

TALLAVANA HOMEOWNERS' ASSOCIATION, INC.

Minutes of the monthly Board of Directors meeting held on Tuesday, November 10th, 2009 at the meeting room of the Havana Library, Havana, FL.

PRESENT: Linda Ritchie, 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: Earl Mills

The meeting was called to order at 7:05 pm by President, Linda Ritchie.

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

TOM SCOTT MOVED TO ADJOURN THE MEETING BY 9:00 P.M. NEIL McDONALD SECONDED THE MOTION. IN FAVOR: TOM SCOTT, BOBBY BOATRIGHT, ROB COMBS, NEIL McDONALD. OPPOSED: LARRY JONES. MOTION CARRIED.

Approval of Agenda:

No changes.

TOM SCOTT MOVED TO APPROVE THE AGENDA AS WRITTEN. NEIL McDONALD SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

Approval/Corrections of October 2009 Minutes:

Clarification.

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

Treasurer's Report: Bobby Boatright reported the total deposit for October was \$12,538.00, routine operating expenses of \$4,134.51, major project expenses of \$2,639.83, checking account balance is \$527.43, Money Market balance is \$59,304.05 and the balance in CDs/Savings is \$54,195.10.

NEIL McDONALD MOVED THAT THE TREASURER'S REPORT BE ACCEPTED AS GIVEN. LARRY JONES SECONDED. THERE WAS NO OPPOSITION, MOTION CARRIED.

Delinquent assessments – Debbie reported that five (5) more delinquent accounts were sent 45-day notices. One of the accounts that the Board approved their payment plan is now 40 days past due; a lien will be filed if there is no payment within 45 days. The delinquent account that has been turned over to the attorney for small claims court has a court date in December.

Correspondence/Phone Calls:

1. Bobby Boatright received a phone call regarding the lake level due to the approaching storm. The gate valve was opened and still is. The gate valve will be closed on Wednesday. The storm passed around our area and the rainfall was not as great as first predicted.
2. Neil McDonald reported a phone call regarding Pine Top Court; details to be given during the legal report on Pine Top Court.
3. Linda Ritchie received a call from Mrs. Kaye on Audubon regarding the trash in the neighbor's front yard. Linda mentioned that a letter was received from Mrs. Kaye and the Association responded to her request sending a letter to the neighbor requesting the removal of their trash. Linda visited the location of the trash and determined the trash was on the right-of-way. Linda then asked the Board if THA should

pick up the trash and bill the homeowner for the expenses incurred. There was discussion if the bill would be paid as the homeowner is currently four (4) quarters delinquent in his assessments.

TOM SCOTT MADE A MOTION FOR THE ASSOCIATION TO HIRE MARC COCKE TO REMOVE THE TRASH, CHARGE THE HOMEOWNER AND IF HE DOES NOT PAY THE BILL, INCLUDE THE AMOUNT IN HIS LIEN. NEIL McDONALD SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

4. Linda Ritchie received a phone call from Mr. Brodbeck regarding Pine Top Court; details will be discussed under legal.

5. The Board received an email from member Cindy Snowden asking if the Association would be willing to stage a 5K run in Lake Tallavana. The event would draw approximately 100 runners. The Board discussed some of their concerns such as our liability for runners on our roads, where would we park vehicles for the runners and spectators, and sections of the road are pretty tight and doubtful we could even leave one lane open for traffic. We would most likely have to shut off all traffic for the time of the run. There was concern about the graveled road sections.

NEIL MCDONALD MADE A MOTION THAT WE CONTACT OUR INSURANCE AGENT TO DETERMINE OUR LIABILITY BEFORE A DECISION IS MADE. HE SUGGESTED THAT BASED ON WHAT WE ARE ADVISED BY OUR AGENT, WE WOULD THEN MAKE THE DECISION AT THE NEXT MEETING. TOM SCOTT SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

6. The Board received an email from David Trimble regarding nutrient absorbing plants grown on a mat for the purpose of cleaning the water. It was the consensus of the Board to ask for more information such as how are the plants disposed once they are nutrient loaded, costs and overall effectiveness.

