

TALLAVANA HOMEOWNERS' ASSOCIATION, INC.

Minutes of the monthly Board of Directors meeting held on August 12th, 2008, at the Lake Tallavana pavilion, Havana, FL.

PRESENT: Neil McDonald, Larry Jones, Rick Kornmeier, Bill Oswald, Rob Combs and Tom Scott Board members, Debbie Robinson, Corporate Secretary. See attached list of others in attendance.

ABSENT: Kimsey Helms

The meeting was called to order at 7:00 pm by President, Neil McDonald.

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

Approval of Agenda:

No revisions

LARRY JONES MOVED TO APPROVE THE AGENDA AS WRITTEN. BILL OSWALD SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

Approval/Corrections of July 2008 Minutes:

No corrections.

LARRY JONES MOVED TO APPROVE THE MINUTES AS WRITTEN. ROB COMBS SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

Treasurer's Report: Rick Kornmeier reported the total deposit for July was \$16,230.66, routine operating expenses of \$14,493.51, no major project expenses, checking account balance is \$806.07 Money Market balance is \$113,565.02 and the balance in CDs/Savings is \$52,479.93.

Rick reported the majority of the routine expenses included mowing/road maintenance, secretarial/bookkeeping and annual liability insurance premium. There were no major project expenses in July. A handout that tracks the cash balances, account transfers and expenses was available to the attending members.

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

Correspondence/Phone Calls:

1. Neil reported on an email received from Jean Wood regarding the killing of aquatic plants along her shoreline. Jean questioned if the plants were killed at the time the lake was sprayed for aquatic weeds. Bill's reply to Jean's email was that her cove was not sprayed and could not explain why her plants died. Bill will address the need for additional spraying under Lake Report.

2. Neil received a phone call from Denny Bloomquist regarding the dead carp smell and trees on the backside of the dam. Mr. Bloomquist explained that when the spillway is shut off, the carp get caught in the creek. At one point in time, he counted approximately 1,100 carp. Opening the spillway moves the dead carp downstream and the buzzards remove more.

3. The Board received an email from Era Singer and Paul Ringenberger regarding the tree that fell from the adjacent property taking out Talquin power lines. Neil said that the Board would address this issue later in the meeting.

4. Neil received an email from Mr. Don Refenes at 934 Tallavana Trail regarding the pieces of metal and

debris on the common property across from their home. Don asked when the debris would be removed. Neil said that this issue would also be addressed under Roads, Grounds and Dam.

5. Neil reported that he and Bill received an email asking why we cannot spray the portion of the lake that is adjacent to Reston. Neil said that we would address that issued under Lake Reports.

BOARD REPORTS

Legal: Neil McDonald and Rick Kornmeier

Rick reported that the only phone call he had regarding legal was that concerning the cutting of the telephone cables. Neil said that he called the attorney due to a phone cable being cut, the attorney advised Neil of the actions we should take, Neil followed through with those actions and there is to be no further discussion as there could be legal action.

A. Lambert runoff – No update.

B. Heidenreich/Magnolia Ct. & Pine Top Ct. –No update

Member Relations: Tom Scott

There were 928 visits to the website in July.

Tom reminded everyone that August 15th is the deadline for newsletter articles. Anyone wishing to submit an article should get it in by then.

Lake Management: Tom Scott & Bill Oswald

a. Carp report – Bill reported a harvest of 149 carp this past month. The boat continues to have problems with the build up of algae and Bill asked if the purchase of a trailer would be possible. The purchase of a trailer was first considered last fall during the 2008 Budget prep, but was removed by Bill and Neil. Rick mentioned that he had a pontoon trailer that could be rigged to hold the carp boat for periodic cleaning. Neil and Bill will look into fixing Rick's trailer to accept the carp boat without a lot of expense.

Tom brought up the fish survey that was voted on at the July meeting. After speaking with Bob Rousseau, Tom said that Bob recommended we not do a fish survey in August as it would not be comparable to the past surveys that were done in the month of April. Bob recommended that we wait until next April for the next fish survey.

