

## TALLAVANA HOMEOWNERS' ASSOCIATION, INC.

Minutes of the monthly Board of Directors meeting held on December 13, 2005 at the Havana Library, Havana, Florida.

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

ABSENT: Tom Scott

The meeting called to order at 7:08 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:

Revision to agenda – Item #1 under Old Business, Budget, moved to next item of business after approval of agenda. Add to New Business, Item #3. Awards for Christmas Decorations.

MOTION BY KIMSEY HELMS TO APPROVE THE AGENDA AS REVISED. SECONDED BY JOE SMYTH. MOTION CARRIED.

### **Old Business: Item 1. Budget – Don McEwen**

Don reported that the original format of the 10-year budget spreadsheet has been revised to reflect a section of routine operating expenses and a section for major projects. Mike Jefferis and Debbie Robinson are responsible for the format changes to the 10-year spreadsheet. Mike Jefferis worked with the other board members to gather their projected expenditures for the upcoming year and beyond. Mike and Debbie worked with the spreadsheet in preparation for the Budget Committee. The Budget Committee met once to fine tune the Budget. Committee members were Lance Ortiz, Jean Wood, Kimsey Helms, Joe Smyth, Debbie Robinson, Mike Jefferis and Don McEwen.

The committee determined that there would be no assessment increase for 2006. The 10-year spreadsheet shows where there are funds for the projects while maintaining the current assessment of \$600 per year per member for the next 6 years. Depending on the fuel costs that drive the cost of asphalt, there may be a need for a minimal increase after 6 years. The infrastructures of Lake Tallavana are showing signs of deterioration and must be repaired or replaced.

Shoreline restoration will be done in 2006. The D-8 pond project has been pushed forward with the costs being split between 2006 and 2007. This will allow the time needed for permitting. Storm water retention ponds will be analyzed for repair and maintenance. Properly working storm water retention ponds help with the healthiness of our lake. There will be a detailed inspection of the dam in 2006. Depending on the results of the inspection, there may be some remedial work done on the backside of the dam in 2007.

Don reported \$61,100 budgeted for continued Lake Projects, \$103,000 budgeted for Road Projects, which includes 1 mile of asphalt resurfacing, culvert replacements, storm water retention ponds, building up of some of the dirt roads and ditch work. Other Major Projects budgeted for 2006 include fencing along the boat ramp easement at the North end of the lake and replacement of the gate mechanism assembly (one in 2006 the other in 2007 due to cost of a complete mechanism assembly).

Don asked if the Board had any questions or adjustments to the 2006 Budget. There were no other adjustments or recommendations. Don said there were items the Board had hoped for but were not included in the 2006 Budget. Items such as the construction of hiking trails at Magnolia Hammock and Sheffield Preserve were cut. If there are more volunteers to help, perhaps the trails can still be

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constructed with minimal costs.

Don concluded with the recommendation of the Budget Committee to approve the 2006 Budget with total expenses of \$312,491 and the assessments of \$600 per member.

MOTION BY MIKE JEFFERIS THAT THE 2006 BUDGET BE APPROVED AS RECOMMENDED.  
SECONDED BY DON MAGRUDER. MOTION CARRIED.

A member asked Don to explain the 10-year budget. Don said it is a way to make sure that the Association always has the funds to do what we need. While the Board approves the budget a year at a time, the 10-year budget helps with projections but is always subject to change one year to the next.

**Approval/Corrections of November 2005 Minutes:**

Corrections consisted of spelling, grammar and clarification.

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

**Treasurer's Report:** Mike Jefferis reported the total deposit for November was \$6,777.73, expenses of \$12,593.44, checking account balance is \$11,098.38, and the balance in the sinking fund is \$252,146.95.

The larger expenditures for November were for culvert replacements and property taxes.

Mike reported that a check for almost \$6,000 was received for the delinquent dues, late fees and interest for Lot D-14, which was sold for back taxes. When the lot was sold, the excess funds were distributed to the lien holders, Tallavana Homeowners' Association being one of them.

