

**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**

November 3, 2009

CALL TO ORDER, PROOF OF NOTICE and ROLL CALL

Peg Varga, 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 Friday, October 30, 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: Peg Varga, President; Fred Boland, Vice President; Jim Thiel, Treasurer; Marion Jinkens, Bob Lilly, Gordon Quick, and Bob Reichert, Directors at Large, were present.

Public Input: Peg asked if there was any input on agenda items with a 3-minute time limitation. Mike Wiesenthal asked if he could put solar lighting at the front entrance on a temporary basis until the County installs power. Peg stated she would make that suggestion to the Beautification Committee.

Peg welcomed the newly elected Board members to their first meeting.

DISPOSITION OF MINUTES

Sandy asked if there were any corrections or additions to the Minutes of the regularly scheduled Board of Directors meeting held on October 13, 2009. There being no corrections or additions, Marion made a motion to approve the October 13, 2009 Minutes with Jim Thiel seconding. Bob Reichert asked if he and the new Board members could approve the minutes since they were not on the Board in October. Peg noted that they were issued to them for perusal prior and could consent or dissent accordingly. Peg stated that the Minutes of October 13, 2009 are considered approved as written by unanimous consent.

Sandy asked if there were any corrections or additions to the Minutes of the Reorganization Meeting held immediately following the Annual Meeting on Saturday, October 17, 2009. There being no corrections or additions, Jim made a motion to approve the October 17, 2009 Reorganization Meeting Minutes with Bob Lilley seconding. Peg noted that the Minutes of this meeting are considered approved as written by unanimous consent.

TREASURER'S REPORT

Jim Thiel reported that due to the short timeframe from the beginning of the month to today, there was insufficient time for Webb Lorah to prepare the October financials. However, Jim did report that on 11/2, about \$40,000 in assessments were collected, and \$42,000 over the two weeks prior to 11/2. There will be October and November financials presented to the Board at the December meeting for approval. Peg noted that even though there is money to operate from the rollover, it is comforting to know

that the assessments are coming in and therefore we are not struggling for operating cash.

OLD BUSINESS:

DIRECTOR REPORTS:

SAFETY & PREPAREDNESS – Fred Boland

Fred reported that the Neighborhood Watch meeting is held the first Tuesday of the month at 6:00 p.m. Since the Board meeting was moved up a week, Fred opted to stay in town and did not attend the meeting tonight. However, he telephoned Matt Butcost who reports about ten people were in attendance, which is encouraging.

MECHANICAL & MAINTENANCE – Bob Lilley

San Rafael Drainage: Bob Lilley stated that he investigated a drainage problem reported by a property owner on San Rafael. The drainage swale runs from Trading Post to an outflow pipe behind lots on Rabat Way. Before he recommends a course of action, Bob asked to be updated on the proposed cost estimate for the San Edmundo drainage project. Sandy reported that it could not be determined at this time since bids have not been obtained. Johnson Engineering emailed the construction plans to the office this afternoon. Bob stated he has two bids—one from BTR and one from Blue Mule. Both contractors concur that mowers caused the problem by pushing the soft dirt into the ditch in the summer. Bob would like to do the least expensive fix now—and eventually re-grade several other swales after conducting an in-house drainage swale study to set up a schedule of those in the most need of grading down to the ones that need the least amount of attention. He also wants to schedule a meeting with All Lots to discuss preventative measures to be taken to avoid tractor wheel damage to the swales by utilization of an 8 or 12-foot arm to reach into the drainage swales. If they cannot, other bids will be obtained for this work. Sandy mentioned that All Lots does a “ditch mowing” in either January or February when most of the ditches are dry. Bob reviewed both bids and recommended BTR to take out the high spots, pull the dirt up on the banks far enough so it will not wash back in the swale at a cost of \$750.00. He does not recommend spending an additional \$350.00 to haul the dirt over to the Park area as opposed to spreading it. Bob also noted that some people have suggested piping the swales. However, he is not in favor of this option not only because it is incredibly expensive, but also it does not fix the problem. Bob Lilley made a motion to expend \$750 to BTR for removing the high spots and pulling the dirt up on the banks in the swale behind San Rafael. Fred Boland seconded the motion. ***The motion unanimously passed with Varga, Boland, Thiel, Reichert, Lilley, Quick and Jinkens voting aye.*** Mr. Ludwig (property owner on San Rafael) will be notified of the decision. A meeting will be scheduled with All Lots.