Bill expressed his feelings regarding Herb Wyatt, felt that Herb has done a wonderful job for Tallavana and said that although Herb does not carry liability insurance nor does he have a FL license, Bill would like to see the Association work something out with Herb. Bill questioned the competency of Bob Rousseau and Charlie Messing.

Tom answered that both Bob and Charlie are extremely competent, very respected in their fields, and they have degrees in fisheries biology. Tom said that his main concern regarding Herb was his lack of a permit for shocking. If Herb were to be caught shocking on Lake Tallavana without being on a permit, the Association could be fined or worse, lose our license to shock and own shocking equipment.

Bill said that Herb has had a problem with the Fish and Game people and would not bring it up at this time but if anyone wanted to know about it, they could see Bill after the meeting. Tom said again that he did not want any trouble for Lake Tallavana with the FWC.

LARRY JONES MADE A MOTION THAT PRIOR TO NEXT APRIL, THE ASSOCIATION IS TO SEEK MULTIPLE BIDS FOR THE APRIL 2009 FISH SURVEY. ALL BIDDERS ARE TO BE INSURED, LICENSED AND COMPARABLE IN QUALIFICATIONS. TOM SCOTT SECONDED THE MOTION. THERE WAS NO OPPOSITION MOTION CARRIED.

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The aquatic weeds need to be sprayed again using the same contractor as before. The last time it was done it cost \$712 and Bill said that the cost should be about the same this time. There was discussion about the Aquatic Plant Management Permit, which does not cover the alligator weed that we would like to include in the spraying. Our permit is for water-hyacinth, duckweed, salvinia.

BILL OSWALD MADE A MOTION THAT THE AQUATIC WEEDS BE SPRAYED AS BEFORE. RICK KORNMEIER SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

Regarding the spraying the area of the lake adjacent to Reston, Bill said that we can only spray up to the last resident in Tallavana and cannot go beyond our property. Rick said that we might want to consider that the aquatic weeds that wash down from the creek along Reston end up in Tallavana anyhow and maybe we should consider spraying beyond the last property. Neil said that the people from Reston could get their own permit and hire the same guy to spray along their property but the Tallavana will not be responsible due to liability and permit issues.

Lake Watch – Pat Powell: Pat said that Lake Watch could not go out as long as the lake was lowered.

Pat asked how long the lake was going to remain at the present lower level. Neil replied that the lake will not be lowered again and is currently at the legal level. Bill agreed that the lake is at the level it should remain. Tom responded that the lake is currently 6" below the permitted level. Pat said there has got to be more water in the lake, that currently the boats cannot be floated from the docks. Neil said that this discussion would continue under Roads, Grounds and Dam.

Pat continued with Lake Watch stating that the program contacted her to see if we were still interested in participating. Diane and Debbie volunteered to gather the samples for Lake Watch using a smaller boat.

The DO meter is out for repairs and Tom reported the estimated repair cost to be \$400. The meter is important for vital information concerning the water quality of the lake.

Security: Rob Combs

Rob reported that Scott Ivey worked 20 hours for the Association and 16 hours while on duty with the Gadsden Sheriff's Department. Scott reported 11 traffic stops and 76 house checks. Mike Fish worked 16 hours in July. Larry asked how many of the reported hours are spent on Mason Drive. Scott Ivey was present and reported that he drives around Mason Drive all the time and at odd hours.

Rob reported that the motor home issue of parking at the pavilion has resolved itself.

Neil mentioned the coyote problem that was discussed at the last meeting. Scott said that a pack of coyotes could be very dangerous. They will attack and kill cats and small dogs.

Rob spoke with Mike Fish about this and said he would check into the law books about what we could legally do about the coyotes. Mike said that coyotes do not respond well to trapping. He suggested that if they become too big of a problem, that we might have to obtain a permit and hire a licensed hunter take care of them.

