

TALLAVANA HOMEOWNERS' ASSOCIATION, INC.

Minutes of the monthly Board of Directors meeting held August 13, 2002 in the meeting room of the Havana Public Library meeting room, Havana, Florida.

PRESENT: Kimsey Helms, Don Magruder, Billy Cabanas, Tommy Baker, Jim McMichael and Donna Johnson, Secretary to the Board. See list of others in attendance.

ABSENT: Pete Everett & Vernon Crotts.

Kimsey called the meeting to order at 7:06 pm.

Approval/Corrections of Minutes: With several corrections, Billy moved to accept the minutes with the corrections and Tommy seconded. In voting there was no opposition.

Correspondence/Phone Calls: Kimsey reported that he received a letter from Ned Megargee and Jill Mercer requesting individuals allowed permission to request spraying for mosquitos. Tom Hanson received a letter from Jason Harrell stating that they will plant trees in the cooler weather and have sodded the lot to prevent run off. Kimsey stated he received 3 phone calls after the heavy rain.

Treasurer's Report: In the absence of Vernon, Donna gave the Treasurer's Report. We had income of \$10,574 and expenses of \$5,615.72 in August. Checking account balance is \$7,514.78 and Sinking Fund balance is \$161,546.19. Donna stated that \$20,000 was transferred from checking to savings in July.

Board Reports

Legal: Don stated that he talked with Jim Heindenrich who purchased the property formerly owned by Pepper Ghazvini. Don drafted a letter to Mr. Heindenrich with a copy of the Restrictive Covenants and a copy of the settlement agreement with Ghazvini. Don answered the interrogatories from Tom Lincicome's attorney. Don stated he contacted several attorneys with expertise in real estate and homeowners associations, to see if it would be feasible to change attorneys. Don attended the P&Z meeting and the request for exception to the county code for horses in residential community with less than 5 acres, was referred back to the homeowners association. Don also mentioned the mortgage foreclosure for Darrell Baxter that we have a lien on. The mortgage company has lost the original mortgage papers and our attorney requested our lien have priority over the mortgage company. Don reported that the gate on the easement to Tom Lincicome's 30 acres was found unlocked and the grounds mowed. Tom Lincicome said he did not mow the area. Don mentioned the development at the end of Quail Court has been approved by a previous board for development. Billy stated the 30 acre area needs to have a gate at the far end to keep people from dumping trash there. Kimsey will see about moving the gate to the far end by obtaining a price for installing a fence and gate on powerline.

Lake Management: Billy stated: (1) Bob Rousseau sprayed the lake on Friday August 3rd; (2) suggested we shock the lake when it is lowered and with the help of volunteers to get rid of the German Carp; (3) Helge met with the Board last Sunday (because he couldn't be at this meeting) and presented the Board with 4 bids and the lowest bidder was Entech at \$2.35 per cubic yard and recommended them. Billy moved to authorize Helge to negotiate a contract with Entech, for

phase 2 to remove 20,000 cubic yards and bring a contract to the next Board meeting. Don seconded and in voting there was no opposition. Billy had asked Helge to hold a town meeting with the members on August 24th at the Pavilion at 10 am to advise the membership of the potential draw down date. A notice of the meeting will be mailed to the membership. Retrofitting of the holding ponds in D-8 will probably be done next year. In lake time 1 year is not sufficient time to build up a lot of sediment.

Security: Tommy reported that Billy Kemp worked 21 hours and Scott Ivey worked 20 hours, plus 15 hours on duty - 3 speeding tickets were issued. The out gate hydraulic pump needs repairs and 4 new wheels are needed and should be fixed by Wednesday, August 15th.

Roads, Grounds & Dam: Kimsey received a letter from Peavy Construction about finishing the contracted work. The cracks in the newly paved overlay can be filled by volunteers to prevent further erosion. Kimsey stated the areas near the entrance could use a complete overlay on both side of the gate, he will have more information by the next meeting. After a full mowing each month, we have been doing a partial mow about 2 weeks later.