San Edmundo Engineering: Sandy requested approval of additional funds in order to complete the engineering work on the San Edmundo drainage area. She suggested approval of NTE \$2,400 (vs. \$3,480 quoted) due to negotiated cost reduction. The engineering is for redesigning the contour of the berm along the drainage ditch. Bob Lilley stated for the record that he is upset with the costs expended to date (engineering and legal), and that if this does not resolve the problem, then he urged looking into other

means to address the situation. After further discussion, Bob Reichert made a motion to approve engineering work on San Edmundo not to exceed \$2,400. Marion Jinkens seconded the motion. ***The motion unanimously passed with Varga, Boland, Thiel, Reichert, Lilley, Quick and Jinkens voting aye.***

Africanized Honey Bee Removal: Sandy reported that a colony of bees located in a water meter box at 17272 Cape Horn (foreclosure property) stung a property owner who lives on Cape Horn. A removal specialist company was contacted on 10/29/09 and removed the 65# honeycomb made by the Africanized bees, and destroyed the colony the same day. The cost for removal was applied to Account 95214.

LONG RANGE PLANNING – Bob Reichert

Bob Reichert reported that the next meeting would be held tomorrow night (11/4) at 7:30 p.m. in the office.

LAKES WATER QUALITY – Bob Lilley, JimThiel, Fred Boland

Bob Lilley reported that he has scheduled a review/update meeting with Denny Kunish of Aquatic Systems for 10:00 a.m. on Friday (11/6) and invited Jim Thiel to attend. He reported that there is one treatment left on the old midge treatment contract before the new midge fly treatment contract goes into effect. Both Bob and Fred feel there has been a much-improved effort in their application methods. Bob and the rest of the Board felt that Aquatic Systems has responded to our requests and needs—noting that there are very few alternative ‘quality’ service providers to approach. Sandy noted that in the past we have utilized the services of Aquagenix and Lake Masters. Bob also feels that the planting of littorals has improved the quality of the lakes and they seem to be doing what they are intended to do.

Sandy reported on a follow up discussion she had with Bill Lounsbury (San Ciprian). He has reported bank erosion (possibly caused by spraying) on Eagle Lake across from San Ciprian, as well as at the weir on the north side of San Ciprian. In addition, the south side of San Ciprian has a major encroachment of mangroves compared to 2004 that should be addressed. She asked that these areas be looked at on Friday morning with Denny Kunish to discuss options to rectify these problem areas (i.e., littoral planting, riprap, etc.).

COMMUNICATION - Marion Jinkens

Marion reported that the website has been updated to show newly elected directors with emails set up with their names @ bslpoa.org. No alerts were issued in October. Four notifications were sent out as well as three Grapevine messages. She also reported that she would like to send out a notification stating that the Blood Mobile will be in the Marina on November 23rd. It was reported that 28 children attended the Halloween Party on Juarez Court on October 31st. Discussion centered on changing the venue to the Park next year and issues involved with safety around the lake (parental monitors, etc.).

BEAUTIFICATION & ENHANCEMENT –Marion Jinkens, Gordon Quick

Cape Horn Entrance: Marion recapped the problems with the County regarding the landscaping, irrigation, and lighting bids through their Purchasing Department—noting that this project has been ongoing for the past 3 years. Sandy noted that she contacted Dawn Harrison (Public Works) today and was told that the entire package is currently in Purchasing with bid specs being prepared. Bob Reichert noted that he observed two different groups of men at the entrance sign today.

Park Master Plan: Marion reported that Banks Engineering continues to work on the Master Plan. SWFWMD has concerns about the parking lot impact on the environment. Banks will revise and resubmit. Charlotte County Utilities has approved the plans. Additional money will be required for electrical service.

New Signage Wording: The committee is looking into the wording and would like legal advice. They would like to include the Association’s telephone number for the purpose of notification in the event there are illegally parked cars, etc., that would require towing. Sandy stated that there is a legal opinion in the file that was provided a few years ago for previous signage. She will provide a copy of the opinion to the committee for reference. Once wording has been decided upon, it will be submitted to legal for additions, re-wording, etc.

