

TALLAVANA HOMEOWNERS' ASSOCIATION, INC.

Minutes of the monthly Board of Directors meeting held on Tuesday, January 12th at the meeting room of the Havana Library, Havana, FL.

PRESENT: Linda Ritchie, Earl Mills, Rob Combs, Bobby Boatright, Neil McDonald, Tom Scott and Larry Jones, Board members, Debbie Robinson, Corporate Secretary. See attached list of others in attendance.

ABSENT:

The meeting was called to order at 7:08 pm by President, Linda Ritchie.

Corporate Secretary is recording the meeting for the purpose of accurate minutes. No one else is recording.

Approval of Agenda:

No Changes

NEIL MCDONALD MOVED TO APPROVE THE AGENDA AS WRITTEN. EARL MILLS SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

NEIL MCDONALD MOVED TO ADJOURN THE MEETING BY 9:00 P.M. WITH A BUFFER OF 15 MINUTES TO GO NO LATER THAN 9:15.P.M. TOM SCOTT SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

Approval/Corrections of December 2009 Minutes:

Spelling.

LARRY JONES MOVED TO APPROVE THE MINUTES AS CORRECTED. BOBBY BOATRIGHT SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

Treasurer's Report: Bobby Boatright reported the total deposit for December was \$22,234.60, routine operating expenses of \$15,778.89, major project expenses of \$7,203.75, checking account balance is \$1,168.49, Money Market balance is \$55,797.43 and the balance in CDs/Savings is \$54,359.92.

Bobby noted some of the larger expenses in December such as the fees for the attorney included both November and December; clean out for D-8 sediment pond, work and materials on the dirt roads and ditches, last quarter of TMDL sampling and a culvert replacement.

TOM SCOTT MOVED THAT THE TREASURER'S REPORT BE ACCEPTED AS GIVEN. NEIL MCDONALD SECONDED. THERE WAS NO OPPOSITION, MOTION CARRIED.

Correspondence/Phone Calls:

1. Linda Ritchie received several phone calls regarding cormorant control and speeding. She tried to explain to the cormorant callers the need for cormorant control.
2. Linda received an email from Eric Shultz at LakeWatch regarding cormorants.
3. Linda Ritchie received a thank you note from Mrs. Kaye for the removal of the trash from the neighbor's yard on Audubon.
4. Linda Ritchie received a phone call from Margaret Griep regarding the passing of her husband, Parris "Skip". Skip had worked on several committees and loved Lake Tallavana.
5. Earl Mills received several phone calls regarding problems on the dirt roads and people interested in fill from the D-8 pond.

6. Debbie Robinson received a phone call from the property owner of the 29 acres at the end of Hickory. The owner was considering cutting the timber on the property to clean it up. Debbie explained the cutting of trees according to the Restrictive Covenants and since the property owner just wanted to clean up the property, it would not bother the Association if the trees remained. The property owner assured Debbie that there would be no further consideration of tree cutting and would not be making plans for the property for at least two years.

7. Jim Poss reported on a phone call from Mrs. Turner on Magnolia Court. She called to report a hazardous condition of ice on Magnolia Court. Jim said there would be further discussion on this later in the meeting.

BOARD REPORTS

Legal: Linda Ritchie

a. Heidenriech – Pine Top Court: Linda noted that the Board was given a copy of the recommendations of the Legal Committee. There are many things to consider including the repair of Magnolia Court, the finishing of Pine Top Court or if there might be some type of settlement agreed upon.

Mrs. Turner on Magnolia Court called to report a hazardous icy condition on a portion of Magnolia Court. Linda and Marc went to investigate. Marc temporarily fixed it so that water would not drain across Magnolia Court. A more permanent solution is needed. Earl thought that more asphalt might be needed.

b. Legal Committee report: Jim Poss, Chairperson

The committee met on Dec. 17th to discuss the Pine Top Court issues and the surrounding 109 acre tract. They reviewed plats, drawings and all notes pertaining to the issue. There was also discussion concerning a recent title search of the 109 acres and the various recorded and unrecorded agreements. The committee formulated the following recommendations for Board consideration:

1. The Tallavana Board of Directors adopts the official plat, dated 18 April 1984, as the official plat for the 109 acres. That final approval for the development be in compliance with the agreement dated 26 June 1990, and recorded with Gadsden Clerk of the Court, Records Office, O.R. Book 374, Page 1042-1048.

