to have the B & E Committee propose appropriate wording for the new signs and after Board approval, submit the our attorney and the insurance company for input.

Rob asked Jim Brown to thank Roger Blatz for his assistance with the Cape Horn project.

Fred Boland reported that he was pleased to see that the overgrowth on the southwest side of Vincent near Boca Vista has been trimmed. Jim Brown stated that he spoke with Section 22 President, Jack O'Neill (Marina). Mr. O'Neill had their private contractor (GreenScapes) remove the vegetation.

COMMUNITY STANDARDS - All

The Board reviewed the monthly Deed Restriction Report. Jim stated that out of the 28 reported problems 23 were resolved (10 by the Association) and 5 remain unresolved. Jim also pointed out that out of the 23 violations, 19 of them are landscaping/mowing issues. Fred reported there is a trailer on Cape Horn again. Office staff will follow up to have the problem resolved.

ARCHITECTURAL REVIEW – Fred Boland

98309 at 24284 Vincent Avenue: Fred reported that a new homeowner at 98309 requested approval to expand the driveway. The drawing indicates the distance to the property line does not encroach upon any setback or easement areas. A cost saving suggestion was made to the property owner, but is not required. After further discussion, Fred Boland made a motion at ARC's recommendation to grant approval of the flatwork plan for driveway expansion at 98309. Bob Lilley seconded the motion. ***The motion unanimously passed with Brown, Hancik, Thiel, Boland, Lilley, Pitser and Jinkens voting aye.***

Policy #13 – Amendment – Enclosure Shield: This agenda item is a carryover from last month since no recommendation from ARC or Board action was taken. Fred stated that it has been suggested by ARC that we allow enclosure shields for trash cans and yard waste receptacles with the stipulation that you cannot come out any further than 5 feet from the house (which would allow for a 4-foot gate and 6" on each side for a post), set back 3 feet from the front of the house, and no longer than 12 feet long and 6 feet high. Fred noted that the reason for allowing the 12-foot length is because the manufactured pieces come in 6-foot lengths and 6-foot high sections. Jim Brown asked what kind of material would be allowed. Fred responded that even though ARC did not specifically discuss types of material, it could be plastic or stucco. Peg Varga (chair of ARC) interjected by stating one of the concerns is that the enclosure be compatible with the house color. She also stated that ARC was concerned about storage expanding to small boats, etc., or becoming an outdoor shed. Scott Pitser suggested that the policy be taken back to committee for further definition of materials, etc., since he feels a lot of people will be participating. Jim Brown suggested the use of shrubbery as an option if done tastefully—indicating that this may not always be effective. Bob suggested that the use of wood enclosures be avoided. Rob Hancik felt that the 12 feet length should be reconsidered (less). ARC will come to November's Board meeting with a draft of the amended policy.

94601 at 23967 Cedar Rapids: Norm and Madonna Waal were present and allowed to speak to the Board regarding their project to enlarge the existing concrete pad to include a summer kitchen and pizza oven. Norm apologized to the Board and ARC for

not taking the proper course of action when starting this project, in that he did not obtain the property approvals. He stated that what started out as a small project, grew due to his poor planning. He did not feel he needed Board approval because he thought he was within the side footprint of the property. He now realizes that he not only went into the side easement, but also two feet into the greenbelt. He again apologized and stated he will do whatever needs to be done to make it right. Basically what he planned to do was make a small outdoor gas grill with a small smoker pit on the side. He will cut off any portion that extends over the property line into the greenbelt, have it resurveyed and go forth with obtaining County approval. Fred reported that we have received a letter from the County stating that in order for the project to stay in the greenbelt the Association would have to approve it. ARC recommends the Board not approve the occupancy of the greenbelt and ask the County if you can occupy the easement. Jim Brown stated that by allowing occupancy of the greenbelt it would set a precedent. It could also affect the future sale of the property. No Board action was taken since the Waal's have agreed to correct the situation by removing a 2-foot section, resurveying the area, obtaining County approval for easement occupancy, and appropriate landscaping. The Board thanked the Waal's for their cooperation and coming before the Board.

Aviary Nesting Pole Policy: After discussion on utilization of the greenbelt areas (legalities) and setting a precedent, it was decided to permanently table the policy to allow aviary nesting poles in the lakes and on greenbelt and restricting use of these types of poles to individual properties.

COUNTY RELATED ITEMS – Jim Brown & Rob Hancik

SCCC: Jim Brown stated that Commissioner Bob Starr attended the September meeting of the SCCC. It was reported that he voted against a TRIP Program to give federal funds to the City of Punta Gorda to improve streets, etc., in favor of Sarasota. Commissioner Starr stated that he did not vote to give funds to Sarasota and further explained his position. Also in attendance was Team Punta Gorda who is looking at an overlay district for South County and is seeking SCCC support. They want to look into improving the entryways into South County from outside (improvements on Route 41, in from the airport, and Burnt Store Road). Jim stated that what it may mean for us is that there will be some standards laid out for Burnt Store Road from where it presently sits to the future where certain criteria that would have to be met. Jim also reported that in his discussion with Roger Baltz, the widening of Burnt Store Road from 41 to Zemel road has not been dropped and remains scheduled for around 2012. Another item discussed by Commissioner Starr was that the County is obtaining new buses (federal money), and instituting a bus route from Englewood to Punta Gorda (just over the Peace River bridge to the hospital). The SCCC expressed their objection to stopping at the hospital and requested consideration of coming down to the Sweetbay Plaza on 41 just past Burnt Store Road. He agreed to put that into the recommendation.

MSBU Update: Rob stated this was previously covered.

MISCELLANEOUS ITEMS

Annual Meeting Reception/Picnic – Sandy reported that everything is set for the Annual Meeting. A small presentation was given just prior to tonight's meeting. The picnic is

scheduled immediately following the meeting with approximately 100-planned attendance.

Marion stated that a CIN message on the Influenza Clinic (cancellation) would go out on Thursday (10/15).

NEW BUSINESS

None

It was moved by Scott Pitser and seconded by Jim Thiel to adjourn the meeting at 7:05 p.m. ***The motion unanimously passed with Brown, Hancik, Thiel, Boland, Lilley, Pitser and Jinkens voting aye.***

OPEN FORUM

No comments were offered.

Respectfully Submitted,

Sandra J. Funk, Secretary
To the Board of Directors

Sunday, November 1, 2009

Note: The next regular meeting for the Board of Directors is re-scheduled for **Tuesday, November 3, 2009** at 6:00 p.m. in the Conference Room of the BSLPOA at 100 Madrid Blvd, Unit #212, Punta Gorda, FL 33950.