

## TALLAVANA HOMEOWNERS' ASSOCIATION, INC.

The Annual membership meeting of the Tallavana Homeowners' Association, Inc. was held on Saturday, January 26, 2008 at the Tallavana Christian School gymnasium.

President Tom Scott asked for a moment of silence in remembrance for the neighbors who passed away this past year.

President Tom Scott called the 2008 Annual Membership meeting to order at 10:06 a.m. The corporate secretary is recording for accuracy of the minutes, there was no one else recording.

**A. Election of Chairperson:** President Tom Scott stated the first order of business was to elect a Chairperson for the meeting.

DIANE SHEFFIELD NOMINATED TOM SCOTT AS CHAIRPERSON FOR THE ANNUAL MEMBERSHIP MEETING. KIMSEY HELMS SECONDED THE NOMINATION. MOTION CARRIED.

**B. Approval of the Agenda:** Tom Scott suggested that Ralph Mills from WastePro be put on the agenda after the approval of the 2007 Minutes and the Board Reports. Mr. Mills is here to speak on curbside recycling.

KIMSEY HELMS MOVED TO ACCEPT THE AGENDA AS REVISED. MIKE MAPSTONE SECONDED THE MOTION. MOTION CARRIED.

**C. Roll Call and Certifying of Proxies:** All the names of the members represented were called from the roll of the membership to be sure that everyone present was registered. There were 75 member households represented and 82 proxies, total of 157 qualified for a quorum. Of the 82 proxies, 66 were assigned to other members and 16 were assigned to the President. The President voted his proxies.

**D. Proof of Notice of Meeting:** Debbie Robinson, Corporate Secretary, stated the notice of the Annual membership meeting was mailed to 306 members of record on January 4, 2008.

**E. Approval of Minutes of the 2007 Annual Membership Meeting:** A copy of the minutes for the 2007 Annual Membership Meeting was provided for each member present. After reviewing page by page there were 6 grammatical, spelling and clarification corrections to the 2007 minutes.

KIMSEY HELMS MOVED THAT THE MINUTES OF THE 2007 ANNUAL MEMBERSHIP MEETING BE APPROVED AS CORRECTED. MIKE MAPSTONE SECONDED THE MOTION. MOTION CARRIED.

**Speaker from WastePro** - Ralph Mills, representative from WastePro, spoke briefly on curbside recycling in Lake Tallavana. Waste Management did have the contract but is no longer working in Gadsden County. WastePro has defined areas where they are offering curbside recycle and would be willing to offer that service in Lake Tallavana if we can get at least 25 homeowners to sign up for curbside recycling. Mr. Mills indicated that paper, junk mail, small cardboard, aluminum, tin and recyclable plastics would be accepted but not glass. The quarterly fee is \$18.00. Tubs will be furnished. Wednesday would be the pick up day. Forms were available for interested members to complete and send in.

Tom thanked the Social Committee for their refreshments and the volunteers that helped with the meeting registration.

### **F. Report of Officers and Select Committees:**

#### **1. President's Report** – Tom Scott

In 2007, there were many activities and actions to help keep Lake Tallavana a great place to live. These include: completing dam and shoreline restoration on THA property, work with DEP attempting to get a permit

Minutes, Annual Membership Meeting, January 26, 2008

to enlarge the D-8 pond to help control sediment coming into the south end of the lake from Magnolia Hammock Creek, and continued our own electro-fishing operation to remove carp from the lake. THA continued efforts relating to a lawsuit against the Lambert's cattle operation at the head of Magnolia Hammock Creek where major erosion is occurring. The sediment eroding from Lambert's property is ending up in the south end of the lake and was the primary cause of the need to dig out that part of the lake.

We had a number of neighborhood gatherings at the pavilion. Once again, we had a great 4<sup>th</sup> of July fireworks display and Christmas party! Thanks to the social committee and all who have been involved in making these gatherings successes. Also, thanks to all those neighbors who volunteered during the workdays. This saves the association money. Please consider volunteering your time for neighborhood activities. These range from the social committee to Lake Watch. We always need help on the workdays we hold several times per year. Let's hope 2008 is an even better year for Lake Tallavana.