MOTION BY DON MAGRUDER THAT THE TREASURER'S REPORT BE ACCEPTED AS READ.  
SECONDED BY JOE SMYTH. MOTION CARRIED.

**Correspondence/Phone Calls:**

1. Tom Scott sent a letter to Christiane Guignard in response to her phone call asking if she could place hay bales along her shoreline. The letter explained that the hay bales would break down and become additional material to the existing sediment problem. Tom informed Ms. Guignard that DEP would have to be contacted prior to any shoreline work.

2. Debbie Robinson received a phone call from a former member regarding the prorated dues she was billed for. Debbie explained that when property is sold, the dues that are owed in that quarter are prorated between the seller and the buyer. The former member then called Jean Wood to see if the prorated dues could be excused. Jean said that this would be a matter for the Board but that neither Debbie nor Jean could excuse the amount due without full Board consent. The former member did not make a formal request that this matter be brought to the board.

3. Jean Wood received e-mail from Mr. Roche as a result of her phone call to him after Jean was informed that Mr. Roche had purchased plants to hide the shed in his front yard. Jean will cover this under ACC.

4. Jean Wood received a phone call from Leonard Whatley who asked about the next carp removal. Jean reported that carp removal would most likely begin in January 2006.

5. Member CeCe Smyth received a phone call from Billy Trammel (sp?) regarding boat decals.

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He told CeCe that he was a new resident in Tallavana. CeCe suggested that he contact Debbie Robinson for decals. As of this date, he has not contacted Debbie nor is there a resident on record with this name.

6. Mike Mapstone received a phone call from Dorothy Gillan regarding a danger tree that was 10 feet from the house. Mrs. Gillan wanted to let ACC know that they were having a danger tree removed.

## **BOARD REPORTS**

***Legal:*** Don Magruder and Mike Jefferis

A. Magnolia Court – The civil engineer was contacted and has been out to examine the storm water retention ponds. There is no cost estimate yet.

B. Lincicome case –Don read a letter from Attorney Ken Abele that stated he met with Attorney Stivers and that it appears the parties are extremely close to a resolution. Mr. Abele’s letter also explained that the new owner of the western portion of the proposed easement bought his land already subject to this easement and is not an issue. At the writing of his letter, Mr. Abele was attempting to contact the surveyor to get stakes placed on the site so that we can visually inspect the easement.

Per the motion made at the November Board Meeting, Don delivered copies of his files on the Lincicome case to Ken Abele for his review. Don would like to close this issue soon.

C. Acquisition of Deer Pass – Don reported that Linda Ritche has agreed to contact Mr. Pennington to see if he will sign the documents necessary to acquire Deer Pass. Debbie Robinson researched then sent the legal description of Deer Pass to Linda.

Don reported that he has visited the gate at the Sheffield Preserve. He said it appears that Progress Energy has been trimming trees along the easement.

***Member Relations:***

The web site received 108 hits in October and 38 hits in November.

The Christmas Social was held on Saturday, December 10<sup>th</sup> with 38 members in attendance. A thank you to the volunteers who made the social possible and for the decorations: Pat Powell, Jill and Dave Taylor, Kimsey & Laura Helms, Jean Wood, Andrena Knicely, Jim and Sue Poss.

There was discussion at the November Board Meeting that the bulletin board on Mason Drive would be replaced with a larger one. The existing bulletin board will be moved to the sign at the boat ramp and have the Lake Tallavana fishing regulations posted on it. Debbie Robinson presented sizes and prices to the Board for review. There were three companies that carried the type of outdoor bulletin board that THA is looking for.

MOTION BY MIKE JEFFERIS THAT THA PURCHASES A 48” X 36” OUTDOOR BULLETIN BOARD FROM DICKBLICK ART MATERIALS AT THE COST OF \$364.00. KIMSEY HELMS SECONDED.  
MOTION CARRIED.

