

**BEAR ISLAND HOMEOWNERS ASSOCIATION, INC.**  
**MINUTES OF MEETING OF THE BOARD OF DIRECTORS**  
**MONDAY, NOVEMBER 1, 2010**

**A. Call to Order, Notice, Roll Call, Determination of Quorum Approval of Minutes:**

A regular meeting of the Board of Directors of Bear Island Homeowners Association, Inc., pursuant to posted notice, was held at 7:00 P M, on Monday, November 1, 2010, in the Faircloth Meeting Room, West Palm Beach, Florida. Present were: Directors Howard Berman, Stephen Seftenberg, Gail Saunders and Karen Spina. The Chair noted that Louis A. Stevens had submitted his resignation from the Board, leaving a vacancy. Mr. Berman acted as Chair and Mr. Seftenberg as Secretary. The Chair declared that a quorum was present. Upon motion duly made and seconded, the amended minutes for the September 7, 2010 meeting and the minutes for the October 4, 2010 meeting were unanimously approved.

Also present were Bryan Welch, the Property Manager on behalf of MMI of Palm Beaches, Inc., James J. Cuniff, Jr. (1300 Bear Island Drive), Richard Erwin (1200 Bear Island Drive), Rita Hartman (1220 Bear Island Drive), Diana Rose (1150 Bear Island Drive) and Ron Warnecke (1100 Bear Island Drive).

**B. Reports:**

**1. President's Report:** The Chair expressed the feeling of the entire Board in appreciation of Louis A. Stevens' many contributions to the improvement of the community and the efficient and amicable performance of the Board and Manager.

**2. Manager's Report:** The Manager's written report will be filed with the minutes of this meeting.

**3. ACC:** No report.

**4. Gatehouse:** No report.

**C. Old Business:**

**1. Santo Lumina, 2770 Wilderness Drive:** The Chair called on Mr. Seftenberg, who circulated copies of his letter to Tyler Powell, Esq., dated October 14, 2010, and Mr. Powell's response dated November 1, 2010. The Chair instructed the Secretary to file copies of these letters with the minutes of this meeting. The bottom line is that counsel advises that the Architectural Control Committee should hold a formal meeting with proper notice (including notice to Mr. Lumina), to consider the Application filed by Mr. Lumina and notify Mr. Lumina and the Board of the decision of the ACC. Mr. Seftenberg stated that he had already passed this advice to Mr. Marcinak.

**2. Ficus Trees at Entrance:** Upon motion duly made and seconded, after discussion, the written offer of the manager of Bear Lakes Country Club to pay one-half of the cost of trimming the trees on the Club's property that were impacting the trees on Association common area up to \$625.00 was unanimously approved. Of two bids obtained by Mr. Welch, the Only Trees bid of \$1,250.00 was the lowest. Upon motion duly made and seconded, after discussion, the Only Trees bid was unanimously approved.

5. **Mailbox Replacement:** In the absence of Mr. Stephens, and in the absence of a motion to consider the replacement of the remaining post office boxes (tabled at the October meeting), the Chair declared the proposal moot.

**D. New Business:**

1. **Owl Pointe Pavers:** Upon motion duly made and seconded, and after discussion, the bid of Apex Pavers of \$2,250.00 for cutting the tree roots and replacing the pavers was unanimously approved.

2. **Erwin Transponder:** The front window of Mrs. Erwin's Mercedes blocks the signal of the gate transponder. Mr. Welch advised Mr. Erwin that if Mrs. Erwin wants to use the transponder, she will have to see if placing it near the license plate holder works. Mr. Erwin said he would consult with his wife.

3. **Water Leak Invoices:** In response to questions raised about the O'Hara "emergency" invoices for repairs to the city water piping at Owl Point Circle, Mr. Welch reported that he had discussed the invoices with O'Hara, who agreed that the work was not emergency work and that the description of the hours was confusing but accurate. Upon motion duly made and seconded and after discussion, the bills were unanimously approved.

4. **Spiders:** Mr. Welch confirmed that the spiders involved on the northwest corner of Bear Island Drive and Wilderness Drive were banana spiders, most of them harmless to humans. The consultant stated that they were attracted to this location by the fact that the prevailing wind blowing over the lake was blowing mosquitos and other flying insects into the trees involved. Mr. Welch also reported that without being directed to, the consultant had sprayed an appropriate poison that appeared to have killed off most (but not all) of the spiders.

5. **Special Meeting on Water and Irrigation Issues:** The Chair noted that it was difficult to devote an appropriate amount of time at a regular Board meeting to the water leak and irrigation pump issues. The Chair announced that he would call a special meeting at a mutually convenient time for all parties to be devoted entirely to these issues. [Subsequently, this special meeting was scheduled for Thursday, November 18, 2010, at the Faircloth Meeting Room, at 7 P.M.]

6. **James J. Cuniff, Jr. (1300 Bear Island Drive):** Mr. Cuniff explained that the storm water drainage pipe from his property to the lake had become clogged up, that his contractor had installed a pipe with a larger diameter without filing an application for the work with the ACC. Upon being advised that installing an enlarged drainage pipe was an action requiring prior approval by the ACC, he advised the Board that he would have his contractor file an appropriate application requesting retroactive approval from the ACC.

7. **Board Vacancy:** Ms Saunders has submitted a name of a prospective replacement for Mr. Stephens. All members of the Board have been invited to have lunch with this gentleman on Monday, November 8, 2010.

8. **David Silverman -- Dumpster at 960 Bear Island Circle:** Upon motion duly made and seconded and after discussion, the request by the new owner for permission to leave a dumpster on his driveway for up to a week beginning November 4, 2010, was unanimously approved.

**E. Communications to the Board:**

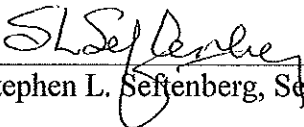
1. **Mary E. Church (930 Bear Island Circle):** Mr. Welch included in the meeting package an email from Ms Church, suggesting (1) that a discount be given for paying the assessments in advance, (2) replacing trees causing problems with trees that will not cause such problems, (3) complaining about the water pressure on the irrigation system servicing her property and (4) suggesting that the web site have a calendar showing scheduling of painting, pressure cleaning, tree trimming, paving of streets, and meetings. The Chair said he would respond to Ms Church's suggestions.

2. **Christine Williams (1425 Bear Island Drive):** Mr. Welch reported that Ms Williams has requested the Association to plant a small leaf clusia in her Front Yard at Association expense. Upon motion duly made and seconded and after discussion, her request was unanimously disapproved for the following reasons: (1) the proposed tree does not replace any diseased or dying tree in the Front Yard and therefore would be at the owner's expense, and (2) a clusia tree would be inappropriate in the restricted area shown on the picture, since it tends to grow to 25 or more feet tall. The Chair instructed Mr. Welch to discuss alternatives with the owner.

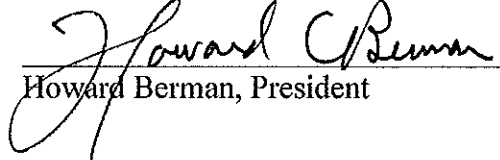
**F. Next Regular Board Meeting:** The Chair set the next regular Board meeting at 7 PM, Monday, December 6, 2010, in the Faircloth Meeting Room, Shiloh Park, West Palm Beach, Florida.

**G. Adjournment:** There being no further business, the Chair adjourned the meeting at 8:54 P. M.

Respectfully submitted,

  
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Stephen L. Seftenberg, Secretary

Approved: 12/6, 2010

  
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Howard Berman, President