Gate: No report.

Roads, Grounds & Dam: Larry Jones (Kimsey Helms, absent)

Larry wanted to go on record that since he has been on the Board that he has had nothing to do with Roads, Grounds and Dam. That Kimsey would not let him have anything to do with it. Anything that has since happened with the dam and roads, he has had nothing to do with it and will not put up with it any more. Larry asked to be removed from Roads, Grounds & Dam.

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a. 12-Pipe Emergency Spillway update: Neil reported that it could take 3-4 months for the work to begin but the grant has been approved. The original grant was for \$286,000 but when the grant was approved, the Federal Government rounded up to an even \$300,000.

Bill reported that they met with the surveyors and engineers on site for the planning stages to begin. Mr. Cooper will be the chief engineer from Natural Resources Conservation Services. In addition to the 12-pipe spillway repairs, NRCS will resign and draft the engineered drawings for the drainage and spillway behind the dam. The drawings will comply with Northwest Florida Water Management District and will be in our possession for our use when the time comes to repair the spillway area. There is some work that needs to be done is on private property. Mr. & Mrs. Bloomquist has submitted a letter giving permission for that work.

Neil reported that the grant funds stay with NRCS. NRCS and Gadsden County will be under contract for the county to do the work under the supervision of NRCS. The county will submit invoices to NRCS for payment. NRCS will request our 25% payment as the work progresses.

The contract between NRCS and Gadsden County is to be signed by the county at their meeting on August 19th. Neil estimated that it would probably take about 1 month for the plans to be drawn and approved. After the approval of the plans, the project will be sent out for bids.

Don McEwen reminded the Board that the membership still needs to approve of the diversion of funds for the \$75,000 match of the grant. Larry said that the special meeting would be discussed later in the meeting.

Tom asked if the additional funds would pay for the tree removal from the backside of the dam. Neil reported that only the area around the Bloomquist property would be covered. That area has some runoff issues that NRCS would like to repair.

Neil reported that there is a completion date of March 8th, 2009. This project will be done by then.

Pat Powell asked if the lake level was going to be brought back up once this project was done.

Bill said that in 1986 we were under a court order to lower the lake. Bill showed a copy of an invoice for a 43" riser pipe. Bill indicated that the invoice proves the legal level of the lake and that the current lake level is where it should be.

Tom reminded the Board that the current level was not in accordance with the survey and the permitted level as determined by the Water Management District. Bill said that the survey and permit did not matter, that he has a legal description of the lake and an invoice that shows the length of the standpipe and that we would go with that.

Tom reminded the Board that at the May Board meeting they voted to cut 12" from the standpipe to lower the lake during the 12-pipe spillway repairs but that the vote was to return the pipe to the legal height according to the survey at 145.7 and the permit. Bill said that was until we found the invoice and the pipe is now exactly where it should be. Bill cut 6" from the standpipe.

Diane reminded the Board that the entire current pipe is new since the 1988 invoice for the 43" pipe; that this invoice does not prove what the lake level should be. Tom said that if the lake were left at the level Bill wants, then many residents would have no water at their docks. Bill's thoughts are that there should be no property markers in the lake.

Diane reminded the Board that the lake level has been surveyed many times and the pipe before Bill cut anything off was the legal height. Tom said that just two years ago we had the survey done again and found the top of the standpipe within a couple of inches from the NFWMD permitted level. Tom went on to say that at that time, he had a discussion with Ken Abele regarding the legality of the lake level. Ken advised that there could be a reason for property owners to sue if they could not use their docks due to the permanent dropping of the lake level.

Rick Kornmeier asked about the document that showed the permitted level. Debbie said she could furnish copies to the Board. Rick said if there is a document stating the legal level, then the lake should be kept at that level but would make that decision after reviewing the documentation.

