

BFCA Board of Directors Meeting Minutes

Jack L. McLean Community Center

October 22, 2009

6:30 PM - Meeting Called to Order

§ Meeting was Called to Order at 6:40pm

§ Introductions were conducted:

Warees Smith, BOD President

Jill Harper, BOD Member

Jane McElroy, BOD Vice President

Vickie Marlatt, BOD Treasurer

Jerry Norris, Homeowner

Charlotte Hicks, BOD Recording Secretary

Debbie Taggart, BOD Co-Recording Secretary

John Collins, Homeowner

Terra Sherlock, BFCA Neighborhood Watch Coordinator

Terry Tenold, BFCA Grounds Committee Chair

Board Members' Reports:

§ Approval of BOD Meeting Minutes, August 20th, 2009 – motion to approve by Jane McElroy and seconded by Jill Harper

§ August 29th BFCA neighborhood cleanup success –

Warees thanked Jane and Jill for their help with the cleanup. They used this event to identify things that Capital City landscaping needs to take care of. Residents noticed what they were doing which may help with next time. Warees noted that this will be done again and hopes for participation by more residents next time.

§ Meeting with Capital City Lawn Care to improve maintenance of requested locations and right of ways.

Warees reported that he met with Capital City Lawn Care a couple of weeks ago due to concerns noted by residents about not mowing in some areas (including Harvest, Brookside roads.) They walked the neighborhood and noted areas in need of action.

§ City of Tallahassee conclusion on water main breaks on Brookside Blvd.

Warees Smith and Terry Tenold met with the City on Monday, October 19th. – They met with Jamie Shaker with City of Tallahassee and a representative from the Mayor's office to verify that we were happy with what was done related to repairing of the water main break. The water main had been sitting too close to the concrete culvert and caused damage so the city put in a new line below the existing concrete culvert that is flexible so this should not happen again. They were told to call the Mayor's office if we experience any more problems. There have been problems twice in the last 2 years with water main breaks and road damage. The homeowners on Nestlewood and Harvest have not noticed any additional standing water since the latest repairs. Jamie brought survey drawings of the area that were taken by the City in

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order to reflect that the creek was sloping in the direction of Orange Ave. This should conclude the work by the City on this project.

- § Proposed revisions to BFCA Covenants (process & timelines). Jane McElroy, BFCA vice-president

The process and timeline for proposed covenant revisions (developed by Jane) has been posted on the BFCA website. The BOD is accepting suggestions for changes until 11/8/09 and plan to finalize by 11/25/09 to go in with the December mail out notifying homeowners of the annual meeting and dues assessment. We need 80% of voting membership (includes only owners not renters) voting on issues. Our attorney has suggested that each proposal/suggestion be voted on separately to ensure that each is considered. This information is on the website.

Jerry noted that he feels that some of the neighborhood home sites need to be fixed up as some look bad with “junk” in yard. Warees responded that some of the offending property owners have received letters and even second letters notifying them of need to clean up. One of the problems we face is that the BOD does not have the authority needed to enforce rules which is why we are working on ways to strengthen the Covenants with potential fines for non-compliance to help address that.

Jerry suggested that we might want to consider some type of screening of owners and renters to help address problems.

- § Report on CONA delegate meeting held 10/12/2009. Jane McElroy, BFCA vice-president, CONA representative

Jane McElroy attended to represent BFCA and provided a Handout from the 10/12/09 meeting with a list of priorities from those who attended. Jane gave us an overview of the type of issues raised including concern about enforcement powers of the city and county and the number of calls it takes to get them out to address concerns. Only BFCA raised issue of enforcement of covenants. They discussed how to get people more involved in CONA and are considering offering a day long “How To” professional development program for BODs and members that are new and do not know what their rights and responsibilities are. They would bring in city, county, TPD, and others to do presentations and provide information.

They also discussed creating an “Ask the Expert” forum with people categorized as experts in particular areas to allow BODs and members to ask questions and get assistance.

Jane reported that it was a very productive meeting. CONA will now have a board meeting to prioritize and develop an action plan. They would like to meet twice a year (spring and fall).

- § Board decisions taken via email:

§ Repair and general maintenance of BFCA pond gazebo completed by Kelly Blair. Repairs were completed for \$300; some boards were damaged so he replaced the beams and pressure washed throughout; other structural issues were resolved.

§ BFCA Officers liability insurance renewed. (RGVI Insurance)
Insurance renewed insurance with Rogers, Gunter and Vaughn effective 10/1/09 – cost of \$1655.94

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Presentations:

§ Joanie Trotman, Owner, Florida Association & Property Mgmt. (FL P&A)

§ Introductory presentation to the BFCA board of directors on the scope of services provided.

This is a fairly new business but she provided references that were all very favorable and spoke highly of her and her services. Warees discussed what was being considered in the way of property service mgmt., noting that having an enforcement arm separate from the BOD could be helpful.

Handout with services provided – all inclusive package with set contract price and other services require BOD approval

The process that they follow is to conduct an evaluation of the neighborhood – streets, property, reserves, fiscal – they do not run the BOD but help prepare, schedule and do attend meetings. They develop a management plan for each Association they work with.

Background – Joanie has been a paralegal for the past 8 years and her husband was the Executive Director for Killearn Lakes Homeowners' Association for 12 years (this is the largest homeowners association in Tallahassee). They decided that together they could provide a good service so they formed their company.

One example of services provided would be for foreclosures. As the BFCA legal representative, the board President would not be served, rather FL A&P would be. They also send out dues notices, place liens as required, file small claims, can represent the Association as the registered agent (cheaper than using an attorney); take care of corporate filings, do web site maintenance.

