

TALLAVANA HOMEOWNERS' ASSOCIATION, INC.

Minutes of the monthly Board of Directors meeting held on August 09, 2005 at the Havana Public Library, Havana, Florida.

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

ABSENT: Kimsey Helms

The meeting called to order at 7:12 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:

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

Approval/Corrections of July 2005 Minutes:

MOTION BY MIKE JEFFERIS THAT THE MINUTES BE APPROVED AS WRITTEN. SECONDED BY JOE SMYTH. MOTION CARRIED.

Treasurer's Report: Mike Jefferis reported the total deposit for July was \$11,535.00, expenses of \$9,430.22, checking account balance is \$34,514.50, and the balance in the sinking fund is \$226,406.22. Peavy has finished repairing the blacktop on Tallavana Trail at Honeysuckle and the check was released for payment for the culvert work done on Honeysuckle. There will be more invoices from Peavy as culvert work is completed on Tallavana Trail at Magnolia and in the area of the D-8 pond. The larger expenses for July include fireworks, legal fees and mowing.

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

Mike Jefferis reported that he and Debbie Robinson met with Focus Credit Union regarding the transfer of the Tallavana Homeowners' Association checking and savings account to Focus. Focus Credit Union does have the products in place with the best interest rates to better serve the Association funds. Focus Credit Union has a branch in Quincy, which is convenient for the bookkeeper. At the July meeting, the board approved the transferring of accounts from Capital City Bank and A.G. Edwards to Focus Credit Union. Debbie will proceed with the necessary paper work as well as obtain the signatures of the officers of the board in order to open an account at Focus. The accounts at Capital City Bank and A.G. Edwards will eventually be phased out.

At the board's request and approval, Debbie Robinson did obtain bond coverage in the maximum amount of \$100,000. The board approved to reimburse Debbie for the annual premium.

Mike Jefferis reported that the THA insurance policy, covered by Nationwide, would be transferred to a local agent. The current agent is located in Seminole, Florida. Nationwide has made some changes to the policy and Mike and Debbie are to meet with a local agent to discuss the changes and to make sure the THA is properly insured.

Mike and Debbie are working on the hard-core delinquent accounts and will meet with Attorney Ken Abele in the near future to discuss collection possibilities.

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Correspondence/Phone Calls:

1. Jean Wood received e-mail from Julie Puckett regarding the condition of the pool at the Padgett residence, which appears to have been abandoned. Julie mentioned that there was a mosquito problem as well as dead animals floating in the pool. Jean reported the problems to the Gadsden County Mosquito Control and the county animal control. The property is involved in a bankruptcy, which complicates any work being done by the county.

2. Jean Wood received e-mail from Hickory Lane residents Murphy, White and Phillips expressing their concern of the lake level and requesting that the standard lake level be lower than what is currently kept. Jean responded by informing the residents that there has been much discussion on the lake level, which can be found in the minutes of the monthly board meetings. The minutes can be found on the Tallavana web site. Jean also suggested that if the Hickory Lane residents desired to address the board that they should contact the corporate secretary with their request to be placed on the agenda for the September meeting. Mike Jefferis mentioned that the county does have a map of the flood plain for Lake Tallavana; Don Magruder said that he would purchase a map the next time he is in the county office.

3. Tom Scott had a message from Frank Ellzey who was questioning what the Board decided to do regarding the lake level during the next threat of a tropical storm or hurricane. Tom replied that the plan is to open the gate valve 24-36 hours prior to the predicted storm but should there be a heavy rainfall due to a sudden thunderstorm, it is too late to open the gate valve once water gets to the overflow.

4. Member Pat Powell mentioned that she received a call from Lee Dowling, original surveyor for Lake Tallavana. Pat discussed with Lee the issues of the lake level and Lee said that the level should be left as is; it is at the correct level. Lee also mentioned that only during a hurricane should the level be dropped to allow heavy rainfall. Lee said that he will be in town near the end of August and will talk with Jean.

5. Mike Mapstone received a call from Jim Peterson on Hickory Lane regarding his desire to add fill to his property. Mike said that he would call lake consultant, Sean McGlynn, to see if wetlands are involved on that particular lot.

6. Debbie Robinson received a call from Ruth Langston regarding the trees that have fallen on the dock during the last storm. Ruth has the pavilion reserved for an upcoming activity and would like the use of both docks. The Board was in agreement that Marc Cocke should clear the trees but leave the stumps. The Board also wanted it stated that anyone reserving the pavilion has the pavilion exclusively but not the rest of the common areas including docks and boat ramps. While the reserving party has use of the common areas, all members can continue use of docks and boat ramps during a private party at the pavilion.

