

**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 8, 2011

CALL TO ORDER, PROOF OF NOTICE and ROLL CALL

President Rob Hancik called the meeting to order at 6:00 p.m. Sandy Funk reported that the Meeting Agenda was posted at the kiosk on November 4th and the Meeting Notice was posted on the website mid-October and at the entrances of Cape Horn & BSR and Cape Horn & Vincent on November 4th. Postings met the guidelines as set forth in the By-Laws. Sandy took the roll call: Present were Rob Hancik, President; Bob Reichert, Treasurer; Aimee Schneider, Gordon Quick, Bob Lilley and Stan Hochstadt, Directors at Large. Fred Boland, Vice President was absent.

At this time, Rob Hancik announced that he received a letter of resignation from Fred Boland. Fred indicated that he enjoyed serving on the Board, but would like to devote more time to his real estate business as well as with his new grandchild. Rob read that portion of the By Laws which covers a Board vacancy, as follows: "*Whenever any vacancy on the Board of Directors shall occur for any reason other than removal of a Director as provided in Section 3.A(1), a majority of the remaining Directors then in office, even if that majority is less than a majority of the entire Board of Directors, may fill the vacancy or vacancies so created until a successor or successors shall be duly elected by the members' and shall qualify.*" Rob stated that an individual has indicated a desire to be appointed, but asked the Board for discussion prior to his introduction. Discussion occurred among the Directors as to the options available which included appointing the next person with the most votes in the recent election. Rob introduced Bob Pietrasanta and asked him to give a brief biography. Bob Reichert motioned to appoint Bob Pietrasanta with Gordon Quick seconding. A lengthy discussion ensued between the Board members with Rob opening the dialogue up to those present as well. As a result of the discussion, the motion and second on the floor was withdrawn by Bob Reichert and Gordon Quick. Aimee Schneider motioned that the appointment be postponed until the next Board meeting in 30 days, and a CIN message to be sent out to the community asking for those interested in being considered to fill the vacancy submit a biographical sketch to the Board by December 5, 2011 to give the Board enough time to review the submissions prior to the December 13th meeting. Bob Lilley seconded the motion. ***The motion unanimously passed with Hancik, Reichert, Lilley, Hochstadt, Schneider and Quick voting Aye.***

Rob also reported that Mr. Beahn has submitted a request to recount the election votes. Rob emphasized that the cost to the Association could be \$700-\$1200. The method of inspection of these records according to Florida State Statute was reiterated to those attending in that the requirement of each individual submit a letter with individual appointments made for the inspection. The Board is willing to waive this to allow a group of individuals to inspect thus avoiding individual letters and appointments (more cost effective). Mr. Beahn was asked to limit the number to 6-7, but he indicated he has

pared it down to 10 people with the inspection scheduled for Friday, November 18th at 9:00 a.m. When asked what he was looking for during the inspection, Mr. Beahn indicated that he will be making calls to various people to expose any fraud that may have occurred.

Public Input:

Property owners that were in attendance were so noted on a sign in sheet. Rob asked if anyone had any input on any of the Agenda items, and if so to state which item and their questions will be addressed when that item is discussed on the Agenda. Janet Goin asked which lakes were planned for additional aeration. Bob Lilley explained in detail the reason for additional aeration in lakes were the oxygen levels need to be increased and result in less chemical treatment. Janet stated there was no need for one in Stork Lake (behind her property). Bob stated that the two lakes earmarked for the improvements are Heron Lake and Eagle Lake—not Stork Lake.

DISPOSITION OF MINUTES

Rob asked if there were any corrections or additions to the Minutes of the regularly scheduled Board of Directors meeting held on October 11, 2011, and the Reorganizational Meeting Minutes of October 15, 2011. There being no additions or corrections, Gordon Quick moved to accept both the October 11th & 15th Minutes as written. Bob Lilley seconded the motion. ***The motion unanimously passed with Hancik, Reichert, Lilley, Hochstadt, Schneider and Quick voting Aye.***

TREASURER'S REPORT

Bob Reichert reported that the cash position as of October 1, 2011 was \$252,100.13. Cash received was \$81,304.05 and included earned interest in the amount of \$95.58. Disbursements for the month of October were: Operating expenses at \$28,373.99, Reserve expenses at \$16,203.12, Annual Picnic at \$585.33, and the Dinner Dance at \$515.00--totaling \$45,677.44. The cash position ending October 31, 2011 was \$287,726.74. Assessment Receivables were \$649,835.98. Bob reported the balances in the money market and checking accounts.

