

TALLAVANA HOMEOWNERS' ASSOCIATION, INC.

Minutes of the monthly Board of Directors meeting held on May 09, 2006 at the Civic Room behind the fire station, Havana, Florida.

PRESENT: Tom Scott, Mike Mapstone, Mike Jefferis, Carolyn Tanner, Kimsey Helms, Joe Smyth and Bill Oswald, Board members, Debbie Robinson, Corporate Secretary. See attached list of others in attendance.

ABSENT: None

The meeting called to order at 7:00 pm by President, Tom Scott

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

Approval of Agenda:

No revisions to the agenda.

MOTION BY JOE SMYTH TO APPROVE THE AGENDA AS WRITTEN. SECONDED BY KIMSEY HELMS. MOTION CARRIED.

Approval/Corrections of April 2006 Minutes:

Corrections were spelling and grammatical.

MOTION BY MIKE JEFFERIS THAT THE MINUTES BE APPROVED AS CORRECTED. SECONDED BY KIMSEY HELMS. MOTION CARRIED.

Treasurer's Report: Mike Jefferis reported the total deposit for April was \$11,931.22, operating expenses of \$10,297.14, no major project expenses, checking account balance is \$3,148.69, Money Market balance is \$58,428.08 and the balance in CDs/Savings is \$233,838.67. The expenditures for April were routine with additional expenditures for carp removal and annual report for the lake. Mike urged the Board Members to get moving on the major projects.

MOTION BY KIMSEY HELMS THAT THE TREASURER'S REPORT BE ACCEPTED. SECONDED BY MIKE MAPSTONE. MOTION CARRIED.

Delinquent accounts update:

1. Hanney: Chuck Hanney, Lot CC-18, sent an email to Ken Abele stating his intentions to pay the Association and proposed a payment plan. Mr. Hanney plans to pay \$2500 - \$3000 each month until the full balance has been paid. Mr. Hanney anticipates being caught up by September. Ken forwarded the email to the Board for approval.

MOTION BY KIMSEY HELMS TO ACCEPT PAYMENT PLAN OF CHUCK HANNEY. SECONDED BY JOE SMYTH. MOTION CARRIED.

Mike Jefferis will contact Ken Abele of the Board's decision and ask that Ken draft a proposed payment agreement for Mr. Hanney to sign.

2. Beckwith: The Beckwiths filed for bankruptcy last fall. Ken Abele is in contact with the Beckwith's attorney to seek a payment plan for past due assessments.

3. Gaines: Ken Abele sent a demand letter requesting 10 days to respond. If there is no response, Ken will proceed to file for small claims court. Gaines, lot BB-25, currently owes \$2,605.45.

4. Reed: Mrs. Reed contacted Debbie to go over the balance of her delinquent account. Mrs. Reed stated that she and her husband would sit down and draft a payment plan proposal to be presented to the Board. As of this meeting, Reeds have not submitted a payment proposal. The Board will allow one more month before contacting Ken Abele to begin legal action.

Correspondence/Phone Calls:

1. Bill Oswald has received calls and visits from concerned neighbors regarding the level of the lake. The recurring question is why the lake level cannot be lowered.

2. Mike Jefferis received a call from the Bloomquists, 1242 Tallavana Trail, reporting that their driveway is washing away due to the amount of water coming down hill from Deer Pass and Tallavana Trail. Mike and Kimsey will visit the site to see what needs to be done.

3. THA received a note from Mrs. Joan Kaye, 250 Audubon, stating that no burning should be allowed in Lake Tallavana. The note was accompanied with a news article titled "Wildfire danger high despite rain". Mrs. Kaye had called Tom Scott to report careless burning by a neighbor. After Board discussion, it was decided that Joe Smyth would write an article for the newsletter educating members on the safety of burning. The Board does not want to place a burning ban in the Lake Tallavana community.

4. THA received a letter from member Betty Rawsthorne, 114 Deer Pass, regarding golf carts on the roads in Tallavana. Her letter included a news article about golf cart drivers being ticketed when driven on roads intended for regular traffic. Golf carts are not street legal and therefore, are not permitted on the roads in Tallavana. There is also a problem with 3 and/or 4-wheel off road vehicles being driven in Tallavana. Again, these off-road vehicles are not street legal and are not permitted on the roads in Tallavana. THA Regulation #150 states that off-highway vehicles are prohibited including dirt bikes, go-carts, all-terrain vehicles and any other motorized vehicle that is not allowed to be operated on the public streets and highway of the State of Florida. This regulation will be restated in the upcoming newsletter. Discussion on golf carts will be continued under new business.