2. The Legal Committee be authorized to meet with Ken Abele, Association attorney, to develop further agreement(s) for the improvement of Pine Top Court including that portion to the intersection of Pine Top Court and Tallavana Trail in order to comply with current Gadsden County standards.

3. The Legal Committee be authorized to meet with Ken Abele, Association attorney, to determine the most advantageous method for the transfer of ownership of the roads, (Pine Top Court, Magnolia Court, and that portion of Tallavana Trail, formally known as Tallavana Drive included within the 109 acre tract) from Tallavana Development, Inc. to the Tallavana homeowners' Association, Inc.

Also, the transfer of ownership from Tallavana Properties, Inc. to the Tallavana Homeowners' Association, Inc. those portions of Pine Top Court, Magnolia Court, and that portion of Tallavana Trail formally known as Tallavana Drive not included within the 109 acre tract.

NEIL MCDONALD MOVED TO ACCEPT ALL THREE RECOMMENDATIONS FROM THE LEGAL COMMITTEE. TOM SCOTT SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

Member Relations: Tom Scott

The Christmas Social was postponed due to horrible weather. The Social then became a New

Year's Eve Social. It was nice but lightly attended.

A change to the web site server has created a problem in retrieving monthly reports. Linda Ortiz has been in contact with the serving company.

Lake Management: Tom Scott & Neil McDonald

a. Carp report – Neil reported that it was too cold and did not go out to shock. The Board was reminded that the shocking permit expired December 31st, 2009 and needed to re-apply and receive a new permit before they went shocking.

b. Cormorant Control – Tom Scott talked with Sean McGlynn concerning the cormorant issues and if it was advisable for Tallavana to continue with cormorant control. After extensive research, Sean sent a report; following are excerpts from his report that Tom read at the meeting:

“After a thorough review of the Cormorant situation in Lake Tallavana, I have come to the conclusion that these birds pose a threat to the native wildlife as well as possible habitat disruption. Cormorant feces are a source of nutrients. Fish eaten in the lake, when returned to the lake as feces, are not, by themselves a net loading of nutrients, since the fish came from the lake, however these nutrients are transformed into more available and potentially harmful forms, more available for eutrophication processes. Significantly, the transformation of the live fish into feces yields fecal coliform bacteria. Avian fecal coliform bacteria are both a net load and a health concern.

It is reported that flocks of over 1000 Cormorants are common during the winter months on Lake Tallavana. The continued effort of the local community prevents these birds from roosting and living on the lake. If the Cormorants lived on the lake, instead of roosting elsewhere, the nutrient and bacteria load would at least double since Cormorants have been shown to defecate more when they are resting during the night. Roosting Cormorants have been shown to eventually kill the shoreline vegetation, even the trees, by covering them with excrement.”

And “The Florida Department of Environmental Protection has recognized their ability to degrade habitat, due to nutrient loading, transformation and imbalance. They also cite the subsequent demise of shoreline vegetation calling them an exotic by virtue of their changed, un-natural behavior. Indeed, they are not native to our area, and are no longer migrating the way they used to. Many no longer migrate north in the warm months but take up yearlong residence on our lakes. Cormorants are replacing native species like the Anhinga. In short, it is a very positive step to discourage Cormorant residence at Lake Tallavana. Some people may not be pleased at this prospect, but overall the ecology, the health of the lake as determined by its water quality, fish population, bird species richness and vegetative health will be improved if the Cormorants can be dissuaded from residing in Lake Tallavana.”