The 2 biggest issues for BFCA BOD at this time are that we cannot enforce covenants and cannot raise the dues. Joanie has performed an initial review of our covenants and although they look good, they already have ideas for how to improve them.

They also have recommendations on reserves and better management of them, noting she thinks this area needs immediate attention.

They work with all vendors to facilitate better services at better cost, and have experts they work with on lake preservation. They can help with legal issues, not as attorney's but as registered agent so can do things on our behalf without attorney's fees.

Joanie provided a copy of their management agreement for review, which lists services that do not include court appearances.

They do not manage individual properties.

Fees/compensation – annual contract, not ongoing or open ended – need to determine what services we need for a 'package' which they establish for each association.

Fees are determined by properties, dues, meetings needed, paperwork needed, condition the community is in, condition of covenants, amount of effort required. The first year is the hardest as get things under control – she sees the biggest issue for us as financial reserves needed for new roads and cost of maintenance.

Warees would like to set up a follow up meeting with other people including our bookkeeper and ACC director (Llona Geiger).

Jerry N. asked who votes on these things. Warees informed him that the current Covenants give the BOD the authority to retain services of a property management company but the BOD will get resident input before any final decisions are made.

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Report of the Treasurer:

§ BFCA Account balances

Vickie provided a copy of Profit and Loss statement for June.

- Balance in bank = 62.17
- Checking = 11,007
- Money market = 10,917.68
- CDs = 4254.92

Invoices are due from our attorney

Report by the BFCA Pond committee:

§ Pond pump repairs completed and invoiced to BFCA. Jill Harper, BFCA board member, Pond committee

The pond pump failed and we had to replace the motor, pump and control panel as well as repair the breaker box. Work was completed by Robin Dean well repair and all are working fine now

Report of the ACC (Architectural Control Committee):

§ Letter sent to owner of 1754 Harvest Place regarding application for new construction.

- Application denied due to lack of permitting, construction type, clearly identified “open space” percentage; proposed facility deemed incongruent with BFCA covenants. Developer informed via certified mail on October 5th, 2009. Proposed fines for unauthorized tree removal and damage referred to the BFCA board for further consideration.

Warees reported that the lot was clear cut on 9/30/09 and that several large trees were damaged and destroyed in the process.

The Homeowner is in violation of the covenants and there are now 2 separate processes ongoing, including determining fees for unauthorized tree removals (\$150 per inch of circumference) and an ACC application for submitted plans. The Association has measured what was destroyed and has hired Armstrong Tree Service to evaluate the site and the surrounding area (Armstrong’s has a certified and experienced arborist). They will determine other trees damaged beyond repair near the site. It is expected that the work should be completed this week and that the homeowner will receive notice of fees due at that time.

A separate process is related to approval of plans submitted to ACC on 10/20/09. The ACC has 30 days to review each amended application and the review is currently in process. The original plan submittal was denied due to the following 4 issues: lack of sufficient site plans, insufficient open space indicated on the drawings(30% required), slab on grade construction, stucco veneer facing street.

Neighbors on both sides of this lot are **very** concerned (both attended this meeting) and are wondering how they proceeded to do what they did.

The property went to foreclosure and was bought, then sold to the developer who proceeded without any approvals to clear the site and begin construction. Armstrong’s suggested that we contact the city and their code violation committee to handle and

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determine if they got proper permits so action could be taken as required. Environmental violations have also been noted.

Our attorney is involved and all legal options are being considered. There is presently a “cease and desist” order both from the City and the BFCA attorney in place, forbidding any further activity until City environmental requirements are met and the BFCA / ACC application process is completed.

- Request for removal of tree near BFCA pond by homeowner.

Terry reported that a homeowner requested that a tree be removed as it was blocking his view of the lake and an invasive tree. Terry investigated and determined that the tree is a Sweetgum (not invasive but native) and it is on common / BFCA property. The request to remove was denied but we agreed to trim lower limbs to improve his view.

Report of the Neighborhood Watch Coordinator:

- § Neighborhood Crime reports
- § Neighborhood watch committee reports.

Handout provided by Tara with incidents reported.

A house near the end of Brookside is under investigation for potential drug activity (light colored SUV and red mustang).

Neighborhood Watch committee meeting is coming up and notices will go out. The meeting is scheduled for 11/18/09 at 6pm at 1743 Nestlewood Ln.

There have also been reports of a (male) person asking for a knife or screwdriver as he was “locked out of his house” and said he lives at (the vacant house) 1707 Silverwood. This house is being readied for new residents and he does not live there so we all need to watch out for this.

Report of the Grounds Committee:

- § Request for additional tree removals (3) on BFCA property (near Silverwood Dr. boardwalk entry across from Charlotte’s) identified as “hazardous” by Stan Rosenthal. Quote provided to Terry Tenold by tree service. One will need crane to get out due to size.

Terry is waiting for quote from Armstrong Tree Service. He has gotten a quote from AAA that seems high (on 9/4/09). He will let BOD know when quote received for BOD approval.

- § Repairs made to BFCA sign light gauge to limit the lights coming on during the day. Bozeman Electrical, invoiced to BFCA

Floodlight in entrance is out and needs replaced – Terry will take care of it.

Other Business:

- § Annual membership meeting planning.
 - proposed speakers and issues

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Proposed 1/21/10 as potential date for annual Homeowners' Meeting. Warees has requested the meeting room from Myers Park for this event.

Warees is asking for input on proposed topics and speakers for this meeting. Two that have attended before and that will be asked to return are Stan Rosenthal for tree care and TPD.

- Nominating committee and nominees for BFCA board

Need to be thinking about nominating committee and nominees for the BOD for next year. Jill Harper's term will end so ask around for people who may be interested in being on the BFCA BOD.

Meeting Adjourned at 8:24PM

§ Next meeting scheduled for December 17th, 2009.