Bob also commented that October's operating expenses of \$28,374 were \$22,944 less than in September. The expenditures were in line with normal monthly expenditures. The last mowing until April or May will occur the first week in December, which will increase December's expenses. From the Reserves, the October report shows \$16,203 expended with \$4,872 spent on midge control, and \$11,331 for 50% deposit on five (5) aeration units. An accounting reclassification will be made whereby the \$4,872 for midge control will be transferred from the Reserve Fund expenditure to Operating Fund expense. It was inadvertently charged to the reserve fund vs. the operating fund. Therefore, the true Reserve expenditure for October is \$11,331.

The \$81,304 cash received in October is reflective of the income from the 2011-2012 assessment billing. Assessments receivable of \$649,836 is \$525,756 higher than September due to the 2011-2012 assessment billing and assessments yet to be collected..

A transfer in the amount of \$50,000 from the checking to the money market account was made on November 3rd which is not reflected in this report. Assessment funds are deposited into the checking account which is non-interest bearing. Funds are transferred to the money market interest bearing account until needed for operations.

Bob Lilley made a motion to approve the Treasurer's Report as presented and send forward for audit. Gordon Quick seconded the motion. ***The motion unanimously passed with Hancik, Reichert, Lilley, Hochstadt, Schneider and Quick voting Aye.***

MANAGER'S REPORT

Front Entrance: Ed Rackeweg finished installing irrigation system. Booster pump connected and pumping reclaimed water to system. CCU was contacted to discontinue potable water service at the front entrance which will realize a savings of about \$400/year. Mowing of right of way in front of entrance sign (and along the Burnt Store Road corridor) was done by Public Works landscaping crew last week. The delay in mowing was due to the equipment (Menzi Muck) being beyond repair (new machine ordered with September 2012 delivery). There is still an issue with the ditch in front of our sign as well as the north side swale. The County was again contacted for cleanup with pictures of the area supplied.

Mechanical & Maintenance: We met DM Construction to inspect the area for bidding purposes to meet SWFWMD permit requirements in Park between playground and gate. Follow up phone call made today for bid submission. One other bid received for review. Sandy asked Bob Lilley to look at drainage swale from Cabana to Kingfisher Lake on east side of Isaac Lane (not draining properly). Also, the drainage pipe under Acapulco north of Chive is clogged. Request was made to Public Works to schedule an inspection and repair. Bob Lilley will report on other items in this area.

Kayak/Canoe Launch: Met with DM Construction to discuss type of fabric to be used. Rob stated DM and committee members looked at the launch at Matlacha which was installed by Lee County using an AstroTurf type material. Rob stated that Marty Leeper will be heading up part of the project including signage for the area.

County-owned lots on San Edmundo: We received Final Summary Judgment from Judge Woodard. Our motion for final summary judgment was denied. The lien against the County regarding the properties is discharged. We will have to right off the \$9,500 balance on the two lots. We are waiting for a reply from Charlotte County re status of the lots going up for bid. As of October 26th there were some additional internal questions that needed to be addressed.

Annual Meeting: Met with property owner Caroll DeWeese on 10/24 to discuss possible improvements to Annual Meeting presentation, etc. He suggests putting the Kayak plan on our website and the budget. He suggests adding each director's area of responsibility under each director's name. He also suggested listing all the committee members under each Committee name. He also would like the Board to meet with Justina Ford (Rio Togas) to address her concerns regarding the possibility of a park road being built on the lot next to her home. Justina voiced this concern at the meeting. He also was concerned about not having adequate parking at the kayak launch site. We discussed the subject of providing Wi-Fi in the community by writing a letter to both

Century Link and Comcast. He would like to see a MSBU link on our website as well as our email address on the home page. Mr. DeWeese has been instrumental in volunteering his time to research an alternative host for our website. This is a work in progress. He also asked if the Board would object to realtors spraying roundup around their For Sale signs on vacant lots so the mowing contractor does not mow over them.

Burnt Store Road Engineering: Banks Engineering and Johnson Engineering lost the bid for the engineering of Burnt Store Road from Zemel to Vincent. The County awarded the engineering contract to Kimley-Horn & Associates on Tamiami Trail in Port Charlotte. It is suggested that a meeting be scheduled between some of the Board members and Kimley-Horn as was done with Banks Engineering since this phase of the project has a direct impact on our subdivision as it relates to the various entrances off BSR and areas for retention ponding. Bob Reichert reported that part of the project is being paid for by a Federal Grant in the amount of \$3.5 million but with the stipulation that it (engineering) must be completed by September 2012.