It was suggested that prior to ordering, that we check out Office Depot and Staples to see if the bulletin board could be purchased locally. Since this is such a special item, it is doubtful but will be looked into.

***Lake Management:*** Reported by Jean Wood

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Shoreline Restoration update – The permit application is now over 200 pages. DEP regulator Chris Stahl now has all of the information that has been requested so far. The last information requested was for every dock, all the plants per property plus other information on the lake in general. At this time, Jean could not say if the application has been considered complete by DEP. Once we receive the permit, the Association and the permitted homeowners will have 5 years to complete their shoreline restorations.

Jean reported that the roads in the Reston subdivision have been paved which should decrease the sediments that get dumped into the Beaver Creek area.

Jean reported that Scott Matteo is close to completing the plans for the D-8 area.

There is nothing to report on the Lambert property runoff. Sean will be attending a Soil and Water Commission meeting on December 19<sup>th</sup> in behalf of the Association. Association Board members may attend to show support however, Sean McGlynn will be presenting the situation to the commission. Don Magruder said there was no news of a meeting between Ken Abele and Sean McGlynn. Don will remind Ken to set up a meeting with Sean to see if we could pursue Lambert legally. No conflict of interest has been found yet and Ken Abele can help THA with this issue.

**Lake Watch** – Pat Powell: Pat reported that Lake Watch did not go out in November and will not be going in December. She will call her committee to plan for January.

**Security:** Joe Smyth

It was reported that Scott Ivey worked 20 hours for the Association in November as well as 20 hours on duty and performed 22 vehicle stops and 75 house checks. Billy Kemp worked 20 hours in November.

Joe reported that he has a THA ticket that he will run the tag number past Billy or Scott.

Jean Wood asked that security personnel be reminded to watch for construction sites to see if there is an ACC sign indicating that the construction/changes occurring at that site have been ACC approved. She asked that security report all construction sites that do not have an ACC sign. There was discussion concerning if the ACC had enough signs and it was determined that 3 more signs should be ordered.

MOTION BY JOE SMYTH THAT THE ACC ORDER AND PURCHASE 3 MORE ACC SIGNS. SECONDED BY KIMSEY HELMS. MOTION CARRIED.

As a newer member, Joe Smyth asked if there had been discussion regarding Neighborhood Watch. Member Jim Poss said that a few years ago there was discussion and an informational meeting at which 7 people attended. Due to lack of interest, the issue was dropped.

**Gate:** No problems, no report.

**Roads, Grounds & Dam:** Kimsey Helms and Mike Jefferis

Kimsey Helms mentioned that Mason Drive would be getting paved in the near future.

Kimsey reported that Marc Cocke has stopped mowing but will be grading the dirt roads as needed. The dirt roads have not had material added but will require road material very soon. Kimsey has asked Marc to patch the asphalt as needed.

**COMMITTEE REPORTS**

**ACC:** Reported by Diane Sheffield

ACC committee received one submittal on December 12<sup>th</sup>. A meeting was called but not enough of the ACC committee members could attend to reach a quorum. The submittal was from Mr. & Mrs. Refenes, 934 Tallavana Trail, for new door, windows and siding as well as screening the back porch. The submittal also included plans for a shed with site location.

There were enough ACC committee members at the Board meeting to have a quorum so they broke from the regular Board meeting to review the Refenes' submittal. ACC members that met were Pat Powell, Mike Mapstone, Diane Sheffield and Marlene Porter.

The Board continued with the meeting.

**OLD BUSINESS**

1. Budget – moved up on Agenda and already covered.
2. Liability Insurance – Table until January when the Tallahassee agent takes ownership.
3. Quail Court update – There has been work on the road to widen it. The street signs and the stop sign will have to be moved to accommodate the wider road.
4. Nominating Committee report – The Nominating Committee has not been able to meet. There have been some names submitted but nothing to report. The alternate committee member, Ann Whatley is to be replaced by Jim Poss. The committee will meet the first week of January.
5. Committee to research property management idea report – CeCe Smyth reported that the committee has not been able to meet but will do so as soon as possible.