2. **Legal Report** – Diane Sheffield

Lambert case: In 2006 a lawsuit was filed against the owner of a cattle operation upstream of the south end of the lake. The Board is seeking reimbursement for years of damage to the lake. Previously, the community's lake consultant had aided Mr. Lambert in obtaining grant monies to put in place BMP's (Best Management Practices) to reduce the degradation of Lake Tallavana water quality by keeping his cattle out of the creek and moving the feed operation away from the creek. Most of the creek bank has been fenced and vegetation has been restored preventing the erosion of the creek bank, which winds up in the south end of the lake. The Board has for several years been seeking permits for, and designing improvements for the D8 siltation pond. The pond's original design was adequate for the size of the cattle operation at the time. Our present consultant believes that when Mr.Lambert finishes putting BMP's in place we may not need to make alterations to the D8 pond, saving us a lot of money. A meeting with Mr.Lambert and his attorney set for Aug.07 was cancelled due to an illness in Mr.Lambert's family and as the holidays approached the attorney asked that we table the meeting until the first of the year. A meeting has been set for Feb. 8<sup>th</sup>.

Lincicome case: This was a case of a property owner blocking the Association's legal easement to the lake at the north end that has gone on for many years. The Association and Mrs. Lincicome had come to an agreement in 2006 but we had a difficult time getting her to sign the agreement. The Board was holding back on signing off on a quitclaim deed to a disputed turnaround area until she signed the agreement, she refused to sign the agreement until we signed the quitclaim deed. Neil McDonald and Bill Oswald were successful in bringing her back to the table, the agreements have been signed, the required fences have been built, the boat ramp is open, and the Lincicome case is history.

Changes to the law governing HOA's went into effect in 2007. Members of the Board met with the Association attorney to ensure we were adhering to the changes. In his opinion, our method of maintaining reserve accounts for future major expenditures is in compliance with statutes. Concerning Chapter 720 new rules on the authority of the ACC, the Association's attorney maintains his position that the Board has the authority to enact policies and guidelines to ensure compatible and complimentary development within the community.

Election Dispute: Diane Sheffield replaced Mike Jefferies on the Board when Tom Scott appointed her after 3 failed attempts for a majority vote of the board. Questions were raised concerning the validity of that action. The Board's attorney was consulted and he found no statutory authority that authorizes or prohibits the action taken by the president. He made 6 suggestions to remedy the situation. At the next meeting the Board voted on 2 of those options, which resulted in a majority vote to ratify the appointment: 3 members voted in favor, 2 voted against and 1 member abstained. A member of the community filed for arbitration with DBPR. The result was dismissed due to the fact that the petitioner did not have legal standing, as he was not the injured party. The statutes allow the prevailing party to petition for recovery of legal fees in this case. To date DBPR has not responded to the Board's request for recovery of legal fees.

Minutes, Annual Membership Meeting, January 26, 2008

**3. Lake Management** – Tom Scott & Bill Oswald

Tom's report - In January 2007, the lake level was lowered to allow residents who were part of the DEP permit to conduct shoreline restoration. The Association conducted shoreline restoration and repairs along the dam. The lake was to remain at a lower level until April but, due to the drought, the level stayed down much longer. Rain in the fall finally returned our lake to a normal level.

The Board worked with Sean McGlynn and DEP on a plan to enlarge the D-8 pond. DEP would not allow the Association to enlarge the existing pond and the permit application was withdrawn. Once the issue with Lambert is settled, the Board will determine if another attempt to get a permit to create a sediment-trapping pond is necessary.

The Board and the Budget Committee have been looking into the need to and funds for muck removal at the north end of the lake. This will be an ongoing project.

Bill's report – The Association owns and operates its own shocking boat. The Association also has a 1-year permit for the shocking and removal of German carp. The shocking is done near the shoreline all around the lake. Volunteers helping in this endeavor are Neil McDonald, Leonard Whatley, Jim Poss, Bobby Boatright and James Tidwell. There has been a great impact on the carp population with the removal of 2,393 German carp since the operation of the shocking boat in spring of 2007. Fish biologist, Bob Rousseau, also removed approximately 500 during 2007 while conducting the annual fish survey. According to the permit, the harvested carp are required to be buried.