7. Linda received calls and there are messages on the website message board about speeding.

BOARD REPORTS

Legal: Linda Ritchie

a. Heidenriech – Pine Top Court: Linda reported on the recent activity involving Jim Heidenriech and Pine Top Court. Heavy equipment had been brought in to clear some of the road but work was stopped by the County for noncompliance. Linda met with Mr. Heidenriech on the property to discuss his plans. During their discussion, it became apparent to Linda that a record search should be done to determine the location and ownership of the road known as Pine Top Court. Her research led to more questions. Linda, Jim Poss and Debbie Robinson met with Ken Abele to discuss what Linda found in her research. Ken advised that we order a complete title search with opinion as to the ownership of Pine Top Court. Once the complete title search is done, Ken could then give his opinion on the direction the Association should take.

As Chairperson of the Legal Committee, Jim Poss submitted a recommendation to the Board as a result of our meeting with Ken Abele. The recommendation became the following motion:

TOM SCOTT MOVED TO APPROVE EXPENDITURES NOT TO EXCEED \$2000 TO HAVE OWEN TITLE COMPANY, INC. CONDUCT A TITLE SEARCH TO DETERMINE OWNERSHIP OF THE SUBJECT ROAD AND IF NECESSARY TO HAVE THOMAS SKIPPER, SURVEYOR, LOCATE THE SUBJECT ROAD. LARRY JONES SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

Linda reported that Owen Title employs one of the best title researchers in the area and that is why we are specific in who does the title search. Also, Mr. Skipper is experienced in surveying areas of Lake Tallavana and his experience would be of benefit.

b. Legal Committee report: Chairperson, Jim Poss, reported the meetings of the committee and the main topic of discussion has been previously reported under item a.

Member Relations: Tom Scott

There were 998 visits to the website in October.

a. The deadline for the Newsletter is this Sunday, the 15th. Articles are to be sent to Linda Ortiz by that date.

b. The Holiday Social has been scheduled for Saturday, December 12th, beginning at 5:00 p.m. with meat and drinks furnished by the Association. Members are to bring a covered dish to share. Anyone wishing help decorate should report to the pavilion that Saturday morning.

Lake Management: Tom Scott & Neil McDonald

a. Carp report – Neil reported that Bill Oswald has found the manual for the shocking equipment and offered to work with anyone who is interested in learning about the equipment. Tom Scott mentioned that Bob Rousseau has also offered to work with us to learn how to use our shocking equipment.

b. Cormorant Control – Tom reported that his boat was in need of repair before it could be used for cormorant control. Gary Robinson picked up his boat and made the necessary repairs to the transom. Debbie reported that Gary has completed the repairs to the boat and motor and all that is needed is a battery.

NEIL MCDONALD MADE A MOTION TO APPROVE THE PURCHASE OF A BATTERY COSTING NO MORE THAN \$75. TOM SCOTT SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

The cormorant boat will be kept at Tom Scott's dock unless there is another dock that is better. Member Julian Dickey has volunteered to use his boat to chase the cormorants as well. Tom suggested we work up a schedule.

Lake Watch – Pat Powell: Pat would like the LakeWatch committee to go out this weekend if she can get the boat and crew.

Security & Gate: Rob Combs

Rob reported that Scott Ivey worked 20 hours for the Association and 15 hours while on duty in October. Scott reported 6 traffic stops and 95 house checks. Mike Fish worked 12 hours in October.

a. Gate repairs & contractor – Debbie reported that both she and Doug Croley's office have not had their calls returned from California Casualty, the insurance company of the woman who hit the gate. Three repair estimates were finally submitted. Of the three, the estimate from Advanced Access Control was the most detailed but it was the highest. The other two estimates were very vague and the contractors did not meet with Bobby or Debbie as directed. The representative from Advanced Access met with Bobby and Debbie and was very thorough with his determination on necessary repairs. His estimate totaled \$2,979.

