

TALLAVANA HOMEOWNERS' ASSOCIATION, INC.

Minutes of the monthly Board of Directors meeting held on April 12, 2005 in the meeting room of the Havana Library, Havana, Florida.

PRESENT: Jean Wood, Mike Mapstone, Tom Scott, Mike Jefferis, Don Magruder, Joe Smyth and Kimsey Helms, Board members, Debbie Robinson, Corporate Secretary. See attached list of others in attendance.

ABSENT:

The meeting called to order at 7:11 pm by President Jean Wood.

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

Approval of Agenda:

Add Item c. under ACC; topic to be on Magnolia Court.

MOTION BY JOE SMYTH TO APPROVE THE AGENDA AS AMENDED. SECONDED BY TOM SCOTT. MOTION CARRIED.

Approval/Corrections of March 2005 Minutes:

MOTION BY TOM SCOTT THAT THE MINUTES BE APPROVED AS CORRECTED. SECONDED BY KIMSEY HELMS. MOTION CARRIED. (Corrections consisted of clarifications.)

Treasurer's Report: Mike Jefferis reported the total deposit for March was \$27,927.75, expenses of \$5,184.57, checking account balance is \$23,194.43, and the balance in the sinking fund is \$225,135.05. There was \$30,000.00 transferred to the sinking fund from checking. There were some expenses in roadwork, both on dirt roads and paved. There were some wash out problems due to heavy rains. Mike Jefferis and Debbie Robinson will begin to work on the list of members who are delinquent in their assessments.

MOTION BY MIKE MAPSTONE THAT THE TREASURER'S REPORT BE APPROVED AS READ. SECONDED BY TOM SCOTT. MOTION CARRIED.

Correspondence/Phone Calls:

1. Jean Wood received a call from Darlene Evans regarding Lot E-13. Lot E-13 is on Magnolia Court and will be discussed under ACC, Item c.
2. Jean Wood received a phone call from Mr. & Mrs. Richardson and will be discussed under ACC, Item c.
3. Jean Wood received a phone call from Raeleen Smart and will be discussed under ACC, Item c.
4. Jean Wood received phone calls from Barbara Bennett, Frank Ellzey and Tom Wade and will be discussed under Lake Management, Item b.
5. Jean Wood received a call from Bobby Boatright about roofing shingles being dumped in the power line easement. It was discovered to whom the shingles belonged, owner notified, and the shingles have been removed.

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6. Jean Wood received a call from Andrena Knicely concerning the noise from the cormorant control and the wildlife.

7. The Board received e-mail from Howard Garrison expressing concern about the noise from cormorant control and wildlife.

8. Mrs. Kaye forwarded information on the types of herbicides used by Progress Energy. That information has been copied and given to the Board members.

9. There was e-mail concerning Hurricane Preparedness that was brought to the attention of ESO.

10. Jean Wood had discussions with Sharon Quintero concerning the Humane Society's membership drive in Lake Tallavana.

11. Jean Wood had discussion with Tommy Baker concerning the lake and will be discussed during Lake Management Report.

12. Kimsey Helms received call regarding the wash out at the end of Honeysuckle Dr. and Jean Wood received calls regarding the hole along Tallavana Trail across from the property of Don Jones.

13. Mike Mapstone had discussion with Scott Ivey concerning the family that has a beagle. Scott talked with the family who resolved the problem by repairing the fence to keep the dog inside. Jean Wood reminded members that there are county ordinances pertaining to dogs and would like to see a link on our web site to those ordinances. Debbie Robinson also received a phone call from a potential buyer regarding a homeowner on Hickory having at least 8 dogs. The caller said she would not consider purchasing with all the dogs next door.

14. Several board members received calls from members regarding the lake level, which will be discussed later in the meeting.