While shocking for carp, it was noticed that there are plenty of bass and bluegill. It appears that restocking is not needed at this time. It has been suggested that a small area of the lake be sectioned off by netting to provide an area for spawning of game fish.

**Lake Watch Report** – Pat Powell

Pat reported that the University of Florida offers the Lake Watch program. Lake Tallavana has been participating in the free program since 1991. The Lake Watch committee goes out monthly to sample the water at five established stations. The samples are sent to the University of Florida where our samples are run through the lab. Lab results report the levels of nitrogen, chlorophyll and phosphorus. Reports have shown that the levels of nitrogen, chlorophyll and phosphorus are increasing and the health of the lake is decreasing. Visibility is also tested and has gone from 4.5' in 1991 to currently 1.25'.

Pat thanked Lorie Crawford for the use of her boat and Lorie's brother for navigating the boat while the committee collects water and data. Pat said that volunteers must go through a 1-hour training session in order to be certified for Lake Watch committee. Anyone interested in volunteering should contact Pat.

**4. Roads, Grounds and Dam Maintenance** – Kimsey Helms

Lake Tallavana's infrastructure is over 30 years old and is showing it's age such as our drainage pipes (culverts) under our roads installed by the original developers. DEC Engineering, Inc. in their March 2004 report advised us that we have a total of 58 culverts of which 30 needed to be replaced within the next ten years. They recommended that 19 of the 30 culverts needed replacement and be done within the next 5 years. We replaced 4 culverts and repaired several culvert headwalls in 2005, 7 more in 2006, and 5 more in 2007, which completed all culverts along Hickory Lane. The road budget for 2008 was increased by \$9,000 to include the replacement of more of these culverts.

The repaving of approx. 1.6 miles of Tallavana Trail was done in late 2006 and early 2007 and no major repaving done in 2007. This work also included installing 2 miles of centerline striping with 530 centerline reflectors.

Additional stabilization was added to our dirt roads during 2007. We will continue to re-grade and add stabilization to our dirt roads as necessary after heavy rains. To help control dusting problems with our dirt roads, a heavy grit sand topping was added to Hickory Lane and Honeysuckle Drive during 2007.

Mowing of the road shoulders, pavilion area, dam, etc. has stopped for the winter months. During these winter months tree and limb pruning will be done along the paved and dirt road shoulders for better visibility and mowing safety.

Minutes, Annual Membership Meeting, January 26, 2008

During the spring and summer drought of 2007 the lake level was lowered to allow us to complete shoreline stabilization at common areas along the dam and around the boat ramp and dock area. The shoreline stabilization and restoration along the dam had some follow-up projects such as replacement of the lakeside cable with a metal guardrail and reflectors plus repairs to the edge of the road where damaged during construction along the dam. A stabilized road along the backside of the dam was completed for future maintenance and repairs of that area. Individual homeowners obtained a joint permit to stabilize their private shorelines during this period before the lake returned to a full level.

Our proposed projects for 2008 includes more road culvert replacements, an engineering evaluation of our drainage systems for the dam, removal of trees on the backside of the dam and repairs to it's drainage systems, improvements to our existing D-8 watershed, repainting of the restroom, and maintenance repairs to the pavilion. Erosion control structures are to be investigated and possibly built along our creeks and streams that feed our Lake Tallavana. If you would like to participate in helping our neighborhood with some of these projects, please contact any Board Member to volunteer.

**5. Security and Gate – Rob Combs**

The security in Lake Tallavana went well this past year of 2007. There were some incidents that occurred this past year that are in need of mentioning. Wayne and Ruth Langston had a bullet from a discharged firearm penetrate and pass through the front door of their house. Where the projectile came from is still a mystery. Another resident had their dog killed by a hit and run speeding vehicle. And, we had several incidents of trespassing on our lake.

