

November  
2014

# *Burnt Store Meadows*

## *Your Board Members*

- Laurence Andrews  
President
- Tom Erhardt  
Vice President
- Pete Barbaro  
Treasurer
- Edd Weiner  
Director at Large
- Tom Delebrea  
Director at Large

## *Look for us on the web:*

BSMPOA.com

## *Email:*

BSM\_poa@yahoo.com

## *Our Management*

### *Company is:*

### *Star Management*

26530 Mallard Way  
Punta Gorda, FL 33950  
941-575-6764  
941-575-7968 (fax)

## **President's Update**

For your information, the following letter from our attorneys was received by the board in response to a request for an opinion:

*"Dear Mr. Andrews:*

*The question presented for discussion is whether a Director need be a member of the Association. It is my understanding that the Board within the last year has appointed Edd Weiner to serve the remaining unexpired term of a previous resigning Director. I understand that Mr. Weiner is neither an owner of the Association or a member and at the recent Board of Directors meeting a number of members called into question his qualification to be a Director based on the fact that he is a not a member of the Association.*

*Article 4.1 of the Articles of Incorporation for Burnt Store Meadows Property Owners Association, Inc. ("the Articles of Incorporation") indicates that every fee simple owner of parcel of land included in the owner of a Condominium unit shall be a member of the Association. Article 5.1 of the Articles of Incorporation states in the last sentence that the Directors need not be members of the Association. Article 3.A.1. of the Bylaws of Burnt Store Meadows Property Owners Association, Inc. ("the Bylaws") states in pertinent part that each Director shall be a member of the Association or a spouse of a member.*

*It is my understanding that Mr. Weiner is not a fee simple owner nor the spouse of a parcel of land in BSM.*

*As evidenced above there is an inherent conflict between the language of the Articles of Incorporation and the Bylaws. The language of the Articles of Incorporation and the Bylaws is directly oppositional to one another. Florida Statute 617.0206 indicates the power to alter, amend or repeal the Bylaws or adopt new Bylaws shall be vested in the Board of Directors as provided in the Articles of Incorporation of Bylaws. This statute also provides that the Bylaws may contain any provision for regulation and management of the affairs of the corporation not inconsistent with law or the Articles of Incorporation. The foregoing provisions of the above the references statutes clearly indicate a hierarchy in the order of documents between the Articles of Incorporation and the Bylaws. This hierarchy dictates that in the event of a conflict between these two documents the Articles of Incorporation control, therefore the language of Article 5.1 of the Articles of Incorporation indicating that the Directors need not be members of the Association controls over the conflicting provisions of the Bylaws.*

*Should the Association's members wish to resolve this conflict, either the Articles of Incorporation or the Bylaws should be amended."*

The letter goes on to describe the legal process required to amend either the Articles of Incorporation and/or the Bylaws. I will be happy to share this information with the membership should the Association choose to make such changes.

Sincerely,

**Laurence Andrews**  
President, Board of Directors

## **Treasurer's Report**

As a reminder, our annual assessment of \$165.00 is currently due. An invoice was sent out at the beginning of October. For those who have submitted payment, thank you.

As of the end of September, the unpaid balance due was \$17,523.00. There is legal action pending on those residents with a balance due over \$100.00, either by a lending institution or by the association. We always encourage residents to keep current and avoid the collection process to avoid legal fees which add to their balance due.

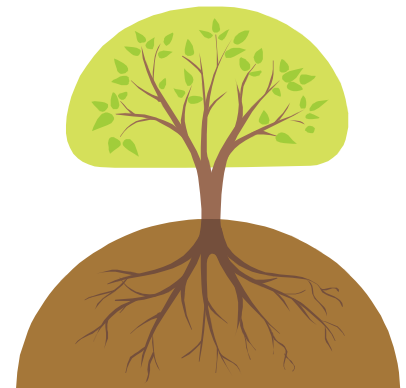
At the annual meeting, a resident questioned why the amount budgeted for mowing and entrance bed cost increased substantially over the prior year. The explanation provided was that first, the amount charged by our new landscaper, Premier, is substantially higher than the previous, unreliable landscaper. Second, there are more scheduled cuttings to better maintain our community. And third, the right-of-ways along Burnt Store Road and Royal Poinciana have been added to the mowing area. The annual assessment was increased due to these and other cost increases.

## **Services Provided by Our Management Company**

As you are aware, Star Hospitality Management, our management company, supports the Directors, which is a voluntary position. The management company serves as a point of contact for residents with complaints, questions or assistance. A person is available to respond 24/7. Please direct your comments to them for faster service. In addition, they also provide accounting, banking, twice-a-month drive around the neighborhood, coordinate with vendor scheduling, coordinate the monthly and annual meetings, and contribute many other services. Without a management company, it would be difficult for the Directors to coordinate all the activities without a full time, paid staff. We are fortunate to have Sherry's hands-on approach to handle the day to day needs of our community.