Christmas Decorations/Seasonal Plantings: Marion stated a member of their sub-committee solicited and obtained three prices. The lowest price was Bronner’s in Michigan. Marion gave an overview of what items were included, i.e., wreaths, garland, banners, etc. at a total cost \$1477.65. The second item researched and priced was the procurement of poinsettias for each roundabout and Cape Horn/Burnt Store Road entrance at \$1,000. The cost to be expended for a short seasonal period opened discussion regarding an option of purchasing artificial plants. Peg pointed out that live plants are actually bushes and will grow too high for the roundabouts. In addition, they will not bloom again next year due to the night lighting at the roundabouts and entrance. Peg stated that artificial poinsettias could be stored off-season for use the following year. She strongly suggested the committee re-evaluate live vs. artificial plants to keep the cost down. It is planned to decorate on November 18th. After further discussion, Jim Thiel made a motion to approve \$2,500 for decorations and artificial poinsettias. Bob Lilley seconded the motion. ***The motion unanimously passed with Varga, Boland, Thiel, Reichert, Lilley, Quick and Jinkens voting aye.*** The next committee meeting is scheduled for December 1st at 10:00 a.m. in the Park.

COMMUNITY STANDARDS - All

The Board reviewed the schedule for deed restriction review. Marion and Gordy are scheduled to cover November. The monthly Deed Restriction Report was reviewed—specifically 89505 continuing non-compliance. Peg recapped the waiver request timeframe for motor homes, trailers, and boats, i.e., no more than 3 consecutive days with a maximum of 21 days/year. Many property owners call the office to request a waiver. Fred asked what steps can be taken to achieve compliance. Peg stated that a demand letter from the attorney could be sent (following three written notifications). If unsuccessful, mediation would follow and ultimately court if mediation fails. Bob

Reichert stated that he would talk with the property owner when he returns from his trip and ask him to give us the courtesy of a telephone call. Several conversations have been held in the past, which resulted in sporadic calls. Discussion continued on various solutions including a 'blanket' request. Peg outlined pros and cons of offering this type of request, but asked Bob to approach the property owner with the goal of resolving this ongoing problem.

ARCHITECTURAL REVIEW – Peg Varga, Fred Boland

Peg reported that the ARC met yesterday (11/2). At the Board's request last month, the committee again reviewed the policy regarding the length of the enclosure shield and addressing the types of materials to be used. The revised policy was presented with changes that reflect the specifications for trash can shielding not to exceed a maximum of 8 feet long x 5 feet wide and 6 feet high. It was suggested changing the word "side" to "end" in the following sentence: "The equipment shielding must be open on one "end"...". The materials clause for equipment/trash can shielding will be the same as section on fencing in that all requests must be submitted in writing to ARC along with a planned layout and the materials to be used. Each request will be reviewed on an individual basis by ARC and will submit recommendation to the Board for consideration. It was decided that an application fee would not be required for enclosure/trash can shields. Gordon Quick made a motion to adopt the revised Policy #13 Fence and Enclosure Shield with Fred Boland seconding. ***The motion unanimously passed with Varga, Boland, Thiel, Reichert, Lilley, Quick and Jinkens voting aye.*** The amended policy will be posted on the website and kiosk.

Fred reported that ARC recommends approval of house and trim color change. Fred made a motion to approve the house and trim color change for 98309 at 24284 Vincent Avenue. ***The motion unanimously passed with Varga, Boland, Thiel, Reichert, Lilley, Quick and Jinkens voting aye.***

The owner of 98309 submitted pool construction plans with cage. This is a KB built home that does not have a built in lanai; therefore they have requested permission to install an "Elite" roof. The ARC is unfamiliar with "elite" roofing, and concern was expressed regarding installation of a "flat roof" with a pool cage extending off of it. Fred inferred that this is informational only, and that the cage with the elite roofing requires additional specification submission from the property owner to the ARC prior to making any recommendations to the Board. Jim Thiel suggested a retractable awning. Bob Lilley also asked Fred to look into an awning installed on a house on Vincent (past Cape Horn towards BSR).