Regarding the concerns received from Andrena Knicely and Howard Garrison that the noise made by the cormorant control is disturbing the wildlife. Mr. Garrison indicated that shots are fired at approximately 7:30 in the morning. Leonard Whatley, cormorant control does not go out on the lake until 9:00 or 9:30 in the morning. Bobby Boatright is assisting Leonard and may go out a little earlier. Controlling the cormorants is now finished which should eliminate concerns of noises bothering the wildlife. It was mentioned that there were shots fired between 4-5 o'clock, p.m. That was not a time when the cormorant control was out. The shots may be fired from some individual or they could be coming from Reston. Members mentioned that there has been other times when shots have been heard but it is hard to determine the direction the shots were coming from.

Regarding the information on herbicides received from Mrs. Kaye. Progress Energy will be clearing problem trees and vegetation from the power easements. Don Magruder has been in contact with Progress Energy to express to PE the concerns of the landowners in Lake Tallavana. PE told Don that all herbicides are used sparingly and are approved by the EPA. They could not say if herbicides would be used in the clearing process. There is really not much the Board can do other than to keep a close watch when PE is in the subdivision. PE will do what is necessary to take care of the power line easements. PE did assure Don that every property owner along the easements would be contacted with an explanation of what PE planned to clear.

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BOARD REPORTS

Member Relations: Mike Mapstone

No website report for March.

There will be a volunteer workday on April 23rd beginning at 9:00 a.m. Mike is working on a list of items that need to be done.

Legal: Don Magruder and Mike Jefferis

A. Lincicome case – THA Attorney Jack Harnett and Attorney Stivers are to meet to continue working on a settlement. Stivers is to provide a copy of a survey that was previously done and a new survey needs to be done to show the new easements to be agreed upon.

B. Connelly case –The Connelly's have sold their property and will be moving out. There have been communications between Stivers and THA Attorney Abele as well as phone calls from the title insurance company. The delinquent assessments owed by the Connelly's will be collected at the closing.

C. Rules to implement new provisions of Articles of Incorporation – The rules to implement the amended articles have been discussed and revised since the February Board meeting. A final draft was presented to the Board at the April meeting. There were no further revisions or discussions.

MOTION BY DON MAGRUDER THAT THE PROPOSED RULES #1, #2 AND #3 REGARDING LIENS AND PENALTIES FOR UNPAID ASSESSMENTS, RESTRICTIONS FOR UNPAID ASSESSMENTS AND SUSPENSIONS AND FINES BE APPROVED AS WRITTEN. SECONDED BY JOE SMYTH. MOTION CARRIED. (Copy of approved rules to be mailed to members with 2nd quarter assessment statements.)

At this time it was decided to address Item #2 under Old Business: Acquisition of Deer Pass. It was discussed at the March meeting that Tallavana Homeowners' Association did not own Deer Pass. Don Magruder contacted Lee Dowling in an attempt to locate a survey of Deer Pass. Lee was not able to say if there is a survey or if there is a written legal description. It has been found that the taxes are delinquent in the amount of \$1,348.00. If we could find a legal description, then we could forego a survey. It was suggested that maybe THA could have a title search done. Don will be working with Jack Harnett to complete the acquisition of Deer Pass.

Mike Mapstone was contacted by Ely Banks who is interested in purchasing and developing the 29 acres at the end of Hickory Lane, which is currently owned by Cindy Lincicome. The county has a current ordinance that the roads in any development of more than 5 lots must be paved and must connect to an existing paved road or the developer will have to pave to the nearest paved road. In this instance, since Mr. Banks is planning on 17-18 lots, the road in his development will have to be paved and should connect to a paved road. Since Hickory is not paved, this would mean that Mr. Banks would also have to pave Hickory. It is possible that Tallavana Homeowners' Association could inform the county that they do not wish to have Hickory paved and allow Mr. Banks a variance.

Jean Wood addressed the problems with erosion on the backside of the dam. In order to do repairs and take prevention measures, it was discussed that the Association should look into purchasing the property on the backside of the dam and overflow pipes. The current ownership is not exactly known.