5. Debbie Robinson sent a letter to Mr. Calneh Richardson who with his siblings owned Lot AAA-19 on Mason Drive. Mr. Richardson and siblings sold the lot in December and told the law firm handling the closing that there was no homeowners' association. Mr. Richardson misrepresented the sold property as he had previously been in contact with Debbie and had paid past dues that accumulated on the property when his mother passed away. At the time of the closing, Mr. Richardson owed \$315.00 in past due assessments. Debbie wrote to Mr. Richardson requesting the past due amount be paid. Since Mr. Richardson did not pay within the time frame stated in the letter, this issue will be turned over to our attorney, Ken Abele.

BOARD REPORTS

Legal: Mike Jefferis

A. Magnolia Court – We are still waiting for DEP to define who is responsible for the maintenance of the storm water ponds that are on Magnolia Court, Pine Top Court and the upper part of Tallavana Trail. There has been no word from DEP or Mr. Heidenreich. There was discussion and it was thought that the Board had placed a ban on the building of additional homes on Magnolia Court. If that was the case, the Association does not have the authority to ban the building of additional homes and that the dispute of the road is currently between the Association and Mr. Heidenreich. It was not researched at the time of the meeting whether the ban had been removed or not so a motion was made at this meeting.

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MOTION BY MIKE JEFFERIS THAT THE BOARD RESCINDS THE RESOLUTION TO BAN THE BUILDING OF ADDITIONAL HOMES ON MAGNOLIA COURT. SECONDED BY MIKE MAPSTONE. MOTION CARRIED.

B. Lambert runoff – Update: Ken Abele has the paperwork ready to file a complaint against Mr. Lambert. Ken would like an audience with the Board at the June Board meeting to review the complaint before it is filed with Gadsden County. At the same time, Ken would like to discuss the ACC policies. Tom mentioned that due to the possible length of the discussion on the ACC policies, it might be better to call a special meeting between the Board, ACC, Ken Abele and the membership. This will be discussed further under ACC. Mike reminded the Board that while the policies can be discussed in a special meeting, they would have to be voted on at a regular Board meeting.

C. Roche shed – Update: Ken drafted a letter that was circulated to the Board for review. Ken advised that we should not pursue this issue with Mr. Roche until the ACC policies are final. The current ACC policy draft has a grandfather clause, which would include Mr. Roche's shed. The Board has been advised to wait and see what is included in the final, adopted ACC policy.

Another ACC issue is the trees that were cut in the buffer on Mike Soprano's property. Trees were cut on both the front and side buffers. A certified letter was sent to Mr. Soprano but he did not pick it up and Mike Jefferis' phone calls are not being returned. Mike Jefferis is going to ask Ken to send Mr. Soprano a letter asking that he contact the Board or the ACC to discuss his issues. If the trees were removed as required from Mr. Soprano's insurance company, then the ACC would like proof of that. Mr. Soprano has replanted some of the trees.

D. Quail Court – Linda Ritchie contacted Debbie asking that the Board approve Quail Court. The Board asked that Linda's request be made in writing. Tom also asked that copies be available of what the Board previously approved for Quail Court.

Last legal issue, part of the entrance gate is on private property. When Mr. Tate had lot BB-1 surveyed, it was found that part of the security gate is on his property. Mr. Tate had his surveyor stake out an easement and has drafted the legal description. Linda Ritchie has offered to draft the document to grant the easement to the Association. Mr. Tate is building a new home on Lot BB-1 and will be selling the property upon completion of the home. He desires to have the gate easement in place prior to selling.

Member Relations: Mike Mapstone, Carolyn Tanner

Mike reported that the website had 545 visits in March and 474 in April. Several members asked about the cryptic messages on the Message Board. Tom said he would contact Linda Ortiz.

Deadline for articles in the Summer Issue of the newsletter is May 15th.

