

**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**

April 13, 2010

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 the Meeting Notice and Agenda were both posted on Friday, April 9, 2010. 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; Bob Lilly, Bob Reichert, and Gordon Quick, Directors at Large, were present. Marion Jinkens, Director at Large was absent.

Public Input: Mike Wiesenthal remarked on the maturing CD and asked if the Board was looking at a length of time or interest rate. He stated that he had sticker shock in looking at the market. Mike Wiesenthal further commented on the bike racks placed in the community and stated that he was underwhelmed by their non-use and indicated a faulty survey was conducted. Bob Reichert responded that the survey results indicated 60 children living in the community with strong support for need. Bob Reichert asked when he planned to move his hand-made bike rack. Mike replied that he needed assistance. Fred Boland and Rick Mathis volunteered. Mike said that he didn't know from the Agenda the exact location of the park road and was asked to wait until it was addressed during the meeting. He further stated that he was thrilled about the idea of parking at Espana for kayaking because it will help the future sale of his home. He was told this item would be addressed later in the meeting. Mike stated that the fence approvals for both Langton and Krol looked wonderful and were it up to him, everybody would have fences. Mike stated that he didn't know how to respond to the 'New Items' and 'Miscellaneous', but would be happy to leave comments afterwards.

Property owners Rob Hancik, Rick Mathis and Ray Varga were also present at the meeting with no comments offered.

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 March 9, 2010. There being no corrections or additions, Peg stated that the Minutes are considered approved as written by unanimous consent.

TREASURER'S REPORT

Jim Thiel reported that our cash position as of 3/1/2010 was \$577,746.04. Cash received was \$37,074.14 which includes interest earned in the amount of \$2,118.63. The total disbursements for the month were \$27,995.16 (Operating expenses: \$25,813.41; Reserve expenses: \$1,992.68 and returned checks \$259.07). The cash

position at the end of March was \$586,825.02, which includes the Vagabond escrow account of \$19,029.17. Assessments Receivable at month ending was \$118,500.80 which includes previous fiscal year's assessments. Jim noted that the current CD held by the Association is due to mature on Sunday, April 18th and would be deposited into the Money Market on Monday. He stated that the interest bearing account provided a higher interest than the other CDs currently on the market. He further stated that it is not in the interest of the membership to tie up the money in a CD for too long. [Mike W. interrupted the report to state that Union Bank offered 1.35% for one year. The response was that Regions provides a higher rate of 1.5 percent.] Jim requested questions or comments from the Board at this time. There being none, the March 2010 Report was accepted as approved and will be presented for audit.

OLD BUSINESS:

DIRECTOR REPORTS:

SAFETY & PREPAREDNESS – Fred Boland & Bob Lilley

Bob Lilley reported that the outcome of his conversation with the Fire Chief resulted that the department currently uses a grid system method for tracking and locating property address for emergency response. Given that our Park does not have a physical address, he is unable to place the park location on the grid system. However, emergency first responders are presently aware of the Park location and will spread the work to others that need to now. In the meanwhile, the Chief will work on developing a way to have the location embedded to the grid system. They will inform Bob Lilley once it is accomplished.

Fred Boland reported that the Neighborhood Watch met at the Park and discussed the increased incidences of trespassers parking at the area of Espana Circle to launch kayaks. He confronted one such individual and requested that he leave. He reported observing many others doing so in the area. Discussion revolved around managing the parking issue for residents. The Board reviewed Deed Restrictions, Section 22, "Common Property" as well as two map locations of areas currently in use as a small craft launch. Sandy Funk defined the issue as separate between residents and non-residents, and further provided a history of two proposed launch areas. She noted that the maintenance of the greenbelts, swales, and/or all drainage areas is the fiduciary responsibility of the Board and further, the drainage may propose a potential issue with the Department of Environmental Protection (DEP) due to the water run-off into the waterway. She further stated that parking violations occur by residents as well as non-residents whereby vehicles are driven onto the undeveloped lots (privately owned) and not allowed under the Deed Restrictions Section 22. Residents have been requested to park in the right of way so as not to violate Deed Restrictions or the rights of private lot owners.

Further discussion surrounded the best way to make parking available, how to protect the area from trespass, posting of signs etc. as well as the budgetary issues. Peg Varga requested that the Long Range Planning Committee review the options. It was

further decided that a 'Letter of No Trespass' be submitted to the Sheriff's Office to be kept on file.