BOARD REPORTS

Legal: Don Magruder and Mike Jefferis

A. Magnolia Court – There has been no information from DEP concerning issues with Magnolia Court and the storm water retention areas. Mr. Heidenreich has been focused on hurricane damage to another of his properties and has not taken any action to address the problems with Magnolia Court.

B. Lincicome case – Attorney Jack Harnett has reviewed the proposed settlement and has some revisions including the written legal description of the entrance point to the Sheffield Preserve. Harnett's draft has been sent to Attorney Stivers for his review. The survey stakes must mark all

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easements before the Association signs the agreement.

C. Sheffield Preserve – The survey work has been done. The adjacent owner is Mr. Boatright who resides in Reston. In a conversation with Mr. Boatright, Don proposed that the Association upgrade and repair the fence along the property line and provide a new gate and locks for Progress Energy. Don drafted a Memorandum of Understanding for the Board's review.

MOTION BY TOM SCOTT THAT THE DRAFT OF THE MEMORANDUM OF UNDERSTANDING BE ACCEPTED. SECONDED BY MIKE JEFFERIS.

There was further discussion that the MOU needed language to protect THA should the current owner decide to remove the fence or sell the property and that THA will be responsible for the maintenance including security.

MOTION BY TOM SCOTT THAT THE MEMORANDUM OF UNDERSTANDING BE ACCEPTED AS AMENDED. MOTION CARRIED.

D. Acquisition of Deer Pass – Don reminded Jack Harnett to contact Mr. Pennington to ask if the easement for Deer Pass could be turned over to THA.

E. Killlearn Properties, Tax Deed –Attorney Ken Abele was contacted and questioned about what actions the Association should take concerning the tax sale and back taxes owed. Mr. Abele advised that at this point, we should take no action. Mr. Abele will attempt to contact the owner to see if he would like to deed the property over to THA during the tax sale holding.

F. Don was able to contact Mr. Park Brittle concerning the property on the backside of the dam. Mr. Brittle did not wish to donate the property to THA, nor did he wish to sell. He did say that he has no objections to THA going on his property behind the dam in order to do repairs. The Board discussed that there had to be some sort of water easement at the time the pipes were increased in size and number. Debbie Robinson will research the records at the courthouse to see if such an easement was recorded.

Member Relations: Mike Mapstone

The web site received 93 hits for July.

Mike reminded everyone that the deadline for the Fall newsletter is August 15th. Jean said she would write an article informing the progress of DEP on the permit for shoreline restoration. Don said he would submit an article covering the closure of the Connelly lawsuit. Joe Smyth offered to submit an article concerning the need for auto decals.

Lake Management: Reported by Jean Wood & Tom Scott

Shoreline Restoration update: Jean has been keeping in contact with Sean McGlynn. There have been several hurdles to obtaining our permit for the lakeshore restoration project. Jean listed a few: change of DEP regulator, new regulator had different/additional requirements for the application; the engineer is still working on the different/additional requirements. The application is now over 80 pages long and is close to being returned to the DEP for their review.

On August 4th, a member reported that there was muddy water flowing from Lamberts farm through Magnolia Hammock creek area and into the D-8 pond. Lake consultant Sean McGlynn was called and he responded immediately. Sean took water samples and pictures. The lab results showed that all the criteria tested were 4 times over the legal limits. Jean called the DEP Hotline to report the

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incident and then e-mailed Sean's report to the DEP. While it is not yet clear what actions the DEP will take, Jean and Sean will continue to monitor this. The D-8 pond is in need of being cleaned out.

Jean asked that Sean's report of the Lambert runoff be included as an attachment to the minutes.

Lake Management Committee will be meeting with Sean and Scott Matteo on August 20th to discuss plans for the D-8 pond. Discussion will include the erosion around the head wall and better control of the water as it enters the pond. The issues with the runoff from Lambert's farm will also be discussed.

There was a question regarding the adding of new homeowners' of lakeside property to the permit application. Jean said she would call Sean to see if it is possible.

Lake Watch – Pat Powell: Pat is scheduling next Lake Watch for weekend of August 13th if she can get a crew and boat.

Security: Reported by Joe Smyth

It was reported that Scott Ivey worked 20 hours for the Association. Billy Kemp worked 20 hours in July. It was also reported that Billy issued 2 warnings for nonresident fishing.