Also in discussion with fisheries biologist Bob Rousseau, Tom was told that Bob highly recommends we keep the cormorants out as much as possible since they will eat all the shad, the local food source of the bass. It was explained that we chase with the boat and use noise makers to keep them from wanting to roost. If we can get them up high off the lake, they will leave. Unfortunately we have to have noise and shooting for a few months but the fisheries and beautification of Lake Tallavana are at stake if the cormorants are allowed to take over.

Linda Ritchie suggested that we make copies of Sean's report to be handed out at the Annual Meeting. It was also suggested that the full report be sent to Linda Ortiz for posting on the web site.

TOM SCOTT MOVED TO REAFFIRM THE POSITION OF THE BOARD TO WORK THE CORMORANT CONTROL UNDER THE FEDERAL PERMIT USING PYROTECHNIC DEVICES AND LIMITED DEPREDATION. NEIL MCDONALD SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

Linda Ritchie said that in her research on the cormorants, she found that they can become a very large flock, very fast and will take over the nests of the native birds, driving them out. She feels that we are protecting our own wildlife by controlling the cormorants.

Tom stated that we follow the guidelines of our Federal Depredation Permit using steel shot. The permit does not allow for lead to be used over water. That is a Federal regulation for all hunters that shoot over water.

Lake Watch – Pat Powell: Pat will try to get the committee out next weekend if she can get the boat.

Security & Gate: Rob Combs

Rob reported that Scott Ivey worked 20 hours for the Association and 18 hours while on duty in December. Scott reported 8 traffic stops and 90 house checks. Mike Fish worked 20 hours in December.

a. Speeding – Scott Ivey stated that he concentrates his time between 5 and 7 when most residents are coming home. He said the problem does not seem to be as bad as what has been stated on the web site message board. He suspects that there are 1 or 2 people going over 35 miles per hour and that is too fast. He very rarely sees anyone over 40 mph.

Neil asked if the county had one of those signs that tell what your speed is and maybe we could borrow it. Scott said he would look into it.

b. Gate repairs update – Debbie reported the incorrect parts were delivered and the contractor is now waiting for the correct ones to be shipped. Between the bad weather and incorrect parts, repairs to the gate have been slower than hoped for.

Roads, Grounds & Dam: Earl Mills (from his written report)

a. 12-Pipes warranty work – Preble-Rish is going to order the rip-rap and do the work themselves. They are anticipating getting it done within the next 30 days. Still waiting for rip-rap to be delivered.

b. D-8 Sediment Pond – The D-8 pond has been cleaned out. A word of caution for future cleanouts: the large trucks that Barnes uses are not practical for delivering to members. They are too heavy for concrete driveways and actually got stuck in two members' property.

Electrical box at gate – We are still waiting for an estimate from Advanced Access Control to replace the electrical box at the gate. They will give us a price when they come out to continue repairs on the gate this week.

Roads – Continuing work on the unpaved roads by adding more material and pulling ditches. Continuing cleaning out the driveway culverts and ditches on the paved roads. Water was flooding the road on Magnolia Court causing icy conditions. Even though we had to tear up the shoulder, we went ahead and pulled the ditch so it would drain down the side.

The steep hill on Deer Pass East near address 187 will need a couple of bags of asphalt patch added to hold it. Marc has been trimming overhanging branches on the right of way to provide better sightline for motorists, bikers, and walkers.

Road Culvert – An old culvert on the unpaved portion of Tallavana Trail blew out and had to be replaced.

Pavilion Bathroom – Line from inspection cap to septic tank was stopped up. The plumber indicated that the joint may need to be replaced because his snake was hanging on it during the cleanout process.

There are indications that trucks or four-wheeler type vehicles are driving around the common area at the pavilion making large ruts in the soft ground. Linda asked that we be on the look-out so we can put a stop to it.

COMMITTEE REPORTS

1. ACC:

a. ACC Report – There were no submittals in January so there was no meeting.

b. Other ACC business – Concerning the report that a shed was built in the buffer and a new dock was built at 2911 Tallavana Trail– Pat went to visit the property. The permitted shed was built in a location that concurs with the governing documents and the dock has been on the property for years. No violations were found.