Credit Card Update: A new checking account has been set up to accept payments. Celeste reported that we are waiting for our banker to send a letter to the credit card company verifying the account. Once the contract is received and signed, we can go forward in designing a form for use on our website for property owners' payment of their assessment(s). This should take a few days. Meanwhile property owners have inquired about interest charges since the actual due date is November 30th. We have informed them that no interest will be charged in December since there is a delay in setting up the system.

OLD BUSINESS:

DIRECTOR REPORTS:

SAFETY & PREPAREDNESS

No report

MECHANICAL & MAINTENANCE – Bob Lilley

Bob Lilley further elaborated on the work anticipated to be done in the Park in that the previously cleared out area from the gate to the playground equipment has started to grow back. This area must be brought into SWFWMD compliance. As mentioned earlier, we are obtaining another bid which will include relocating dirt we have in the adjacent greenbelt to the area, grading for proper drainage with pipe installation to meet permit requirements. This will also decrease the mosquito population, as well as give additional room for parking. Bob also reported that he has been fertilizing the queen palms across Spoonbill Lake for the past year with fertilizer that was stored in the shed. They are looking much better. A & L Landscaping was also notified that fertilizing and trimming the fronds was part of their contract and asked to include this work in their schedule. Bob and a contractor have started to evaluate several of the vacant lots that need tree trimming, etc., in order facilitate better mowing access and aesthetics. Then the owners of those properties that need to be addressed will be notified. Hopefully this can be accomplished by next fall. Bob and Rick Mathis had obtained the screening materials to put in the eaves of the restroom to prevent squirrels, other vermin and bugs

from entering. Ed Wrzesinski, a property owner, installed the materials for a nominal fee and was credited with a job well done.

LAKES WATER QUALITY – Bob Lilley

Bob Lilley made a motion to approve an expenditure to Aquatic Systems in the amount of \$22,662.23 for the procurement and installation of five (5) aerator systems, including electric) for Lake 6 (Heron) and Lake 2 (Eagle) which requires a 50% deposit in the amount of \$11,331.12. Monies were budgeted in the 2011-2012 Reserves for this project. Gordon Quick seconded the motion. ***The motion unanimously passed with Hancik, Reichert, Lilley, Hochstadt, Schneider and Quick voting Aye.***

As recommended by the Committee, Bob Lilley made a motion to approve a two-year contract with Clarke Environmental Mosquito Management in the amount of \$77,672 for 2012 and \$77,672 for 2013 for the purpose of treating the lakes with Abate (larvicide) to control midge fly population. Stan Hochstadt seconded the motion. ***The motion unanimously passed with Hancik, Reichert, Lilley, Hochstadt, Schneider and Quick voting Aye.*** Next month, Bob will present to the Board a program for stocking the lakes with bluegill and/or cracker fish utilizing some of the midge fly budget monies. Bob explained in detail the long term plan to eventually utilize less chemical and use more natural means to control the midges.

LONG RANGE PLANNING – Bob Reichert

Bob Reichert had no report.

COMMUNICATIONS – Aimee Schneider

Aimee reported on four (4) CIN messages that were sent since the last Board meeting in October—Annual Meeting results of voting/election; road closure at North Jones Loop Road from 10/24 for approx. 8 weeks; road closure at Acline Road/Burnt Store Road on 10/27; and a Charlotte County Sheriff's Office message forwarded as a public service to warn residents of an advertisement scam in the County regarding fraudulent money orders sent via FedEx. She also reported that preparations are in progress to publish the November Newsletter—requesting that all articles be turned in as soon as possible.

BEAUTIFICATION & ENHANCEMENT – Gordon Quick

Gordon Quick reported that the Committee met on November 2nd. He noted a problem with the hardening (strengthening) of the internal signs still exists. Contact was made with Ric of Gulf Coast Signs to correct the problem. The signs need to be reinforced with larger washers. The holiday decorations will be put up on November 25th. Poinsettias have been ordered from Home Depot and additional bows for the light poles were purchased from Walmart—all within budgeted funds.

Stan Hochstadt stated that he is working with Joe Karrol to paint a "fish" mural on the side and back walls of the restroom in the Park for the cost of the paint (cost to be determined). This project will be pursued sometime in the future. Gordy asked that a rendering be submitted to the Committee and Board when available.