Allow me to mention speeding in our community or driving excessively over our designated speed limit of 25 mph. The speed limit is designated with safety in mind for everyone. We have heard complaints at our Board meetings this past year of residents on bicycles, jogging, or walking that have had close calls with vehicles in Lake Tallavana speeding past them and failing to yield. It is very important that the residents of Lake Tallavana adhere to the 25 mph speed limit so that everyone can feel safe when utilizing our roadways as pedestrians. Our law enforcement officers, Scott Ivey and Mike Fish, have been notified of this issue and the Board unanimously agreed that speeding citations be issued subsequent to a warning on the first traffic stop in order to resolve this issue. So please, slow down and enjoy our beautiful community while driving in it.

Let us all continue to obey the fishing rules and regulations on our lake, that apply to size and number of fish kept, so that all of us can enjoy catching quantity and quality fish. Much work and effort by dedicated residents of Lake Tallavana has gone into removing the German Carp from the lake this past year in order to improve the fishery. I strongly believe that we will see a good hatch this spring that will improve the number of bass and pan fish as a result of the removal of thousands of German Carp.

This past year Billy Kemp, a dedicated Fish and Wildlife Commission Officer, had to leave us and we were very fortunate to acquire another dedicated FWC Officer to take his place, Officer Mike Fish. Allow me to mention that our law enforcement officers do a commendable job for us and we are fortunate to have them.

In conclusion, I would like to say that we all live in a very safe community. Continue to get to know your neighbors, watch out for one another, and lend a helping hand when needed and you'll feel good that you did.

Scott Ivey addressed the speeding issue stating that he does write tickets. He would like to see 100% compliance with the speed limit. He said that he makes the stops for the safety of the neighborhood. For anyone who goes out of town, place a call to Scott Ivey and he will drive by your house while he is on patrol.

**6. Member Relations & Communications – Mike Mapstone**

Mike reminded everyone to sign the volunteer sheets. There are several areas where help is needed. Mike said the committees that fell under his responsibility were the Welcome Committee with Lorie Crawford and Julie Zimmerman, Web-Site/Newsletter with Linda Ortiz and Social Committee with Pat Powell. Mike said that he would give the Welcome Committee report in the absence of Lorie but Linda and Pat would give their reports for their committees.

- a. **Volunteer Sign-up Sheets** (see Mike's report)

Minutes, Annual Membership Meeting, January 26, 2008

**b. Welcome Committee** – Lorie Crawford (absent) given by Mike Mapstone

Lorie and Julie made 14 visits last year. If you are a newcomer and you did not receive a welcome bag, please contact the Board to receive one.

**c. Web-Site** – Linda Ortiz

Linda thanked Rick Kornmeier for expressing interest in a Lake Tallavana website. For reasons not detailed, Linda and Rick are not maintaining the same website. Linda reported that Rick has his own website that has some Tallavana information but includes local information and area happenings. His website is laketallavana.org.

Linda said the official Tallavana website is laketallavana.com. The official website includes minutes of past Board and member meetings, calendared events, governing documents and much more. Members wanting to have something posted on the website can visit the message board or email their request to webmaster@laketallavana.com.

**d. Newsletter Committee** – Linda Ortiz

Linda reported that the newsletter is quarterly. All members are invited to submit articles for the newsletter and should send them to Linda at newsletter@laketallavana.com.

**e. Social Committee** – Pat Powell

Pat reported that there were over 200 people for the July 4<sup>th</sup> cookout and even more attended for the fireworks. All are in appreciation for the great fireworks show that Don Jones puts on. Both food and fireworks were wonderful. The Christmas Party had an attendance of 35 people. The weather was cold and rainy which most likely kept people home. The Social Committee decorated for both the July 4<sup>th</sup> and Christmas socials. Pat reported that the Social Committee also provided lunches for volunteer workdays and the refreshments for today's annual meeting. Pat put a call out for more volunteers for this committee.

**f. Beautification Committee** – Diane Sheffield

Diane reported that the heat and drought in 2007 was not conducive to planting and maintaining flower beds. She will be providing the materials for a drip sprinkler system at the butterfly garden and along the drain field fence. This should allow maintenance and expansion of those areas. Diane stated that we need to start spending some time eliminating invasive exotics from the common areas. There are a lot of ardesia, privet, and popcorn trees. It is not too late to avert a serious infestation of these undesirable plants that take the place of our beneficial native plants.