MOTION BY TOM SCOTT THAT THE OWNERSHIP OF THE PROPERTY ON THE BACKSIDE OF THE DAM BE INVESTIGATED WITH THE POSSIBILITY THAT THE ASSOCIATION COULD START THE PROCESS OF OBTAINING THE PROPERTY. SECONDED BY KIMSEY HELMS. MOTION CARRIED.

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Lake Management: Reported by Jean Wood & Tom Scott

Jean Wood reported that there was a carp removal on March 23rd. Approximately 800 carp were removed from the lake. Jean thanked volunteers who helped; Tom Scott, Leonard Whatley, Bobby Boatright, Milton Wood, Tom Crawford and Debbie Robinson.

A second carp removal took place on April 11th with approximately 600 carp removed. The carp had not spawned yet but this will be the last carp removal before summer. Some of the carp had scars that were most likely caused by cormorants. Jean thanked volunteers who helped; Tom Scott, Bobby Boatright, Leonard Whatley and Milton Wood.

During the shocking, Bob Rousseau reminded Jean that we need to call him as soon as possible if there is any Salvinia spotted. Salvinia is a problematic plant species and needs to be sprayed before it gets much of a start. Jean asked the members to let her know if they spot any.

Sean McGlynn told Jean that the engineer drawings were still in the works. There are a total of 54 property owners that are to be included in the Association permit for shoreline restoration. Sean mentioned that once the permit and drawings are submitted, it would most likely take up to two months before permit is received. The permit will be good for 5 years.

Design planning and work in the D-8 pond area will start after the completion of the shoreline restoration. Sean has been in contact with the farmer up the hill from the D-8 ravine. The farmer has received grant money to repair erosion problems on his property that have been running down to our lake. One other item that Sean needs to do is to sample the water. The mercury tests look good; there is no mercury showing up in the fish samples taken a couple of months ago.

There was one suggestion for naming the area of the D-8 ravine and pond; Fawn Creek.

Lake Watch – Pat Powell: Pat is scheduling next Lake Watch for Saturday, April 16th.

There have been concerns regarding the lake level after some of the heavy rainfalls we have been experiencing. Member Frank Ellzey of 520 Hickory Lane, addressed the board by reading a letter that stated the problems he has been experiencing on his property after a heavy rainfall. He showed pictures of the lake level encroaching his property and is also having a problem with beavers ruining trees and palmettos. Member Tom Wade addressed the board asking that preventative action be taken. He too is having problems with the lake level after a heavy rainfall. Frank and Tom are asking that the level of the lake be maintained so that during heavy rainfalls, the water drains quickly and does not allow the lake to flood their property. They are asking for better stabilization of the lake level.

Frank suggested that the board investigate the use of concrete box culverts where the existing 12 overflow pipes are now. Frank thinks that the box culverts would allow more water to drain faster thus keeping the lake out of his yard.

The membership was informed that the 12 pipes that were installed in 1999 are now our primary flood control. The gate valve is not meant to be opened halfway. The gate valve had to be replaced a few years ago due to the fact that the valve was sometimes left partially open and was ruined. Besides, opening the valve drops the water 1 foot every 24 hours, which would not be much help during a 4-inch rain. The 12 overflow pipes are set to start the flow after 6" of rise. The Water Management District set this. Some members felt that the pipes were set incorrectly but were taken out with a surveyor, which proved that the pipes are set correctly. Also, Sean McGlynn noted that the normal lake level should not be lowered.

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Jean Wood asked for the members to note just how much water has been running out of the ground everywhere. There has been so much rain that the ground is saturated. In discussing the lake level with our lake consultants, Jean was told that if the lake were lowered to accommodate a possible heavy rain, then members in the coves would not be able to get away from their docks due to the amount of the sediment. Even lowering the lake when rain is predicted is not recommended if the predictions are off and we received less rain, then the lake is too low.