## **Tree Replacement Along Burnt Store Road**

Finally, the replacement of the dead trees along Burnt Store Road is in process. The contract has been signed with Greenscapes and the 50% deposit has been issued. Red Cedar trees will be planted on the South side and Cypress trees will be planted on the North side. (Note - most of the Cypress trees on the North side survived and only 24 need to be replaced. It was not cost effective to discard the surviving trees on the North side to obtain an exact uniformity of trees. The two types of trees are quite similar.) The contract covers watering, maintenance and has a 1 (one) year guaranty by a surety bond. We appreciate your patience while we struggled to obtain the proper planting instructions and a vendor who would guaranty a favorable planting outcome to avoid a repeat of the dead tree issue.



## **E-mail Communications**

The Board of Directors would like to be able to share important announcements and information on a more regular basis in addition to the quarterly newsletter. E-mail would be the fastest and most cost effective method.

Our current e-mail list includes addresses for only about 15% of the membership. In an effort to expand the list, please send an e-mail to [s.danko@starhospitalitymanagement.com](mailto:s.danko@starhospitalitymanagement.com). In the body of the e-mail, please include your name, property address, and preferred e-mail address. This would also be a good time to provide any updates on your preferred mailing address and phone contact info.

We look forward to hearing from you!



### Sixth Annual Holiday Decorating Contest

Thanksgiving is just a short time away. Traditionally, Thanksgiving heralds in the official holiday season.

Burnt Store Meadows POA will be holding its 6th Annual Holiday Decorating Contest. Prizes will be awarded to the First, Second, and Third Place winners at the January 2014 Board meeting. The prizes awarded will be gift cards from local businesses.

Judging will take place the week of Christmas so please have your decorations in place by December 21st. Please join your neighbors by decorating your home. This is a wonderful time of the year to create not only a sense of community but also a beautiful sight for all to see. Each year more and more residents are showing their Christmas spirit through their decorations. Reminder signs will be posted at the entrances in early December. Best of Luck to All the Participants!

### ARB Requests for Additions, Alterations or Improvements

The Board is receiving numerous requests for new construction as well as improvements on existing homes. That is a very positive sign for everyone's property values.

As a quick reminder, all owners must submit a Request for Additions, Alterations, or Improvements for any new construction or improvement to the Architectural Review Board. Please contact Star Hospitality Management for a form. (call 941-575-6764 or email to [s.danko@starhospitalitymanagement.com](mailto:s.danko@starhospitalitymanagement.com).)

All owners should remember to use a licensed and insured contractor. You may consider contacting the Charlotte-De Soto Building Industry Association (941-625-0804) for recommendations.

Improvements range from painting your home, installing a fence, to building an addition. All of these types of alterations or improvements require approval by the Board which also serves as the Architectural Review Board.

New construction is on the rise also. Owners and their builders must submit the completed form along with copies of the building plans, site plan, landscape plan, and exterior paint colors. In addition, the builder must post a performance bond from a recognized institutional bonding company. Please see the Declaration of Restrictions for details on all of the requirements. Star is happy to provide copies of the application and the Deed Restrictions to your builders.

The Board considers requests for alterations or new construction at their monthly meetings. The Board of Directors meets on the third Monday of each month unless it falls on a holiday. You or your builder may attend the meeting if you wish to provide any input to the Board. No alterations or new construction should begin prior to receiving approval from the Board.

We look forward to receiving your requests.

**Computer Aches and Pains ??**



**D**igital Home  
**o**ctor

**We Make House Calls!**

**Ron Prickitt at 941.347.4557**

Reasonable Rates, High Quality

Local Resident

**Set-up • Service • Training • Virus Removal**

Paid Advertisement - To advertise in the BSM newsletter, email [bsm\\_poa@yahoo.com](mailto:bsm_poa@yahoo.com)

## Follow These Tips for Successful Flying

With millions of passengers taking to the skies every month, adverse weather conditions that cause delays, and a U.S. air traffic control system that desperately needs to be modernized, there's no doubt about it: Air travel can be frustrating.