Diane would like to have a plant exchange this upcoming spring. She said that many of us have plants to share and could help each other out. She said the exchange could include refreshments and a guest speaker on a related topic. If there is expressed interest, Diane will pull this together. In closing, Diane said more rain and less heat are hoped for in 2008.

Diane reported that there was 9-10 members who met at the Sheffield Preserve to discuss trail development. The biggest issue is providing some sort of structure to get across the creek. Interested members should contact Diane. Tom added that it is very pretty back in the preserve.

**g. Pavilion Reservations** – Debbie Robinson

Debbie reported receiving 14 pavilion reservations: one that was a group paying a rental of \$150.00 each. A \$25 refundable deposit confirms or holds your pavilion reservation and doubles as a cleaning deposit. The pavilion area is checked after your event and if found clean, your \$25 is returned.

Volleyball and horseshoe equipment is available in conjunction with the \$25 deposit. When your \$25 deposit is received, a letter is sent to confirm your pavilion reservation and to inform you of the available equipment. A copy of the gate policy is included with the confirmation letter. A 72-hour notice is required for equipment use and for a gate-opening request. Restroom supplies are to be furnished by the member holding the event.

To make pavilion reservations, contact Debbie via web site or phone. Once your \$25 deposit is

received, your date is confirmed and posted on the web site calendar.

Regarding the gate, any time you need the gate to be opened, please provide a 72-hour notice so that we can accommodate your request.

**7. Architectural Control Committee (ACC) – Pat Powell, Co-Chairperson**

Pat reported that the ACC meets every first Tuesday of the month, usually at the pavilion. The ACC approved 35 submittals in 2007 with another 11 pending for additional information. Pat named the committee members: Earl Mills, Jim Grantham, Virginia Everett, Linda Ritchie, Pat Powell and Mark Palmquist as alternate. Pat said that any changes done to the outside of the house should be submitted to the ACC. If a member contacts the ACC prior to their meeting then the committee can make the site visit before the meeting allowing the ACC the ability to promptly approve the submittal at their meeting.

**8. 2007 Treasurer's Report – Diane Sheffield**

Diane said that she would be giving the report for the end of 2007 and Don McEwen would be covering the 2008 Budget. Total deposits for 2007 were \$193,037.94 and of that \$15,969.25 were from past years or delinquent assessments. The 2007 routine operating expenses were \$104,489.06 coming in \$39,138.94 less than the 2007 Budget amount for that category. The 2007 major project expenses were \$133,158.63, \$17,341.27 less than the 2007 Budget amount for major projects. The major projects included the shoreline restoration at \$\$80,311.82 and the first phase for work behind the dam at \$11,589.87. The reserve account, used to accumulate funds for the major projects was decreased by \$43,980. The ending balance of the Money Market account was \$61,542.39 and the CD's & Savings balance was \$81,864.96 for a total of \$143407.35 in the reserve accounts.

Diane reported that the Board makes every attempt to hold costs down. There were no questions regarding the Treasurer's Report.

**9. Budget Review Committee – Don McEwen**

Don said that the Board and several members from the Association make up the Budget Review Committee. We have had good attendance and participation this past year. Following is Don's outline of his report:

1. Immediate Mission: Consider all the priorities of the THA Board of Directors and the priority needs of the community and to recommend a budget and assessment rate that would accomplish the overall objective.
  - a. Maintain the community in good condition such that it
    - i. meets owners' quality of life expectations,
    - ii. is ecologically healthy,
    - iii. maintains our property values,
    - iv. sustains a fiscally viable homeowners association, and
    - v. maintains reasonably stable assessment rates.
  - b. The approach we use to do this is to look at all the expenses we can anticipate within the next 10 years and make recommendations to the Board (regarding the next fiscal year) regarding anticipated expenses, scheduling of major projects, and assessment rates needed to accomplish the priorities.
2. We held a series of open budget meetings in the evenings at the pavilion and had very good participation. (Wed. 11/24/07, Thur. 11/1/07, Thur. 11/8/07.)
  - a. Input was also received at Board 11/13/07 and Lake Management Committee Sun 4:00 12/2/08
  - b. Open Budget Hearing Sat. 12/8/07 and had a great turnout with a lot of good input from the community.
  - c. Several board members participated in every meeting. There were so many participants throughout the process that I will not name them all.
3. Many important issues were raised that included:
  - a. Water quality problems in the lake, which include too many nutrients, sediment/muck accumulation, and fecal coliform problems.
  - b. Shoreline erosion and strategies to continually control the German Carp population.