Pat received phone calls from Jim DiGiulio and Robert Schara about ACC submittals. Also, the house and lot at 1615 Tallavana Trail, owned by James Lamm, is being work on with a submittal from a person other than the owner. It is currently unclear if the house has been sold and the ACC will not approve any submittal until it is made know who the legal owner is.

LARRY JONES MOVED FOR THE ASSOCIATION TO SEND A LETTER TO JAMES LAMM REQUESTING HIS PERMISSION ALLOWING THE “CONTRACTOR” TO WORK WITH THE ACC REGARDING THE CHANGES ON HIS PROPERTY, IF HE IS STILL THE LEGAL OWNER. EARL MILLS SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

2. Lake Management Planning Committee: Diane reported DEP is now working on the entire basin. They now want to test underground water that seeps into Lake Tallavana.

The committee will have a meeting once the weather warms up. They would like to discuss the types of vegetation around the lake and make plans to eradicate the shoreline vegetation that is invasive and harmful to the lake and replace it with beneficial vegetation.

3. Budget Committee: Don McEwen reported the committee met 7 times during 2009. He thanked all those involved. The committee has submitted a proposed budget for 2010 holding the assessments to \$600 for 1 more year but perhaps the last year at \$600. Receiving of assessments has fallen short by about \$11,000. This could be due to the economy and foreclosures. The shortfall is offset by the delay of the emergency exit. The partner in Reston has postponed their plans, which has caused a delay in our emergency exit. In spite of some overruns, the 2009 expenses finished under budget.

For 2010, the emergency exit continues to be on hold until 2011. The heavy rains have taken a toll on our culverts and roads so more is budgeted in 2010 for those items. We have also added funds for continued ditch work. The expenses for July 4th fireworks have been eliminated in 2010. A member is working to have member contributions fund the fireworks.

Based on the input from the Board and committee members, the total budget for 2010 is \$166,246. Of that, 75% is for routine operating expenses and 25% for major projects.

Don asked the Board to adopt the 2010 Budget.

OLD BUSINESS

1. Proposed 2010 Budget – There were no questions after the Budget Committee report. The committee was complimented for their hard work.

TOM SCOTT MOVED TO ACCEPT THE 2010 BUDGET AS SUBMITTED BY THE BUDGET COMMITTEE. LARRY JONES SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

NEW BUSINESS

1. Annual Meeting – The Annual Meeting is January 30, 2010. Draft copies of the notice, proxy and ballot were furnished to the Board members. There was discussion about changes on the proxy

but none were finalized. The notice and proxy will be mailed to the membership the next couple of days.

Linda Ritchie asked for volunteers to help with the sign-in, proxy tabulation and ballot tabulation. Following names were offered: Lisa Slater, Pat Powell, Sue Poss, Linda Ortiz and Cathy Goodman.

The meeting will be held at the Havana Health & Fitness Center in Havana. The room is heated, whereas the gym at Tallavana is not.

2. Website message board – Linda Ritchie said that she has been upset by the contents of the message board. She called Linda Ortiz and discussed the message board being moderated. There was discussion on ways to resolve the issues and negative impact the message board has been causing. It was suggested that some rules could be laid out for the use and contents of the message board.

NEIL MCDONALD MOVED TO TABLE THE TOPIC OF THE MESSAGE BOARD TO SEE IF THE NEGATIVE MESSAGES DIE DOWN AND THEN THE MESSAGE BOARD CAN CONTINUE AS IS. IF IT DOES NOT, THEN THE BOARD MAY HAVE TO COME UP WITH SOME RULES BUT WE NEED TO TAKE OUR TIME TO MAKE SURE WE ARE NOT DOING SOMETHING ILLEGAL. TOM SCOTT SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

With no further business, meeting was adjourned at 9:12 p.m.

Respectfully submitted,

Debra Robinson
Corporate Secretary

Note: No ACC report as there was no meeting in January.