Lake Management: Tom Scott and Bill Oswald

Shoreline Restoration update – The DEP regulator has signed off on the permit and the District Director will sign off in the next few days. The permit has been modified from the original in that no riprap or rocks will be allowed along the shoreline except for along the dam. The permit allows for fill to a certain point, bio-mat and aquatic plants. There are provisions that if it is found that the matting and plants do not work, the DEP will issue a permit for homeowners to use rock along their shorelines. The carp have been the main reason for the erosion. Over 500 carp were removed at the last shocking with many of the female containing roe.

Sean is confident that we will have the permit by next week and would like to have a meeting with the homeowners that are listed on the permit to inform them what they can do in keeping within the DEP guidelines to restore their individual shorelines. Member Gavin Naylor stated the importance of

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using vegetation along the shoreline that is found in marshes.

Tom plans to schedule a Lake Management meeting before the next Board meeting on June 13th.

Tom would like to have Sean at the meeting. On the same day, Tom would like to have a meeting with the homeowners that are included on the Shoreline Restoration Permit. There continues to be discussion on the proper level of the lake. Tom spoke with Lee Dowling who said that the level of the lake and the overflow pipe is correct. This will also be discussed at the Lake Management meeting.

Board Member Bill Oswald expressed concerns on the lack of fish and the quality of the water. Tom mentioned that per the most recent Lake Report by biologist Bob Rousseau, the lake does lack smaller size bass and recommended restocking in the near future. Tom asked Bill to attend the Lake Management meeting to discuss his concerns.

D-8 Pond Restoration update – The DEP is considering the permit and has asked for more information. Mike Jefferis mentioned that a few meetings ago, the Board gave Scott Matteo the go ahead to do an estimation of the work that will be involved and prepare a bid package for contractors. Mike said that while the DEP is working on the permit, we could begin receiving proposals and proceed immediately after the permit is issued. While there is concern that the DEP will modify some of the requirements while approving the permit and that could change the work to be done, the contractors could plug in the modifications to their existing proposals and time could be saved. It was decided that this was a reasonable consideration.

MOTION BY MIKE JEFFERIS TO INSTRUCT SCOTT MATTEO TO PREPARE THE BID PACKAGE FOR EARLY BID FOR THE WORK TO BE DONE ON THE D-8 POND PROVIDED THAT SCOTT'S CHARGES TO PREPARE THE BID ARE NO MORE THAN \$5,000. SECONDED BY KIMSEY HELMS. MOTION CARRIED.

Mike Jefferis will call Scott Matteo. The Annual Fish Report was received just today and Tom will give more details in the next newsletter. Also, a spraying for aquatic weeds was recently done.

Lake Watch – Pat Powell: Pat would like to schedule Saturday May 20th for Lake Watch. Pat said that if there is anyone interested in serving on Lake Watch, she will be certifying on that day. While Lake Watch goes out monthly, Sean is to take samples quarterly to test for things not covered by Lake Watch.

Security: Reported by Joe Smyth

It was reported that Scott Ivey worked 20 hours for the Association in April and another 18 hours on duty with the Gadsden Sheriff's Department. Scott performed 14 vehicle stops and 61 house checks. Billy Kemp worked 19 hours in April.

Gate: Bill Oswald reported that there continues to be problems with 4 of the wheels and he has had to replace a switch.

Roads, Grounds & Dam: Kimsey Helms and Mike Jefferis

a. Speed signs for dirt roads – Scott Ivey was in attendance and asked about speed compliance issues. Scott said that he normally does not ticket a homeowner but will stop them to warn them. Scott is mainly looking for compliance from the members. Construction workers and visitors to Tallavana that are way over the speed limit will be issued citations. Scott said that the posted speed limit of 25 mph is throughout the entire subdivision including the dirt roads. However, some of the dirt roads should not be driven at 25 mph. The suggestion of 15 mph on the dirt roads is not enforceable. There was discussion that certain sharp curves should have warning signs. It was suggested that we contact PSA for recommendations for the proper road signs.

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b. Lincicome easement fence proposals – Mike reported that Premier Fencing and Florida Fence & Deck have been on site and will submit proposals. Fencing will begin as soon as a proposal is accepted.

c. Paving proposals – Kimsey reported that he has not worked up the bid packages yet.

d. Culvert replacements – The pipes and equipment are in place to replace the culvert in the 3000 area of Tallavana Trail. It was also noted that the utilities have been marked.