Minutes, Annual Membership Meeting, January 26, 2008

- c. Fisheries issues to maintain a healthy and balance fish population
  - d. Mason drive issues that ranged from inadequate security patrols, inequitable services for the same assessments, accessibility problems to the northern boat ramp, and the desire to install a security gate at the entrance and connect Mason Drive to Hickory drive.
  - e. Stormwater issues that included Continued replacement of deteriorating of 30 year old culverts and repair of failing stormwater
  - f. The eventual need for a new roof for the pavilion.
  - g. Various maintenance issues and improvements on the earth dam.
4. Based upon all this input, we recommend a budget to the THA Board. The Board adopted that budget at it regularly scheduled meeting earlier this month on Tue. 1/15/08. The Board decide that:
- a. The assessment fees are to remain at \$600 per year for 2008.
  - b. The total budget is set at \$220,432
    - i. Of that, \$148,432.60 is for routine operating expenses
    - ii. \$72,000 is for Major Project Expenses which includes: Repairs on the backside of the dam, culvert replacements, storm water ponds engineering and restoration, gravel improvements on dirt roads, engineering and permits for future water quality projects, watershed modeling for our application for federal grant to assist in restoring our water quality
5. During the budget committee meetings, we spent considerable time discussing the need for future maintenance and restoration projects that could not be supported by our current fee assessments. We found that we did not have adequate cost estimates for these various projects to balance a 10-year budget as we had intended. Further, we learned that our biological consultant, Sean McGlynn had successfully secured a sizeable EPA grant for a community in the Killearn area that was trying to deal with very similar problems to ours. This gave us encouragement to pursue a grant of our own to defray our costs in addressing our environmental problems.
- a. Considering all this, the Budget Committee decided to work throughout 2008 in refining cost estimates, prioritizing projects, and pursuing a federal grant to help us pay for some or all of projects that appear to be cost/effective.
  - b. If you have any interest in this, or any special knowledge, skills, or cost estimating abilities, we encourage you to indicate your interest in serving on the Budget Committee on the sign-up sheet.
  - c. We hope to begin working on the next 10-year budget plan sometime in February 2008. Please come out and help us. Thank you.

There were some questions about the budget and 2007 expenses, which will be summarize here:

The legal fees are budgeted at \$20,000, which has been that amount for last several years. The actual amount spent in 2007 was \$12,260.

The routine lake expenses include water sampling and testing to collect data for the purpose of obtaining grant funds to correct some of the water quality problems Lake Tallavana is currently having.

The 2008 Budget has \$20,000 for paved roads, half of which is for crack repairs to hopefully buy some time before that section of Tallavana Trail needs the more expensive resurfacing. The 2007 routine paved road expenses include the guardrail, pavement striping and reflectors.

There was a question on how the time was tracked for the contract employees and if the Association was getting their money's worth.

Kimsey responded concerning Marc Cocke. Marc tracks the time he spends on each project and submits detailed invoices. Only if the project was bid for a lump sum there is no detail, every thing else Marc does is documented in detail. Diane added that the community was very fortunate to have Marc as his response

Minutes, Annual Membership Meeting, January 26, 2008

time is so much quicker than if we hired someone outside the community and he has a personal interest.

Debbie responded concerning how she tracks time and invoices for that time. First, Debbie is contracted for 80 hours of service to the Association. She keeps a diary of times spent working for the Association then bills the Association with a report of her hours at the end of each month. Although she is contracted for 80 hours per month, she works over that amount almost every month. Tom Scott added that he knows Debbie puts in many hours over her contract and the Association is fortunate to have her.