A draft of the "ticket" for non-resident fishing and parking was reviewed. There were minor changes made to the draft.

MOTION BY JOE SMYTH THAT THE TICKET BE APPROVED AS AMENDED. SECONDED BY DON MAGRUDER. MOTION CARRIED.

Debbie received quotes for printing the ticket and will proceed now that the ticket has Board approval. The ticket will be printed on canary yellow card stock.

An agreement between Tallavana Homeowners' Association and the Gadsden County Sheriff's Department for provision of off-duty enforcement of traffic is to be updated. There was discussion for the need to have an updated agreement and a review of the existing agreement.

MOTION BY JOE SMYTH TO DRAFT A NEW AGREEMENT TO BE SIGNED BY THE ASSOCIATION PRESIDENT AND THE GADSDEN COUNTY SHERIFF. SECONDED BY TOM SCOTT. MOTION CARRIED.

A new agreement will be drafted, signed by Jean Wood and delivered to the Sheriff by Officer Scott Ivey for the Sheriff's signature.

There has been a problem with a yard sale taking place along Route 12 right of way just outside Lake Tallavana. The Sheriff's department has been called each time. Scott Ivey said to call him if the sale takes place again. Scott will talk with the yard sale people, which it has been found out that the people are renters in Lake Tallavana.

Gate: No problems with the gate to report.

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

Mike reported that Peavy would be working on the head wall at the D-8 pond in approximately 2 weeks. After talking with Scott Matteo, it was determined that repairs to the head wall will not change

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any of the plans for the D-8 pond itself. The erosion at the head wall is coming very close to going under the pavement. It was also reported that Sean would have to test the soil in the D-8 pond for contaminants before the pond is cleaned out. Results of the soil tests will determine what should be done with the soil when it is cleaned out. In the past, the soil from the D-8 pond has been made available to the residents. There may have been contamination of the soil in the D-8 pond during the runoff from Lambert's farm upstream.

Marc Cocke will be patching needed areas of asphalt. The new street signs have been installed however; it was brought to the Board's attention that the new signs are a different shade of green. After review of the old and new signs, the Board agreed that the new color was okay.

It was reported that there has been considerable erosion around the culvert that goes under the driveway at 1242 Tallavana Trail, Dennis & Beth Bloomquist. While the homeowners' are responsible for the culverts under their driveways, in this particular situation, it has been determined that some of the erosion problems are caused from runoff of Deer Pass. There was discussion that perhaps a larger culvert was needed. It was also discussed that the Association should have Peavy take a look at the problem, discuss their recommendations with the Bloomquists, and have the repairs made with the Association and Bloomquists dividing the cost. Mike Jefferis will proceed to discuss this with Peavy and the Bloomquists.

COMMITTEE REPORTS

ACC: Reported by Pat Powell in the absence of Diane Sheffield

ACC meeting held for month of August and the following items were recommended by ACC for Board approval:

1. Chuck & Darlene Williams, 4104 Tallavana Trail, Lot F-37, submittal for a 2196 sq. ft. Log home with attached 2 car garage. Colors are ACC approved and no buffers encroached. Applicant did request permission to locate logs in the road right of way on a temporary basis while home is under construction. Applicant also requested permission to have a trash trailer on the road right of way. Requests to use the road right of way are due to the limited working space and the extreme slope of the lot. (See note at end of minutes)

MOTION BY TOM SCOTT THAT THE SUBMITTAL BE APPROVED AS RECOMMENDED BY THE ACC AND THE APPLICANT'S REQUEST TO USE THE ROAD RIGHT OF WAY FOR TEMPORARY LOG STORAGE AND TRASH RECEPTACLE BE APPROVED WITH THE STIPULATION THAT THE HOMEOWNER BE RESPONSIBLE FOR RESTORING/REPAIRING THE ROAD RIGHT OF WAY ONCE CONSTRUCTION IS COMPLETE. ALSO, THAT THERE BE SAFETY MARKERS USED TO INDICATE ITEMS CLOSE TO THE ROAD. SECONDED BY JOE SMYTH. MOTION CARRIED.

2. Ron & Lana Gray, 3982 Tallavana Trail, submittal for 12 X 24 metal storage shed with additional 12 X 12 metal carport roof. Request denied by ACC as the size exceed the 160 sq. ft. maximum policy. Also, the shed does not conform to exterior materials of the house.