NEIL MCDONALD MOVED TO ACCEPT THE BID FROM ADVANCED ACCESS CONTROL TO GET THE GATE REPAIRED AND WORKING WHILE WE PURSUE THE INSURANCE COMPANY FOR REIMBURSEMENT. ROB COMBS SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

b. Deer Issue: Rob reported that on October 31st, he was called to the home of Charles Atkins, 3165 Tallavana Trail following the report of a dead deer in his yard. Rob said the deer was too far gone to

determine the cause of death. This is the 6th dead deer found in a Lake Tallavana yard. After discussing this with Conservation Officer, Mike Fish, Rob said if there are any more and the deer is fresh, we will contact Mike Fish so that an autopsy may be preformed. So far it has not been determined what killed the other deer.

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

a. 12-Pipes warranty work – Bobby Boatright and Earl met with Justin Ford and his inspector from Preble-Rish on October 15th. They assured us that the warranty work would be handled.

Engineer report for dam: We received the revised proposal from Preble-Rish for engineering on the Primary overflow replacement. Price is reduced from \$18,000 to \$10,000. A copy was furnished to the Board members. Their proposal indicated that possibly, money might be available from NFWFM to help fund this project.

b. D-8 Sediment Pond – No update on the permit research nor contact with DEP.

Earl has spoken with Malone Barnes, Barns Equipment, who has previously cleaned D-8 in years past. Although he would not give a lump sum quote, he would do it on an hourly rate to include a machine with a reach of 35 feet and providing two trucks to haul the silt to the power line and spread it. The total hourly rate is: \$325.00. He indicated it would take one day. He also did not foresee any issues in damaging the roadway. Earl suggested that we incorporate in the request for bid that any damage to the roadway is the responsibility of the contractor to repair.

c. Electrical issues at gate – When the gate was hit, the power to the gates was shut off. It was later discovered that the power to the light on the sign at Rt. 12 was also shut off. While investigating, Earl found the breaker box in need of replacing. The inside cover was missing leaving the high voltage wiring and terminals exposed to anyone sticking a hand in the box. Earl had an electrician look at the box. His price for materials and labor to replace the box and breakers to code is \$350.00 or a little less depending on where he can get the box. Debbie had mentioned to Earl that the contractor from Advanced Access is a licensed electrician. It was suggested that we have him look at the electrical box and get a price from him.

Continuing with Earl's written report – The three trees on the front edge of the Isherwood lot have been removed. The trees were in danger of falling across Tallavana Trail.

Marc has been busy clearing limbs, digging out ditches and culverts. More loads of sandy clay and limestone have been delivered to work on crowning the dirt roads.

COMMITTEE REPORTS

1. ACC:

a. ACC Report – Since the full report is attached to minutes, a brief summary follows:

Approved Submittals:

Lee & Diane Sheffield, 1291 Tallavana Trail, submittal for house for replacement of wood rot, a bridge over the creek that runs through their lot and additional septic tank/drain field information.

See full report attached to the minutes

b. Other ACC business – It was brought to the Board's attention that a dock and shed were built on the property of Dick Jones without prior approval of the ACC. It is possible that the shed is located in the buffer which is an issue with county ordinances as well as THA Restrictive Covenants. Linda asked the ACC to look into this and report back.

2. **Lake Management Planning Committee:** The third quarter TMDL sampling has been done but no other report.

3. **Budget Committee:** Debbie reported the Budget Committee met on October 27th and concentrated on the 2010 Detailed Budget. Copies of the 1st Draft with highlighted areas still needing attention were included in the Board packets prior to the meeting. After the distribution of the packets but before the meeting, Bobby and Tom submitted numbers for the routine lake management categories. Tom indicated that we should budget for two aquatic weed sprayings for a total of \$1,500. The amount for miscellaneous consulting fees should remain at \$5,000.

Tom proceeded to report that he would check the north end of the lake and report to Rousseau as to the type and amount of aquatic weeds. The colder weather may help knock some of the weeds down. It has been suggested that instead of spraying chemicals to kill the weeds, we may have to do a manual harvest.

Debbie continued with the budget emphasizing the need for Major Project proposals to be submitted by the next Budget Committee meeting. The categories requiring completion are the lake and roads. Linda asked about the large culvert replacement in front of Don Jones' property. Debbie said that since we do not have the emergency exit, the amount was increased from \$11,000 to \$17,000. Also, the 2010 Budget reflects an increase in materials for the dirt roads as requested by Earl.