The first five culverts on Hickory will be replaced in the near future and it was decided that the residents on Hickory would be able to use the gate at Mason if the road is impassable. Signs will be posted to keep residents informed.

The dock at the pavilion had a failure and is need of repair. Kimsey contacted Jack's Docks & Decks and received a proposal. The initial proposal is for \$4,190 however there are still a couple of details to be worked out.

MOTION BY MIKE JEFFERIS THAT THE INITIAL PROPOSAL FOR JACK'S DOCKS BE ACCEPTED AND THAT THE FINAL PROPOSAL IS NOT TO EXCEED \$5,000 TOTAL. SECONDED BY MIKE MAPSTONE. MOTION CARRIED.

Kimsey will proceed with Jack's Docks. Also, the dock by the ramp will be closed on Wed, the 10th for the removal of a yellow jacket nest that is in the roots of a tree that was turned over last summer.

COMMITTEE REPORTS

ACC:

a. ACC Appointments: Improper procedure was followed when the vacant positions on the ACC were filled at the February 2006 Board Meeting. Since then, two other positions have become vacant due to resignations. Following are the independent recommendations and approvals for each of the five vacant ACC positions:

PRESIDENT TOM SCOTT RECOMMENDED MARK PALMQUIST TO COMPLETE THE POSITION LEFT BY ANDRENA KNICELY, FOR A TWO-YEAR TERM TO END FEBRUARY 2008. MOTION BY JOE SMYTH TO ACCEPT. SECONDED BY KIMSEY HELMS. MOTION CARRIED.

PRESIDENT TOM SCOTT RECOMMENDED JILL TAYLOR TO COMPLETE THE POSITION LEFT BY LINDA RITCHIE, FOR A THREE-YEAR TERM TO END FEBRUARY 2009. MOTION BY JOE SMYTH TO ACCEPT. SECONDED BY KIMSEY HELMS. MOTION CARRIED.

PRESIDENT TOM SCOTT RECOMMENDED RON CRAWFORD TO COMPLETE THE POSITION LEFT BY MARLENE PORTER, FOR A TWO-YEAR TERM TO END FEBRUARY 2008. MOTION BY JOE SMYTH TO ACCEPT. SECONDED BY KIMSEY HELMS. MOTION CARRIED.

PRESIDENT TOM SCOTT RECOMMENDED JEAN WOOD TO REPLACE THE POSITION LEFT BY MIKE MAPSTONE, FOR A THREE-YEAR TERM TO END FEBRUARY 2009. MOTION BY MIKE MAPSTONE TO ACCEPT. SECONDED BY KIMSEY HELMS. MOTION CARRIED.

PRESIDENT TOM SCOTT RECOMMENDED CHARLES NORVELL TO COMPLETE THE POSITION LEFT BY ALYCE PARMER, FOR A ONE-YEAR TERM TO END FEBRUARY 2007. MOTION BY JOE SMYTH TO ACCEPT. SECONDED BY MIKE MAPSTONE. MOTION CARRIED.

Linda Ritchie has been named as advisor to the ACC.

b. Submittals for approval:

b.1 Jim Bock and Joy Green, 1767 Tallavana Trail, submittal for a second entrance to their driveway for safety issues and to accommodate a disabled resident to gain entrance without steps. The submittal also covered the installation of decking and shrubbery for an aboveground pool. ACC inspected the project.

b.2 Mark and Alice Durphy, 4295 Tallavana Trail, submittal for a privacy wood fence to the back of their house. No fencing will be in the buffers. ACC inspected the project.

b.3 Mac and Jackie McGarvey, 2753 Tallavana Trail, submittal to paint house and garage door. Colors are ACC approved.

MOTION BY MIKE JEFFERIS THAT THE SUBMITTALS BE APPROVED AS RECOMMENDED BY THE ACC. SECONDED BY KIMSEY HELMS. MOTION CARRIED.

Details of the ACC report are attached to the minutes for the record.

c. Section 200, ACC Guidelines – The latest draft of the ACC policies were printed and given to the Board members and ACC members. Tom instructed the Board members and ACC members to review the draft, make changes, comments, and give them to Mike J. It is hoped that discussion could continue at the next meeting however, if it appears that a lot of the Board meeting time will be spent on ACC, then Tom will have a special meeting called.