Tom Scott suggested making this an issue for the Lake Management committee. Frank, Tom Wade and Tom Scott agreed to volunteer to serve on the Lake Management committee with the other members already on the committee to check into possible solutions regarding the fast rise of water during significant rain events. Jean Wood reminded everyone that any changes at all would have to be approved by the DEP, Army Corps of Engineers and the Water Management District. There is not a quick solution. While there were three calls received regarding the high lake levels after a huge rainfall, it should be noted that the road has not flooded, which used to be a problem in the past.

Security: Joe Smyth

It was reported that Scott Ivey worked 20 hours for the Association and 16 hours on duty in the month of March. Scott performed 61 house checks and 12 vehicle stops. Billy Kemp worked 20 hours in March. Joe did note that the deputies are doing their job as he observed some action at the gate one evening. Tom Scott asked if tickets that are issued in the subdivision have to be paid. The answer is yes! Other members mentioned problems with speeders. Joe said he would mention to Scott and Billy to continue their watch for speeding.

It was mentioned that the agenda for the April meeting was removed from the bulletin board at the gate sometime Sunday night. By law the meeting notices have to be posted at least 48 hours prior to the meeting. Also, the gate number was found printed on a poster and on the ground at a gas station. There was discussion about changing the number to the gate and when would be a good time to notify the membership. It was suggested that maybe it is time to purchase an outdoor bulletin board with a lock for official notices. The current bulletin board is not being used according to rules for all the business notices that are posted.

Gate: No real problems with the gate but Bill Oswald did some minor repairs. Joe Smyth discussed the possibility of having someone at the gate during the regular times it is open in the mornings and evenings. Billy Kemp said it would be very difficult to do and costly. Debbie Robinson said that the next time Billy is patrolling the gate at a convenient time of day, she would be at the gate to issue auto decals for members not in compliance. This will eliminate phone tag and the cost of mailing the decals later. Cars/trucks parked at the pavilion or lake should have decals. Joe asked if maybe we could use a form for vehicles not displaying the decal to inform them that they are not in compliance.

Roads, Grounds & Dam: Kimsey Helms, Mike Jefferis and Tom Scott

Mike Jefferis contacted several septic tank cleaning companies and compiled the results on a spreadsheet. Approximately half of the companies will offer a rate discount if more than one tank is cleaned at a time. Most of the trucks can only hold two or three tanks at a time. There was discussion if there should be action by the board regarding the rates that Mike received. It was suggested that the rates could be posted on the web site. Debbie Robinson said that with the 2nd quarter invoice going in the mail next week, she proposed to print the spread sheet and include information of how people can get together to contact the septic companies and share a discounted rate. It will also be suggested that people contact each other on the message board on our web site. There also needs to be an article in the newsletter to remind members of the importance of keeping their septic tanks clean.

Kimsey reported the excessive rainfall that we have been receiving so far in 2005. It is due to the

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excessive rain that the dirt roads are requiring a lot of maintenance. Near the end of Honeysuckle there was a wash out at the culverts. The road was temporarily repaired until a permanent fix could be bid on. Peavy and Son was contacted and proposed to remove the existing pipe and replace the pipe and repair the road as needed. The proposed work was bid at \$10,891.00

Since then, a problem with a culvert on Tallavana Trail arose. There is a possible \$4,000 to \$5,000 repair job there. The culvert is just after Deer Pass. The culvert may need to be extended. It is thought that if we had Peavy repair both areas, that his costs would be cheaper.

MOTION BY TOM SCOTT THAT BOTH REPAIRS BE AUTHORIZED WITHOUT GOING FOR BIDS DUE TO THE EMERGENCY SITUATION WITH A CAP OF \$20,000 TOTAL. SHOULD THE REPAIR COSTS GO BEYOND THAT AMOUNT THEN THE BOARD SHOULD BE CANVASSED . SECONDED BY MIKE JEFFERIS. MOTION CARRIED.

The D-8 pond is full and will be scheduled to be cleaned hopefully before any more heavy rains.

It has been discovered that there are no keys to the ladies restroom at the pavilion. Kimsey suggested that the locks be replaced and can be a project for the upcoming workday.