Debbie responded concerning security. Both Scott Ivey and Mike Fish track their hours and report to Debbie at the end of the month. Duplicate reports are given to Rob Combs, Security Director.

**10. Corporate Secretary/Bookkeeper – Debbie Robinson**

Debbie thanked Pat, Cheryl, Jill and Laura for refreshments for the meeting. She also thanked Steve Kinary for providing the sound system for the meeting.

Debbie asked that members try to be in compliance with auto and boat decals. If you have purchased a new vehicle or boat, please be sure to contact Debbie for new decals.

Debbie reported that copies of the detailed 2008 Approved Budget are available and if you are interested in receiving a copy to indicate such on the sign-up sheet. Please provide an email address and she can send it that way or put one in the THA Drop Box to be picked up. The detail budget is just that, it explains how the amounts were figured when calculating the exact amounts to budget.

The Membership Directory was available at the meeting. Debbie asked that everyone check his or her name, address and number for accuracy. If the information is not correct, please indicate on the sheet next to the directories.

Debbie reviewed the regulations for the bulletin boards, informing the membership that although no business notices or business cards are allowed, she maintains a list of neighborhood resources. If you have a service that you would like to provide to the neighborhood, you may contact Debbie to be included on that list. Debbie also advised that members wanting to advertise their services can use the newsletter and website to do so. There is no cost for THA members and the advertising is for THA members only.

Although we try very hard to hold our Board meetings on the second Tuesday of each month at the Havana Library, sometimes we inevitably must change the meeting date or location. Please check the website and bulletin board for possible changes in the meeting location, date and/or time.

Debbie said that if you are in a position of selling your house, please inform the title company or your realtor that they need to contact Debbie to get information on the current assessment balance of your property. This also informs the Association when we have new neighbors and can activate a welcome visit.

There were 19 property transfers in 2007. Lorie reported 14 welcome visits but the other transfers were for lots only. The total number of members fluctuates when 1 member owning 2 lots sells each one separately or when a current member purchases another piece of property in Lake Tallavana.

**G. Election of Directors**

**1. Nominating Committee Report – Pat Powell, Chair**

The Nominating Committee was: Linda Ortiz, Leonard Whatley, Mark Palmquist, Earl Mills, Pat Powell and Jim Poss, Alternate. The committee nominated the following:

Diane Sheffield 3 year term	Currently finishing a term on the Board, filled a vacancy during 2007
Mike Mapstone 3 year term	Currently finishing a term on the Board.
Neil McDonald 1 year term	To finish a term after filling a vacancy during 2007

**2. Other Nominations**

Before Tom Scott called for nominations from the floor, he explained that the ballot reflects that there are two positions for a 3-year term and one position for a 1-year term. If there are nominations from the floor then it should be specified if it is for the 3-year position or the 1-year position.

Note: The format of the ballot was done in accordance with a sample given in “The Law of Florida Homeowners Associations” and not as it had been done in the past of THA. Previous ballots pitted nominations

Minutes, Annual Membership Meeting, January 26, 2008

from the floor against the individual candidates chosen by the nominating committee.

Jim Poss questioned how the winners would be determined as the ballot was formatted with the spaces for the write-in nominations after the nominating committee's slate. Jim asked if the determination of winners would be the top three vote recipients. Debbie understood the confusion and said that the top two vote recipients for the 3-year term would win and the top vote recipient for the 1-year term would win. Jim thought that the term limit phrases should be removed from the ballot. Jim's reasoning was that should Neil McDonald receive the most number of votes, he would still be serving on the Board for one year as opposed to another candidate receiving fewer votes but serving for three years. Debbie responded that even if Neil received the majority of votes, he could rerun for the following year after serving the remaining of this term. Tom explained other formats that he has seen concerning ballots. Diane said that the only reason Neil was placed on the ballot was for the membership to ratify the completion of the term for the position he came into mid 2007.

JIM POSS MADE A MOTION TO REMOVE THE TERM LIMIT PHRASES FROM THE BALLOT AND ALLOW THE TOP THREE VOTE RECIPIENTS TO BE THE WINNERS. STEVE KINARY SECONDED THE MOTION.