COMMUNITY STANDARDS – Stan Hochstadt & Gordon Quick

Stan reviewed the Community Standards report by stating there were zero parking violations this month, three waivers for RV's/boats, zero sign violations, and one yard maintenance issue reported and not resolved. There were no trash can violations and two home maintenance items not resolved.

Bob Reichert reported overgrowth of Brazilian pepper trees at Vincent and Boca Vista. This was resolved on one other occasion by Jim Brown who contacted someone in the Burnt Store Marina. Jim will be called for contact information. Rob Hancik stated it may be advantageous for the Marina to become part of the SCCC.

Gordon Quick indicated that he would like to be responsible for Community Standards and would like to relinquish Beautification to Stan Hochstadt. Rob mentioned that when a replacement director is appointed in December, the Board will realign the areas of responsibility.

Gordy reviewed at length the various changes to the Policy/Procedure Statement for Enforcement of Deed Restrictions as suggested at the October 11th Board meeting. The changes have been incorporated into a final document and procedure is now ready for implementation. Gordon Quick made a motion to accept the revisions as proposed. Rob Hancik seconded the motion. ***The motion unanimously passed with Hancik, Reichert, Lilley, Hochstadt, Schneider and Quick voting Aye.*** The document will be posted on the website with enforcement beginning December 1, 2011.

ARCHITECTURAL REVIEW

Rob Hancik reported that we have received the Irrevocable Letter of Standby Credit in the amount of \$5,000 from Calusa Bank on behalf of Sand Star Homes for 91406 at 24370 Peppercorn Rd. This will be released upon receipt of Final Certificate of Occupancy.

COUNTY RELATED ITEMS

SCCC – Bob Reichert will have a report next month.

MSBU – Rob Hancik had no report. However, Rob and a group of other BSL property owners attended the 11/7 MPO meeting (Metropolitan Planning Organization). Rob reported that if there is any project in the County that receives Federal or State funding, it must first be in the MPO Work Plan (which goes out 5, 10, 15, 20 years). He was in attendance because of the planned improvements to Burnt Store Road/Zemel Road Intersection PD&E (Phase III). There will be meetings scheduled between Charlotte and Lee County to coordinate how Burnt Store Road comes together at the County line. Bob Reichert stated that Commissioners are pushing to get the road completely finished by 2015.

NEW BUSINESS

Rob noted that Policy #18A, Inspection and Copying of Records is on our website for property owners to refer to when requesting review of records. He stated we have been receiving numerous time-consuming requests for information and emphasized that we

have to enforce the policy regarding the inspections and copying. All requests are to be submitted via certified mail stating the specifics of records desired. The Policy (and F.S.S.) allows for reimbursement for staff time and cost of copies.

MISCELLANEOUS

ADJOURNMENT

Bob Lilley made a motion to adjourn the meeting at 8:00 p.m. Gordon Quick seconded the motion. ***The motion unanimously passed with Hancik, Reichert, Lilley, Hochstadt, Schneider and Quick voting Aye.***

OPEN FORUM

Rich Centner inquired about the old FPL poles still standing next to the new larger poles recently installed. The “half” poles still hold the Comcast lines and Comcast has not indicated when they will relocate their lines to the new poles. Rob suggested that FPL be contacted through their website and given the “pole number” stating that you would like it removed. Bob Beahn asked if the Board still intended to place a bid for the two San Edmundo lots. He was told that the Board never had any intentions to pursue their purchase. Bob Beahn also suggested to Bob Lilley that he has received good results using Epsom salts to fertilize his palm trees. Bob Lilley stated that he also has used Epsom salts, but found the bags of fertilizer in the shed and decided to use them. Bob Beahn also asked how Bob Lilley was going to handle the tree trimming on the vacant lots, i.e., obtain bids, etc. Bob Lilley would like to send out a letter to those property owners along with a copy of the bid from 1-2 contractors and a brief description of what needs to be done. He is open to suggestions on the method of cost collection.

Open Forum ended at approximately 8:05 p.m.

Respectfully submitted,

Sandra J. Funk, Secretary
To the Board of Directors

The next meeting of the Board of Directors is scheduled for 6:00 p.m. on Tuesday, December 13, 2011 in the BSLPOA Conference Room located at 100 Madrid Blvd., Unit #212, Punta Gorda, FL 33950

November 20, 2011