The next ACC meeting in Tuesday, June 6th.

d. ACC violation enforcement – Mike Jefferis said after giving this thought and doing research, that the county could be the enforcer on a lot of the issues. The ACC policy should be the compliance guide that mirrors the ordinances already in place in Gadsden County. Mike stresses that the Association or the ACC should not be an enforcement agency.

Policy Committee: No report.

Research Property Management Committee: Report by CeCe Smyth

CeCe reported that she has had to step off of the committee and also there has been no interest in pursuing information regarding a property management company for Lake Tallavana. CeCe asked if the Board would like to pursue.

MOTION BY MIKE JEFFERIS THAT THE PROPERTY MANAGEMENT COMMITTEE IS ABANDONED. SECONDED BY KIMSEY HELMS. MOTION CARRIED.

OLD BUSINESS

1. Liability Insurance – Mike Jefferis obtained a bid from Scott Matteo to inspect the dam for our insurance. Scott's proposal was \$1,000.00

MOTION BY KIMSEY HELMS TO ACCEPT SCOTT MATTEO'S PROPOSAL FOR THE AMOUNT OF \$1000 TO INSPECT THE DAM. SECONDED BY JOE SMYTH. MOTION CARRIED.

Mike reported that the insurance presentation might be ready by the June Board Meeting depending on when we can get the dam inspected and the report to our agent.

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2. Deer Pass Survey –Thomas Skipper has been given the go ahead to survey Deer Pass at his proposed cost of \$2,500. Skipper will include some permanent survey markers when he surveys Deer Pass.

NEW BUSINESS

1. Golf carts – As a result of the letter from Betty Rawsthorne, the Board was in agreement that policy #150. Off-Highway Vehicles Prohibited should be enforced. The policy prohibiting the use of off-highway vehicles on the roads in Tallavana mirrors the State of Florida rule that prohibits motorized vehicles that are not allowed to be operated on the public streets and highway of the State of Florida. The Board asked Scott Ivey to warn residents driving prohibited vehicles.

MOTION BY JOE SMYTH THAT THE OFF-HIGHWAY VEHICLES PROHIBITED POLICY IS ENFORCED. SECONDED BY KIMSEY HELMS. MOTION CARRIED.

Joe Smyth will write an article for the newsletter reminding members of this policy.

With no further business, meeting was adjourned at 9:27 p.m.

Respectfully submitted,

Debra Robinson
Corporate Secretary

THA ACC REPORT to BOARD
May 9, 2006

The ACC recommends the following ACC submittals be approved.

1. Jim Bock and Joy Green, 1767 Tallavana Trail, submitted a request to install a second entrance to their driveway. Their lot is located close to a sharp curve providing an unsafe environment for backing on to the street. The driveway, further away from the curve, allows a few more seconds of before meeting oncoming traffic from the curve. This isn't an issue when traffic adheres to the speed limit, but some do not do that. Jim has a sister that is disabled and cannot climb the stairs from the back of the house where the other parking is located. The additional driveway is in front of the house, at the front door, eliminating the stairs for her. Jim and Joy also have an above ground pool that was installed by the previous owners, but the required shrubby or decking was never installed. Jim is installing a very nice deck on the road side and shrubs on the lake side. Although the decking on the front will obscure the pool sides, for the most part, we've ask him to also install fencing or shrubs around the perimeter of the deck to assure complete compliance with the policy. The ACC inspected the project.

2. Mark and Alice Durphy, 4295 Tallavana Trail, submitted a request to add a privacy wood fence to the back of their house. The fencing is primarily for the dogs. The fence will be 6 feet high on the front and sides and 4 feet high on the back. The fencing covers only a small portion of their

very deep back yard. It will not be installed within the buffers. The ACC inspected the project.

3. Mac and Jackie McGarvey, 2753 Tallavana Trail, submitted a request to paint their house rust brown (ember – SW 3029) and the garage door a medium brown (cardamom SW 2727). The ACC inspected the project.

MOTION BY MIKE JEFFERIS THAT THE SUBMITTALS BE APPROVED AS RECOMMENDED BY THE ACC. SECONDED BY KIMSEY HELMS. MOTION CARRIED.

APPROVED