The next Budget Committee meeting is Tuesday, November 17th. The Board members were encouraged to complete their project proposals by then so that the Budget Committee can work the numbers into the 2010 Budget and then review the 10-year model. Debbie mentioned the use of the Guidelines for THA Project Proposals, which when followed, gives the Budget Committee the details needed to make informed decisions when making budget recommendations to the Board.

4. **Nominating Committee Appointments:** According to the Bylaws of Tallavana Homeowners' Association, the Board of Directors appoints five members to the Nominating Committee.

There are two positions whose terms have expired and the Nominating Committee is to meet and determine two members for those positions. Following are the Board Members and their appointees:

Linda Ritchie	-	Pat Powell
Neil McDonald	-	Jim Poss
Rob Combs	-	Kimsey Helms
Tom Scott	-	Mike Mapstone
Bobby Boatright	-	Cheryl Roberts

OLD BUSINESS

1. Robert Rules of Order – Legal Committee Chairperson, Jim Poss, reported that the committee previously recommended to the Board to adopt Robert's Rules of Order as the official procedural format to be used as necessary to settle disputes involving elections and other matters in an orderly and acceptable manner. The Legal Committee has since revised their recommendation.

There was discussion on the need for some form of order at the meetings and that the Robert's Rules of Order would be used more as a reference to settle procedural issues and keep order in the meetings. The Association meetings already follow some procedure and the Rules of Order would help to fine tune those procedures.

Larry Jones expressed concerns about using Robert's Rules of Order as necessary. He feels that the Rules could be invoked to shut people down. He said that either the Rules are used all of the time or not at all. Jim Poss explained that when the Rules are invoked, both sides of an opposing issue are heard in an orderly manner.

Bobby Boatright asked if the Robert's Rules of Order would be for the Annual Meeting or just the Board meetings. Jim Poss said that at the Annual Meeting, the members would have to decide to use the Rules and the Board would decide at their meetings.

Kimsey asked if we would use a Parliamentarian. Jim agreed that we should use someone who is familiar with the Rules.

Tom stated that the revised recommendation from the Legal Committee is agreeable in that the meetings can operate in the normal fashion as in the past unless there is a need to invoke Robert's Rules of Order to bring order to a meeting. The recommendation became the following motion:

TOM SCOTT MOVED TO ACCEPT THE RECOMMENDATION TO ADOPT THE MOST RECENT EDITION OF ROBERT'S RULES OF ORDER, NEWLY REVISED (AND IN BRIEF) BY HENRY M. ROBERT III, ET.AL. DA CAPO PRESS, 2004 OR LATER, AS THE REFERENCE TO BE USED AS THE AUTHORITATIVE SOURCE TO SETTLE PROCEDURAL DISPUTES AND MAINTAIN THE ORDER OF MEETINGS IN A CIVIL BUSINESS-LIKE MANNER. NEIL MCDONALD SECONDED THE MOTION. THOSE IN FAVOR: TOM SCOTT, NEIL MCDONALD, BOBBY BOATRIGHT, ROB COMBS. OPPOSED: LARRY JONES. MOTION CARRIED.

NEW BUSINESS

No new business.

Announcement: Cheryl Roberts said that she is running a contest for a new name for the emergency planning committee. Details are in her article for the upcoming newsletter.

With no further business, meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Debra Robinson
Corporate Secretary

**TALLAVANA HOMEOWNERS' ASSOCIATION, INC.
ARCHITECTURAL CONTROL COMMITTEE**

November 5, 2009

Minutes/Report

Meeting of the monthly Architectural Control Committee (ACC) was held on November 5th, 2009 at the pavilion of Lake Tallavana.

PRESENT: ACC Members –Pat Powell, Jim Grantham, Gary Robinson, Kimsey Helms, and Dorothy Ross, Alternate.

THA Members –Linda Ritchie, Jeannette Grantham

Approvals:

Lee & Diane Sheffield, 1291 Tallavana Trail, submittal for replacement of wood rot, a bridge over the creek that runs through their lot and additional information on the septic tank/drain field.

Pending:

Other ACC Issues:

Respectfully submitted,
Gary Robinson, ACC Member
Typed by Debbie Robinson
Corporate Secretary for Tallavana Homeowners' Association