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RICK KORNMEIER MADE A MOTION THAT THE ISSUE OF THE LEGAL LAKE LEVEL BE TABLED AT THIS TIME UNTIL THE DOCUMENTATION IS DISTRIBUTED TO THE BOARD. ONCE THE BOARD MEMBERS REVIEW THE PERMIT AND SURVEY, THEN AN INFORMED DECISION CAN BE MADE REGARDING THE LEGAL LAKE LEVEL. LARRY JONES SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

Member Linda Ritche asked the Board to be mindful that permanently lowering the lake will cause lower property values. Neil said that the lake level would fluctuate as work is being done on the spillways and dam especially during hurricane season.

Larry commented that while the lake was lowered, it would be a good time to consider the tree removal behind the dam. Neil has a cost estimate for the tree removal. When the lake is lower, Tom said it would be a good time to hit the carp hard. Tom said that he has noticed an increase in the carp around his dock. Diane said that with the lower lake level, the carp are now digging where the rocks ended.

b. Spillway update – Discussion about the spillway was included in the 12-pipe spillway.

c. Emergency exit plans – Neil said that since Kimsey could not be at the meeting, this item would be tabled.

d. Geo-test results of Tallavana Trail – Neil said that since Kimsey could not be at the meeting, this item would be tabled.

COMMITTEE REPORTS

1. **ACC:**

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

Approved Submittals:

Suzanne West, 60 Quail Court, submittal for a new roof.

Shelia & Scott Mehle, 525 Tallavana Trail, submittal for exterior stain and possible removal of trees too close to the house.

Other ACC Issues: On July 24th, ACC members met with Dr. Julia Gill, 2659 Tallavana Trail to further discuss her plans for the deck over water.

Pat reported receiving a phone call from a member on Mason Drive who wanted to submit plans for a fence. Pat got a quorum of the ACC to attend the Board meeting to meet with the homeowner and go over her plans. The Mason Drive homeowner did not show up at the Board meeting. Larry said that there are plans forth coming.

See full report attached to the minutes.

2. **Lake Management Committee:** Diane Sheffield reported that the water samples taken during the hike up Hurricane Creek showed high levels of nitrogen. The group had to cut the hike short due to an approaching storm and have not had the chance to regroup and hike as far as China Hill. Tom said that the high levels of nitrogen are currently driving the algae bloom. Diane said there is no update on the 319 grant or the Florida Forever grant.

3. **Budget Committee:** Don McEwen reported that the committee continues to wait for the projects

to be submitted. So far the submitted projects are for the re-roofing of the pavilion and restrooms, road resurfacing, subsurface road analysis, administrative computer, and spillway repairs. We are waiting for project submittals for the Mason Drive gate, sediment removal from the north end, repairs to the standpipe and emergency exit.

Don said that after plugging in the projects submitted so far, and even moving some projects into the future, the current budget model indicates that there may be a for a special assessment to replenish the reserve or escrow account after using \$75K for the 12-pipe spillway repairs. Don said that although there are no easy answers, the Board must go forward with the special member meeting for the approval of the diversion of funds. Don suggested to the Board that they develop a strategy for what information needs to be in the meeting notice, when to schedule the meeting, and what should be on the ballot so that we can get membership approval for the spillway repairs.

The next Budget Committee meeting is Tuesday, August 26th at the Hazel Baker Community Center. There was additional discussion about the budget and Tom Scott suggested that the discussion continue at the Budget meeting.

4. ESO (Neighborhood Emergency Preparedness Planning): Cheryl Roberts reported that she and Debbie Robinson went to a training meeting that they may return to the neighborhood to train others. Their main objective is to get the individual households prepared for emergencies so then the neighborhood on the whole would be more prepared.

Cheryl said that she has information on the Vial of Life and anyone interested should contact her. Cheryl also has been in contact with the Sheriff's Department and was told that Captain Doug Brown would be willing to check out all the ESO hand held radios.