Tom Scott and Mike Jefferis did put up the Magnolia Street sign. There are problems with Magnolia Court, which will be discussed later in this meeting.

Mark Palmquist discussed alternative materials to use for street signs. He has found a supplier of glass beads that can be added to the paint to make it reflective.

COMMITTEE REPORTS

ACC: Reported by Diane Sheffield

ACC meeting held on March 30th, and the following items were recommended by ACC for Board approval:

- a-1. Deborah Keith, 3445 Tallavana Trail, submittal for a 8 X 10 deck over water with a raised walkway to the deck and a storage box on the deck. Also a submittal for a garden shed that was rejected by the ACC based on the location at the front of the house.
- a-2. [REDACTED], submittal for a 12 X 24 garage located behind the house.
- a-3. Jay Tannenbaum, 407 Tallavana Trail, submittal for reroof.
- a-4. Debbie Lamarche, lot on Deer Pass East, submittal for a 1600 square foot log home.

MOTION BY KIMSEY HELMS THAT THE SUBMITTALS TO THE ACC BE APPROVED AS RECOMMENDED. SECONDED BY DON MAGRUDER. MOTION CARRIED.

- b. Diane Sheffield brought an ACC sign in to show the board and members. The signs are made so that the ACC can indicate what type of project was approved for the site. Signs will be posted so that they will be seen from the road and any one passing by can see that the project has been approved by the ACC.

Details of ACC recommendations on file.

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c. Magnolia Court – Referring to the phone calls concerning Magnolia Court. Raeleen Smart owns a lot on Magnolia Court and would like to sell it. Frank & Jennifer Richardson live in Lake Tallavana and would like to purchase Mrs. Smart's lot. Darlene Evans, a resident and realtor, called inquiring about the sign stating that Magnolia Court is not maintained by the Association. Magnolia Court is not maintained by the Association due to paving and drainage problems that have yet to be repaired by the developer, James Heidenreich. Raeleen cannot sell her lot as long as the road is not approved and construction will not be allowed. The Richardsons' cannot buy her lot since they are not able to begin construction.

Kimsey showed photos taken after a 3.6-inch rain. The pictures showed problems with the drainage, orange mud in the ditches, and cracking in the pavement. Until these problems are fixed, the board is in agreement not to accept Magnolia Court. While the board sympathizes with the property owners, present and future, it is not in the best interest of the entire membership to take on a road that is substandard and maintain it.

The board suggested to both Mrs. Smart and Mr. & Mrs. Richardson that they contact Mr. Heidenreich to fix the drainage and road. Also, Mrs. Smart may want to contact the other two property owners that are already living on Magnolia Court to contact Mr. Heidenreich. It was suggested that Mrs. Smart also contact DEP. There was further discussion on what actions could be taken to help get Magnolia Court finished so that the Association could take over the maintenance and allow the other property owners to sell, build, etc.

MOTION BY TOM SCOTT THAT THE BOARD AND MRS. SMART CONTACT THE DEP AND MR. HEIDENREICH TO SEE IF WE CAN GET SOME ACTION IN RESOLVING THE PROBLEMS ON MAGNOLIA COURT. SECONDED BY MIKE JEFFERIS. MOTION CARRIED.

There was also a motion and discussion to lift the restrictions to allow building on Magnolia Court but continue to take the road issues to Mr. Heidenreich. The motion was withdrawn. The Board did not want the road to become the responsibility of the property owners but to have Heidenreich be responsible.

Policy Committee: Reported by Joe Smyth

The committee has not had time to meet but Joe has been reading minutes of past meetings to start accumulating board policies that have been adopted in the past. Joe will begin the process of getting a committee together.

OLD BUSINESS

1. Policy for opening of security gate – Tabled due to time restraints

NEW BUSINESS

With no further business, at 10:35 pm, Kimsey Helms moved to adjourn, Tom Scott seconded.

Respectfully submitted,

Debra Robinson
Corporate Secretary