There are steps, however, you can take to reduce your chances of encountering problems. Here are "defensive flying" tips provided by the Aviation Consumer Protection Division:

- Make sure you have a passport. It's essential for travel now, even if you're entering the U.S. by air from Canada and Mexico. Everyone is getting one, so apply early.
- Fly early in the day. You'll avoid the "ripple effect" of delays. Besides, if you book the last flight of the day, you could get stuck overnight.
- Shop for fares. Book your flight well in advance. In general, the longer you wait, the more expensive your trip. Go to the airlines' web sites and check out other sites such as [www.expedia.com](http://www.expedia.com), [www.travelocity.com](http://www.travelocity.com) and [www.orbitz.com](http://www.orbitz.com). If you're planning a complicated itinerary or have specific needs, talk to a professional travel agent.
- Pack smart. It saves time if you don't check a bag. But make sure you check the Transportation Security Administration website ([www.tsa.gov](http://www.tsa.gov)) for the latest carry-on rules. Be sure to carry a government-issued photo ID.
- Tag the outside – and inside – of your baggage in case it gets lost. Don't lock your checked bags. Security personnel may need to open them. If you want to lock them, there are locks available at airport and travel stores that can only be opened by the TSA using
- "master" keys. Check the TSA website for info. Label your laptop computer – they are the most forgotten items left at security checkpoints.
- Build in extra time, and be prepared for security screening. Allow time for traffic, parking problems and lines. Avoid wearing metal belts etc. Wear shoes you can slip off (and the socks without the holes).
- Visit your airline's website to check the status of your flight before you leave home, and print out boarding passes in advance (if possible).
- Plan for delays. Chances are, it will happen to you. Don't take it out on airline personnel; they're just doing their jobs. Take plenty of reading materials – and your patience.
- If the airline does lose your bag, report it to them before leaving the airport. Insist that they fill out a form and give you a copy, even if they say the bag will be on the next flight. Ask them to deliver the bag when it is found.

When all else fails and you do have problems, there is a complaint process. If you have concerns about airline safety, call the Federal Aviation Administration at 1-800-255-1111. If you're concerned about aviation security, register your comments with the TSA at [www.contact.tsa.dhs.gov/default.aspx](http://www.contact.tsa.dhs.gov/default.aspx).

For complaints about airline service, call the Aviation Consumer Protection Division (ACPD) at (202) 366-2220 or send an email to [airconsumer@dot.gov](mailto:airconsumer@dot.gov). You can also write to: Aviation Consumer Protection Division, C-75, U.S. Department of Transportation, 1200 New Jersey Ave., SE, Washington, D.C. 20590.

---





**Wondering Who to Call For ALL Your Construction Needs?**

**The Award Winning Company That Has Been Building in Charlotte County for Over 33 Years!**



Kitchens  
Baths  
Closets  
Garages  
Interior Design  
Handyman Services

**941-637-8080**

1203 W Marion Ave, Punta Gorda, FL 33950  
(Across from Fishermen's Village)

Licensed & Insured for ALL Construction Projects  
[www.SandStarRemodeling.com](http://www.SandStarRemodeling.com)

**REMODELING - From Design thru Construction**



After

Before

**And Beyond...HANDYMAN SERVICES**

Drywall Repair - Paint Touchups - Tile Repair  
Doors/Windows - High Ceiling Projects  
Any type of Home Repairs!  
"Honey-Do Lists" - Our Specialty



CGC013881/CGC0155986



Family Owned & Operated

Licensed & Insured

**Visit our New Model @ 1334 Sateuma  
Currently For Sale & Available for Your  
December 2014 Occupancy!**

[SageHomesFL.com](http://SageHomesFL.com)

941.575.7242

Award Winning  
Green Certified Professional  
Certified Aging-In-Place Specialist  
Custom Homes & Remodeling



**Burnt Store Meadows POA**  
Star Hospitality Management  
26530 Mallard Way  
Punta Gorda, FL 33950

PRSR STD  
US Postage Paid  
Punta Gorda, FL  
Permit No. 201

NOVEMBER 2014 Newsletter

	<p><b>The Sigurdson Team</b> <i>Realtors, GRI, SFR</i> <b>Over \$80 Million Sold!</b></p>
<p><i>Your Burnt Store Meadows Specialists</i> <b>Robyn: 941-662-9636</b> <b>Larry: 941-204-2454</b> <i>Visit our Website: <a href="http://www.FloridaHarborHomes.com">www.FloridaHarborHomes.com</a></i></p>	
<p><b>2012 and 2013 MLS GOLD LEVEL Producers</b></p>	
	<p><b>NOW is the time to list your home for sale!</b> <i>Call us today for a free Market Analysis and Consultation.</i></p>


<p>Bring your next real estate closing to a title company owned and operated right here in Charlotte County. You will get the "Hometown Service" you can count on. Please contact me at 505-0001 or <a href="mailto:Nacole@hometownclosing.com">Nacole@hometownclosing.com</a> 401 Taylor Street Punta Gorda, Fl. 33950</p>