Cheryl is also in contact with a Talquin representative regarding the lack of fire hydrants from the main gate to the dam. The water lines are currently smaller than the 6" requirement for fire hydrants. Cheryl is also trying to organize a CPR class. A great website for information on being prepared personally is floridadisaster.org. After registering on the website, personal questions will be asked about your family and then a plan will be developed specifically for you.

OLD BUSINESS

No old business.

NEW BUSINESS

Larry said that he had 4 motions that he gave to the Board members prior to this meeting for their review. Larry went on to say that whatever hard feelings there have been in the past that we should get beyond all that. When elected to the Board, individuals should put aside their personal agenda and to what is best for the whole of the community.

1. Agenda Protocol: Larry stated that he would like all items to be listed on the agenda. If an item is to be added, then it can be brought us at the agenda approval stage. If an Item is not added to the agenda then we will not cover it in the meeting, as it will not be on the official agenda. Larry continued that a Board member must be present in order to put an item on the agenda. If later in the meeting an item is brought up, it cannot be discussed, as it was not added to the agenda at the beginning of the meeting.

LARRY JONES MOVED FOR THE ISSUES IN AGENDA PROTOCOL AS STATED ABOVE. RICK KORNMEIER SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

2. Voting issues in packets: Larry stated that if items are to be addressed and voted on, the information required to make an informed decision or at the least the request, will be in the monthly packet at least 3 days before the meeting. If this matter is not addressed in the packet, no vote will be held until the next meeting.

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Discussion: Larry wants all background information in the packets on the items that will be requiring a vote. He said that informed voting would insure that the Board is making the right decision for all involved. There was discussion about how an emergency situation would be handled. It was determined that if the emergency was placed on the Agenda in accordance with the previous motion, then that situation would be covered but all other items coming up for a vote should have the background information if applicable, in the packets 3 days prior to the meeting.

LARRY JONES MADE A MOTION THAT IF ITEMS ARE TO BE ADDRESSED AND VOTED ON, THE INFORMATION REQUIRED TO MAKE AN INFORMED DECISION OR AT LEAST THE REQUEST, WILL BE IN THE MONTHLY PACKET AT LEAST 3 DAYS BEFORE THE MEETING. IF THE MATTER IS NOT ADDRESSED IN THE PACKET, NO VOTE WILL BE HELD UNTIL THE NEXT MEETING. RICK KORNMEIER SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

3. Bid Issues: Larry stated that since all sides have problems with the issues of cost, all requests for expenditures will be accompanied by at least 2 bids. If only one bid is available a good faith list of contacted firms/individuals and phone numbers will be submitted. In today's economy, there are lots of firms looking for extra work. The Board could table the matter until the bids are received if multiple bids are not presented.

Discussion: Larry said that no one is exempt from this. If he presents something to the Board, he will submit no less than 2 bids and expects everyone to do likewise. If it is something that is already in place and we are going to continue with that, then that stands. But from here on out, anything that comes up will not be voted on without the minimal 2 bid process. Rick said that there should be a maximum allowance that would not require bidding. It was the consensus of the Board that anything under \$250 would not require 2 bids but nonetheless, the best prices should be sought for minor expenses and office supplies. Larry acknowledged that Debbie price compares and uses savings coupons for office supplies.

Rick added that if one bid comes to the Board with no evidence of attempts to obtain more bids, the Board would not vote on the purchase. Debbie reminded the Board of the state statutes concerning their requirements for bidding. Larry said that he wanted our bidding procedures to go beyond those in the state statutes. Larry said that this procedure will protect everyone and will keep the "buddy" system from happening.