Member Relations: Jim called on Carolyn Palmquist, Chair of the Welcome Committee, who stated a pot luck dinner is planned for the membership to greet the new comers on October 5th at 5:00 pm. Carolyn also presented a sample of a calendar featuring photos taken around our Lake by members. The actual cost to produce this calendar is \$13 each and she left a sign up page for anyone interested and already has a request for 79 calendars. The committee has seen 4 new members and 3 families agreed to prepare information about themselves for our newsletter. Pavilion Expansion Committee - Mark Ruley reported more than 40% of the membership responded to the survey and about half had comments. Social committee has no plans to meet until the fall.

ESO: Jim reported no information - however, he understands that the group is short of funds for new radios and that they need more volunteers.

Newsletter: Articles for the newsletter are due to Carolyn Tanner by August 15th.

Committee Reports

ACC: Tom Hanson, Chair was absent, Diane Sheffield read report from committee. One house approved for Barnett, Jason Harrell house colors have been approved and have no additional information about the Beckwith's and suggested this is a legal issue for the Board to handle. Mrs. Shields requested time for her husband to recover from surgery regarding ACC violations. Don moved we have our attorney write to the Beckwith's regarding the ACC violations. Billy seconded and in voting there was no opposition. Don will draft a letter for attorney approval.

Lake Planning: David Trimble said it was not necessary to be on the agenda each month. Still have not been trained for storm water testing. David suggested if volunteers would collect samples, maybe DEP will do the testing. The Lake is still on the medium impaired water list and is scheduled in 2007 for review. McGlynn Laboratories also does testing.

Lake Water: Pat Powell reported that the vanishing point is only 1 foot on the Secchi disk and that there is a lot of algae in the Lake.

Old Business

1. Connelly horses: Don distributed a summary of activities to the Board members regarding the miniature horses. Don read quotes from Jack Harnett, our attorney, who reviewed all the Homeowners Restrictive Covenants, which clearly states that no livestock is permitted. Don

stated that the Board has the duty to enforce the Restrictive Covenants as well as any other

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member of the association and that each case involving the Restrictive Covenants is separate from any other Restrictive Covenant. Don suggested that the Board should give the Connelly's 60 to 90 days to remove the horses from their property. In his summary of events, Don also presented 'available options' and suggested the Board enforce the Restrictive Covenant #8. Don moved that, under the authority granted to this Board by Restrictive Covenant, Paragraph Eight (8), as recorded in the Gadsden County Official Records Book 184, Page 263, dated November 8, 1974, Mr. & Mrs. Richard Connelly, 662 Tallavana Trail, Havana, Florida 32333, hereby be advised that they are in violation of Restrictive Covenant No. eight (8) and shall be given sixty (60) days to remove the horses from their premises, or the Board will have no alternative but to file such injunction or other legal action as may be necessary to protect and defend Paragraph No. eight (8) of the Restrictive Covenants. Tommy seconded and in voting there was no opposition. Debbie Connelly requested the letter be sent to their attorney, however, the Board will send the letter will be sent to the Connelley's with a copy to their attorney.

Mosquito Spraying: Billy said at the last meeting the issue was discussed and suggested authority will be only for residents requesting spraying on their property. Jim said the county is very slow now to respond due to number of requests. Jim moved to allow mosquito spraying when requested. Billy said spraying is the last resort and probably not every effective in our forested area. Billy seconded the motion and in voting there was no opposition

FPL Easements: no action

New Business

1. Policy Exceptions, Tommy stated he will make some changes to suggested policy changes - tabling for the time being.
2. Saturday AM coffee - Donna Johnson suggested this be on the agenda for further discussion. From the recent survey, there seem to be a lot of misinformation or misunderstandings about what the membership is expecting from the Board and suggested a regular quarterly meeting to discuss some of these concerns. No action was taken.

Kimsey stated that September 10 is primary election day and that the meeting room will not be available for our monthly meeting. The room will be available on September 17th and reschedule the monthly meeting for September 17th.

Don said someone contacted him about solicitation of candidates - no action was taken..

With no further business, Jim moved and Billy seconded to adjourn at 9:03 pm.

Respectfully submitted,

Donna Johnson,
Secretary

/dj

APPROVED