COUNTY RELATED ITEMS – Bob Reichert, Peg Varga

SCCC: Bob Reichert stated that he spoke with Jim Brown regarding when the next meeting is scheduled. It is in December.

MSBU Update: Peg stated that the County has not scheduled a meeting. Sandy will check with Dawn Harrison to see if one will be set before the end of the year.

MISCELLANEOUS ITEMS

Annual Meeting Final Report – Sandy reported that the meeting went well with well-prepared presentations by the directors (with the assistance of Celeste Midolo). The picnic was well attended and considered very successful—receiving many compliments about the food/caterer.

Sunshine Committee – A property owner approached Fred regarding a Sunshine Committee that was started some time ago. Fred would like to re-establish a Sunshine Committee and has recruited about four volunteers to assist him with this endeavor. Peg suggested getting a plan together and possibly sending out an administrative CIN message requesting ideas and participation. One function might be just calling someone once a week that may be ill or recently widowed, or possibly taking them to the doctor. Bob Lilley said that it is a great idea that takes a lot of commitment. It was also mentioned that a group was in existence a few years ago and dissipated. Utilization of Sunny Martinek's email system was also suggested.

Legal Meeting – Sandy reminded the Board that an orientation meeting would be scheduled with Pavese Law firm for December 10th at 3:00 p.m.

NEW BUSINESS

Development of SOP's for BOD Areas of Responsibility – Peg stated that the Association has grown from a small organization to one with a budget in excess of \$800,000, which brings more responsibility. Therefore, she would like to reinstate a program to develop SOP's for directors' areas of responsibility. Over the years, outlines of specific areas have been drafted, but never completed into a good set of standards. Establishment of SOP's will be an invaluable tool for newly elected directors. Drafts of what has been written can be provided to the directors for expansion to bring the SOP up to what is currently being done in that area. She also would like to develop an organizational chart that will lead into the SOP's. Peg suggested a progress report be made by each director at the January 12, 2010 Board Meeting.

Board Sponsored Potlucks – Peg asked the Board to sponsor, with Committees hosting, potluck get-togethers in the park at least 4 times a calendar year, i.e., January, March, May and September. This could increase communications at a multiple level, i.e., various committees' exposure to the community and possibly recruit new members. She asked that the Board liaison for that particular committee be in attendance at their specified potluck date and be available to answer questions. Bob Lilley suggested that the Board purchase bags of charcoal for the grills. Each committee has to liaise with Karen Bishop. Bob Lilley agreed to head up the effort for January. Bob Lilley made a motion to fund four (4) potlucks during a calendar year, i.e., January, March, May and September at a cost not to exceed \$100.00 per event, with additional funds to cover the cost of charcoal. Fred Boland seconded the motion. ***The motion unanimously passed with Varga, Boland, Thiel, Reichert, Lilley, Quick and Jinkens voting aye.***

Administrative CIN Messages – Peg has drafted the first of a series of administrative informational messages entitled, "Happy (Fiscal) New Year", which coincides with the start of a new financial year. It has been forwarded to each Board member for comment

with a goal of sending it out this week. Sandy made changes in the 3rd paragraph to address Bob Reichert's concern. Peg plans to publish an Administrative CIN message at least once a month that will cover a variety of topics.

It was moved by Jim Thiel and seconded by Bob Reichert to adjourn the meeting at 7:45 p.m. ***The motion unanimously passed with Varga, Boland, Thiel, Reichert, Lilley, Quick and Jinkens voting aye.***

OPEN FORUM

Mike Wiesenthal asked if residents might attend committee meetings. It was clarified that not all residents are property owners and that only property owners may attend. Mike also stated he was not getting the CIN messages. Sandy stated he was in the database, but would verify tomorrow (11/4).

Open Forum concluded at 7:50 p.m.

Respectfully Submitted,

Sandra J. Funk, Secretary
To the Board of Directors

November 23, 2009

Note: The next regular meeting for the Board of Directors is re-scheduled for **Tuesday, December 8, 2009** at 6:00 p.m. in the Conference Room of the BSLPOA at 100 Madrid Blvd, Unit #212, Punta Gorda, FL 33950.