When Mr. Gray was notified of the ACC's decision, he wrote a letter to the Board immediately so that his submittal may be reviewed by the Board without further delay. While Mr. Gray's letter stated that he would be willing to purchase a smaller storage building, the colors, design and construction would be the same as the original submittal. After reviewing the submittal and Mr. Gray's response, the Board was not able to vote one way or the other in approval of Mr. Gray's storage building. The Board did vote to have the ACC return to Mr. Gray for additional clarifications regarding his submittal.

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MOTION BY TOM SCOTT THAT THE SUBMITTAL BY RON GRAY BE RETURNED TO THE ACC FOR FURTHER CLARIFICATION. SECONDED BY MIKE MAPSTONE. MOTION CARRIED.

3. Danny Junkins, 141 Audubon, submittal for color change per ACC guidelines.

MOTION BY TOM SCOTT THAT SUBMITTAL OF COLOR CHANGE BE APPROVED AS RECOMMENDED BY THE ACC. SECONDED BY MIKE JEFFERIS. MOTION CARRIED.

Policy Committee: Reported by Joe Smyth

Joe Smyth reported that while reviewing the minutes of at least 6 years, he found 43 rules or policies adopted so far, however; some have been superseded since then. Joe and Mike Jefferis are reviewing minutes from 1977 to present. Joe and Mike are also keeping notes of general comments that may be pertinent or interesting for historical sake.

OLD BUSINESS

1. Budget Workshop – Mike Jefferis requested the volunteer list for the Budget Review Committee. Mike and Debbie would like to begin work on the new budget, as there are changes that need to be made by separating routine maintenance items from capital improvements.
2. Service Contracts – The Board was given two different samples of service contracts for Debbie Robinson, Corporate Secretary/Bookkeeper for the Tallavana Homeowners' Association. After review and discussion the Board voted on the shorter version.

MOTION BY TOM SCOTT TO APPROVE THE SHORT VERSION OF THE SERVICE CONTRACT FOR DEBBIE ROBINSON. SECONDED BY MIKE MAPSTONE. MOTION CARRIED.

There was further discussion regarding service contracts for other services such as the web site, mowing, cleaning, and security. There was general consent that we contact Attorney Ken Abele to draft a generic service contract that can be used for the various services provided to the Association.

NEW BUSINESS

1. Fee for Pavilion use by business/social/church groups – Policies of the Tallavana Homeowners' Association, Section 100, Item 170 Pavilion Reservations, Number (2), and Use by residents for a work or business related party, church group get-together, etc. is also allowed, but a fee is charged (in addition to the refundable cleaning deposit).

This policy is in force but has not been regularly followed. At one time the fee was set at \$75.00 but has not been collected for several years. Since the Board has been made aware of this, it was determined that a new fee should be set and enforced.

MOTION BY TOM SCOTT THAT THE FEE FOR THE USE OF THE PAVILION FOR BUSINESS, CHURCH GROUPS, ETC. BE SET AT \$150.00 PLUS THE \$25.00 REFUNDABLE DEPOSIT FROM THIS TIME ON. SECONDED BY MIKE MAPSTONE. MOTION CARRIED.

2. Gate Committee – At the July Board Meeting, the Board of Directors adopted a new Gate Policy. The gate policy was drafted and adopted to insure that the THA members would know our policies for opening the security gate. The policy states that requests for opening the gate should be made to the Gate Committee. Item 1. of the Gate Policy states that "Certain THA directors would be assigned the duty of maintenance of the gate plus opening and closing the gate for designated reasons and have keys to the

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gate. These THA directors will be called the “gate committee.”” It was determined at this Board meeting that the Gate Committee members are:

Tom Scott, Chairman; Joe Smyth; Kimsey Helms; Debbie Robinson, Backup. Bill Oswald will continue to be the contact for gate repairs.

With no further business, meeting was adjourned at 10:20 p.m.

Respectfully submitted,

Debra Robinson
Corporate Secretary

NOTE: After the August 2005 Minutes were approved at the September 13th Board Meeting, an error was found in the August minutes. The correction was made at the October 11th Board Meeting. The correction is in the ACC report regarding the submittal by Chuck & Darlene Williams. It was reported by ACC that the buffers were not encroached when in fact the buffers have been encroached particularly the side buffer for a driveway. Also, there has been clearing of the side and back buffers even to the point of tree removal beyond the Williams property boundaries.

It was the consensus of the Board to correct the August minutes by adding a note to the August minutes as well as including the correction in the October minutes.