LARRY JONES MADE A MOTION THAT ALL REQUESTS FOR EXPENDITURES OVER \$250 BE ACCOMPANIED BY AT LEAST 2 BIDS. IF ONLY ONE BID IS AVAILABLE, THEN PROOF OF ATTEMPTS TO OBTAIN ADDITIONAL BIDS MUST BE PRESENTED BEFORE THE BOARD WILL VOTE. REQUESTS FOR EXPENDITURES WITHOUT BID WILL BE TABLED UNTIL BIDS ARE OBTAINED AND PRESENTED TO THE BOARD. RICK KORNMEIER SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

4. Items for special meeting: Larry stated that the special meeting that is being kicked around for the methods of replacement funds for the grant share, needs to be expanded to also cover the issue of the Homeowners' Association taking over Mason Drive from the county and the placement of a gate for Mason Drive. Also, we could then open the existing gate and a second access could be added to Hickory.

Discussion: Larry continued discussion with a proposal for what should be on the ballot regarding the funding of the \$75K. Neil reminded the Board that deciding at this time what should be on the ballot was premature as there was a Budget meeting coming up where it could be better decided what could be done towards the \$75K. There was discussion about the time frame that we need to have the meeting, the need to replenish the escrow account and specifics about the special meeting. It was determined that the specifics could be worked out after the budget meeting and that the general issues of the special meeting should be determined at this meeting.

LARRY JONES MADE A MOTION THAT THE BOARD HOLDS ONE SPECIAL MEETING SPECIFICALLY

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FOR 1.) AUTHORIZATION OF THE \$75,000 FOR THE GRANT MATCH, AND 2.) AUTHORIZATION OF THE HOMEOWNERS' ASSOCIATION TAKING OVER MASON DRIVE FROM THE COUNTY AND THE INSTALLATION OF A GATE. TOM SCOTT SECONDED THE MOTION. DISCUSSION TO FOLLOW.

Discussion: A member mentioned that unless they knew how much it was going to cost for the roadwork and gate that the members would not vote in favor of taking over Mason Drive and building a security gate. Larry said that he would have the numbers to the Budget committee but felt that cost was irrelevant to the issue of taking over Mason Drive. There was discussion that the upkeep of the road would incur cost and the whole idea of taking over Mason Drive would be to install a gate which would incur cost. The object of the discussion was that the membership needed to be totally informed in order to vote.

MOTION WAS BROUGHT UP FOR A VOTE. THERE WAS NO OPPOSITION, MOTION CARRIED.

With no further business, meeting was adjourned at 9:04 p.m.

Respectfully submitted,

Debra Robinson
Corporate Secretary

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

August 5, 2008

Minutes/Report

Meeting of the monthly Architectural Control Committee (ACC) was held on August 5th, 2008 at the pavilion of Lake Tallavana.

PRESENT: ACC Members –Earl Mills, Pat Powell, Virginia Everett and Linda Ritchie
THA Members –Sheila Mehle, Greg Shields, Glen Taylor, Corporate Secretary, Debbie Robinson.

Approvals:

Suzanne West, 60 Quail Ct., submittal for a new roof. New shingles to be same color as the ones being replaced.

Shelia & Scott Mehle, 525 Tallavana Trail, submittal for stain color on exterior. Also, while painting, there may be a need to trim trees that are too close to the home or remove the tree altogether. Color sample was submitted and approved.

Pending: Greg Shields reported a dead tree in his back yard. Earl will arrange to make a site visit and complete a formal submittal for full ACC approval.

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Other ACC Issues: On July 24th, ACC members Earl Mills, Pat Powell, Virginia Everett and Linda Ritchie met with Dr. Julia Gill, of 2659 Tallavana Trail, to discuss and add an addendum to a previous submittal. At the July 1st ACC meeting, the committee approved the addition of a 12' x 12' deck over water. Once the work began, it appeared as though the approved plans were not being followed. The ACC met with Dr. Gill on the 24th to further discuss her plans for the deck over water. The ACC found that due to the degeneration of the shoreline that is now threatening the home, extensive shoreline restoration is required to save the home from the lake. With the additional shoreline restoration, Dr. Gill would not be able to access the lake from the existing deck. Therefore, the extra square footage was granted to allow access to her boat.

Respectfully submitted,
Debbie Robinson,
Corporate Secretary for Tallavana Homeowners' Association

APPROVED