DISCUSSION: There was other discussion, questions and comments. It was said that it should be specified which candidate on the ballot the nomination from the floor will be running against. Then there was discussion that the top two vote recipients would receive the 3-year term positions and the third top recipient would receive the 1-year position. There was more discussion.

Debbie read By-Laws, #3. Directors, letter (e): "The term of each Director's service shall extend for three (3) years and thereafter until his successor is duly elected and qualified or until he is removed in the manner elsewhere stated herein; provided, however, that directors shall serve rotating terms of office. At the annual members' meeting in 1980, two directors shall be elected for a one-year term of office, two shall be elected for a two-year term and two shall be elected for a three-year term. At ensuing annual meetings, two directors shall be elected for a three-year term except that every third year there shall be three (3) directors elected.

Diane Sheffield said that if this was to continue with the all those elected today for a three-year term then the succession would be disrupted. She also said that technically, when a Board position is filled sometime during the term of that position, then the replacement is in that position for the duration of that term. She said that somewhere in the history of the neighborhood, it has become the practice of reaffirming the Board member to finish the term at the following Annual Meeting. She said the replacement should stay on the Board until the term of that position expires and that there is no need for the person to be on the ballot.

IN LIGHT OF THE BY-LAWS, JIM POSS WITHDREW HIS MOTION.

Jim Poss reminded the membership that the nominations from the floor will go against a specific candidate on the ballot. Neil said that we should leave the term limits as they are and move on with the voting.

Tom then opened the floor for the first three-year position against nominating committee's candidate, Mike Mapstone.

DOROTHY GILLAN NOMINATED LARRY JONES. THEN DOROTHY WITHDREW HER NOMINATION.

Tom asked again if there were any nominations from the floor for the first three-year position against Mike Mapstone.

RAY ZIMMERMAN NOMINATED RICK KORNMEIER TO RUN IN THE POSITION AGAINST MIKE MAPSTONE. STEVE KINARY SECONDED THE NOMINATION. RICK ACCEPTED. JIM POSS MOVED TO CLOSE NOMINATIONS FOR THIS POSITION. JIM BOCK SECONDED.

Tom opened nominations for the second position against nominating committee's candidate, Diane Sheffield.

RAJESHKUMAR PATEL NOMINATED LARRY JONES TO RUN IN THE POSITION AGAINST DIANE SHEFFIELD. STEVE KINARY SECONDED THE NOMINATION. LARRY ACCEPTED. JAN TOWNSEND MOVED TO CLOSE NOMINATIONS FOR THIS POSITION. GORDON PATTON SECONDED.

Tom opened nominations for the one-year position against nominating committee's candidate, Neil McDonald. Hearing none, Tom asked for nominations to be closed.

BILL WOOLERY MOVED FOR NOMINATIONS TO CEASE. STEVE KINARY SECONDED. MOTION CARRIED.

All candidates were allowed to introduce themselves and tell a little bit about why they wanted to serve our community.

**3. Voting** – Debbie reviewed the ballot. Candidates for the first position are Mike Mapstone and Rick Kornmeier. Those for the second position are Diane Sheffield and Larry Jones and one candidate, Neil McDonald for the 1-year position. Members are to vote for two people for the 3-year position and one for the 1-year position.

Ballots were marked and immediately tallied. Volunteers Pat Powell, Linda Ortiz, Gary Robinson and Cheryl Roberts tallied the votes.

Results: Rick Kornmeier for first 3-year term position  
Larry Jones for second 3-year term position  
Neil McDonald for the 1-year term position

**H. Old Business:** There was no Old Business.

**I. New Business:** There was no New Business but there were some member who made announcements at this time.

Neil McDonald encouraged the members to come to the Board Meetings.

Roxanne Campbell expressed her appreciation for the dedication of the Board members and Debbie.

**J. Questions and Answers:** There were no other questions.

**K. Adjournment of Meeting:** With no further business, meeting was adjourned at 12:59 p.m.

Respectfully submitted,

Debbie Robinson,  
Corporate Secretary/Bookkeeper,  
Tallavana Homeowners' Association, Inc.