MECHANICAL & MAINTENANCE – Bob Lilley

Bob reported that the stump grinding (save one, as it is too big) is completed. The brush was cleared at Bear Branch Creek (BBC) at the tributary near the weir. Along the south side of BBC, all the stumps were ground except one that was excluded due to a nearby gopher tortoise den. The work that needs to be completed involves application of treatment for fire ants; removal of sugar sand and improvement using shell at the entrance 'circle' to the Park.

The drainage problem at Vagabond Circle was corrected in front of three lots as well as the adjacent greenbelt.

The greenbelt section at Block 983 Lot 09 and Block 988 Lot 01 was reviewed. After discussion it was decided by the Board that this location should remain open and a fire trail be made available if necessary to this wooded area. The existing stump is planned for removal, and other plantings placed there by property owners should be removed as well. Bob Lilley and Bob Reichert suggested that all greenbelt areas should remain open to allow cart path / fire trail access for maintenance.

LONG RANGE PLANNING (LRP) – Bob Reichert

Bob Reichert reported that plans are readied to install a sloped, 4' pad at the flag pole and lighting will soon be installed. The bike racks are in place and he has observed occasional use at one. The wooden bike rack will be moved to the park, near the portable restrooms. The playground equipment was ordered and awaits installment after the restrooms are completed at the Park. The Committee is investigating the costs for lumber and ground (safety) cover.

LAKES WATER QUALITY – Bob Lilley

Midge Fly Treatment Status: Bob Lilley reported that the final midge fly treatment this year will be completed on May 15th & 16th. While residents have observed a significant reduction in numbers, the midges have not been eradicated. Bob recommended annual treatment at all of the lakes with concentrated efforts at targeted lakes. Bob felt that as our lakes become healthier, additional littoral plantings and stocking of fish would better benefit the lakes over the long run.

Ibis Lake Islands: Bob is working with Paul Garrett towards identifying ways to reduce the costs of clearing the pepper trees while preserving the habitat for desired wild life and nesting birds.

COMMUNICATIONS – Marion Jinkens

In Marion's absence, Celeste reported that 6 CIN messages were sent during the month of March and included topics such as Safety & Preparedness, Administrative Communications, Community Standards and one notice regarding a joint meeting

between the Punta Gorda City Council and the Board of Charlotte County Commissioners. She further reported that most of the articles were ready for the Newsletter scheduled to be printed during May.

BEAUTIFICATION & ENHANCEMENT – Marion Jinkens, Gordon Quick

Peg asked that Rob Hancik provide the report. Rob stated that he had met with the contractors and felt that the work, with the exception of the light poles, may be done at the end of the week. The light poles are not yet delivered. Rob obtained pricing to clean out and landscape the north side of the entrance where the plantings had died due to either the frost or the lack of water and will provide the information to the Committee for review.

Rob reported that the utilities (water and sewer) portion of the park project, designed through Banks Engineering, was sent out to four potential bidders. Three bids were received with D.M. Construction being the lowest. The bid proposal included complete installation with the exception of layout, sod and meter. Fred Boland made a motion to accept the proposal for the infrastructure improvement not to exceed \$30,000. Jim Thiel seconded the motion. ***The motion unanimously passed with Fred Boland, Bob Lilley, Gordon Quick, Bob Reichert, Jim Thiel and Peg Varga voting aye.***

Other discussion involved the use of funds from reserve infrastructure budget line item to begin the Park road permitting and work in accordance with SWFWMD requirements. A site meeting with SWFWMD was planned.

The new signs for the 9 entrances were in process for approval with Charlotte County DPW and Building departments.

COMMUNITY STANDARDS - All

The Deed Restriction Report was reviewed. Discussion surrounded the arrangement that the Office has made with the mowing contractor for a low base rate to mow properties not being maintained due to foreclosure.

ARCHITECTURAL REVIEW – Fred Boland

A home color change at 88427 was recommended for approval by ARC. Jim Thiel made a motion to approve. The motion was seconded by Bob Lilley. ***The motion unanimously passed with Fred Boland, Bob Lilley, Gordon Quick, Bob Reichert, Jim Thiel and Peg Varga voting aye.***

Other ARC considerations involved an amendment to the existing Fence / Enclosure Shield Policy # 13. It was discussed and agreed to amend the wording in the first paragraph to state “property owners must receive approval of all perimeter fencing”, and “is recommended to be placed 6 feet from the property line at the sides, and 10 feet from the property line at the rear of the property for the purpose to avoid interference with drainage. Bob Reichert made a motion to accept the changes. The motion was seconded by Gordon Quick. ***The motion unanimously passed with Fred Boland, Bob Lilley, Gordon Quick, Bob Reichert, Jim Thiel and Peg Varga voting aye.***

COUNTY RELATED ITEMS – Peg Varga

Peg Varga reported that the MSBU (Municipal Service Benefit Unit) Advisory Board met on March 17th and discussed the relative changes as they affect the area communities. As of October 1st, Burnt Store Lakes will become its own MSBU. Pirate Harbor will stand alone, and the Woodlands will be combined with Burnt Store Village. BSLPOA is entitled to approximately \$600,000 of the present funds. Other discussion involved the County considerations to move the current MSBU's into Municipal Service Taxing Units (MSTU's) as opposed to a County-wide Master Road Plan.

MISCELLANEOUS ITEMS

Other Items The Airplane Club has provided their insurance policy renewal to cover liability issues for the year.

Bob Reichert reported that the Burnt store Road widening project will have a pre-construction bid meeting on April 19th and go to Purchasing on May 5th. Construction should begin in September or earlier from Acline Road to Notre Dame. After the next winter season, it is planned to remove the bridge at Alligator Creek, close the road there and install a light at the intersection of Acline Road and Route 41.

NEW BUSINESS

Bob Lilley mentioned the Pot Luck Picnic in honor of the Brazilian pepper squad and his proposal to provide the volunteers with a gift of a hat and a dinner certificate for their efforts to eradicate the pepper trees. Bob Lilley made a motion to expend monies to recognize the pepper tree removal team as well as minor park maintenance for fire ants, not to exceed 6 hats and 5 gift certificates. Bob Reichert seconded the motion. ***The motion unanimously passed with Fred Boland, Bob Lilley, Gordon Quick, Bob Reichert, Jim Thiel and Peg Varga voting aye.***

It was moved by Fred Boland and seconded by Gordon Quick to adjourn the meeting at 9:00 p.m. ***The motion unanimously passed with Fred Boland, Bob Lilley, Gordon Quick, Bob Reichert, Jim Thiel and Peg Varga voting aye.***

OPEN FORUM

Rick Mathis stated and received clarification of his questions related to the Park address, the drainage area at Julian Court, and greenbelt maintenance related to fire or lightening strike. He expressed a comment that a billion midges were in evidence after the recent rain. These insects were determined as likely to be flying ants as they come in every spring. He further sought clarification of the fence line and measurement from the property line.

Mike Wiesenthal asked for clarification as to where to place his bike rack. He was told the Park. Mike commented to Peg Varga regarding her comments about the pepper

trees at the islands on Ibis Lake. Peg responded that it is necessary for her to be informed regarding the “who, what, when, where and why of the issue”.

Mike questioned whether the \$95,000 (cost of the County contract for the front entrance project) will be seen in future non-ad valorem taxes or is it part of the \$600,000? The response was to remind him that the \$95,000 was already paid through non-ad valorem taxes (MSBU) over the past 4-5 years and represented the total cost of the front entrance contracting.

Mike stated that when he was outside weed whacking he noticed that every bug in the known world came out of the grass. The response was that the bug problem in Florida is indeed terrible.

Mike commented that according to his survey conducted last year, many of his neighbors, and his self, were in favor of a boat launch. He reiterated that it was no problem at all and further stated that the Board did not want to “get Barbito crazy”. Mike indicated that this neighbor was in favor of a launch but would not like it next to his home. He further stated that as people are presently parking on lots 24 & 25, they would be unlikely to use a greenbelt area established by the Association as they would deem it too far away from the site and drive across the vacant lots anyway. He was reminded that the greenbelt is the only access area the Board could establish; parking is not allowed on private lots and that the Board intended to discuss buffer issues with property abutters.

Mike stated that he was aware that a formal appearance with Mr. David Pears was scheduled for May 3rd and he intended to be there. He stated that he did not know if the Board was attending, but that he would attend and be glad to give feed back at the next meeting. He was informed that the meeting may be a closed meeting.

Mike next referred to a rumor mill which Bob Reichert put a stop to. Mike replied that ‘we’ did not want to foster another David Pears. Another question he asked related to rumor, and he asked Peg directly if she was leaving in May. Peg responded that she has no plans to date and when she does, it will be discussed with the Board.

Regarding the budget, Mike next stated that if a dog park is placed on the budget for next year, it should be kept simple and not cost a lot of money. He further stated that the Board should take his advice from last year and not increase the budget for the next fiscal year.

Open Forum concluded at 9:30 p.m.

Respectfully Submitted,

Celeste M. Midolo, Administrative Assistant
On Behalf of Sandra J. Funk, Secretary
To the Board of Directors

May 5, 2010