**NEW BUSINESS**

1. Gadsden County Library contribution – The Friends of the Gadsden County Public Library sent a letter to solicit contributions to support the Gadsden Library system. The Havana branch library does not charge the Association for use of the meeting room for our monthly board meetings.

MOTION BY DON MAGRUDER THAT THE TALLAVANA HOMEOWNERS' ASSOCIATION CONTRIBUTES A TOTAL OF \$100.00 TO THE GADSDEN COUNTY PUBLIC LIBRARY. SECONDED BY JOE SMYTH. MOTION CARRIED.

2. THA Lot A-32, removal of building – The Homeowners' Association owns Lot A-32, across the road and up from the D-8 area. What appears to be a playhouse is on the property and the lot needs a general cleaning.

MOTION BY DON MAGRUDER THAT THE LOT A-32 IS CLEANED UP AND THE BUILDING IS REMOVED. SECONDED BY MIKE MAPSTONE. MOTION CARRIED.

3. Awards for Christmas Decorations - Don Magruder expressed appreciation for the neighbors who took the time to decorate their homes and yards for the holidays. Don asked the Board if there was interest in judging the yards with awards for first, second and third place winners. He suggested that the awards could be gift certificates from Nicholson's Farm House. Don also mentioned that the winners would be mentioned in the newsletter and that this could become an annual event.

MOTION BY DON MAGRUDER THAT THREE AWARDS, 1<sup>ST</sup> PLACE \$100 GIFT CERTIFICATE, 2<sup>ND</sup>

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PLACE \$75 GIFT CERTIFICATE AND 3<sup>RD</sup> PLACE \$50 GIFT CERTIFICATE, GO TO THE THREE TOP WINNERS FOR THEIR OUTDOOR CHRISTMAS DECORATIONS. THE GIFT CERTIFICATES ARE FROM NICHOLSON'S FARM HOUSE. SECONDED BY KIMSEY HELMS.

There was discussion as to who would be in charge of the judging. It was suggested that the judging could be turned over to the Social Committee who would appoint 3 judges either from their committee or from the general membership. Member Steven Kinary expressed that in time, by promoting outdoor Christmas decorating; there would be encouragement of unwanted traffic and was against the idea. There was discussion on Mr. Kinary's concerns as well as discussion that the use of Homeowners' dues for promoting Christmas might be questionable.

THE QUESTION WAS CALLED: IN FAVOR: DON MAGRUDER OPPOSED: MIKE JEFFERIS, MIKE MAPSTONE, JOE SMYTH, KIMSEY HELMS. MOTION DENIED.

It was suggested that this could be brought up at the Annual Meeting to hear from the general membership their thoughts for awarding Christmas decorating.

**ACC: Continued**

A quorum of the ACC committee returned to the Board meeting in progress and recommended the following submittal for approval:

a. Submittal from Don and Sandra Refenes, 934 Tallavana Trail, replace front door, windows, siding and enclose back deck; all in compliance with ACC regulations. The shed was not addressed, as there has not been a site visit by the ACC committee.

MOTION BY JOE SMYTH THAT THE SUBMITTAL BE APPROVED AS RECOMMENDED BY THE ACC. SECONDED BY KIMSEY HELMS. MOTION CARRIED.

The shed meets the requirements in the ACC guidelines including the site location. The shed siding is wood and the roof is shingle.

MOTION BY DON MAGRUDER TO ACCEPT THE SHED. THERE WAS NO SECOND. MOTION DIED.

MOTION BY JOE SMYTH THAT APPROVAL OF THE SHED BE TABLED UNTIL THE ACC GUIDELINE POLICY IS ADOPTED. SECONDED BY KIMSEY HELMS.

There was further discussion as to why sheds are currently not being approved. Mr. Refenes spoke to the Board informing them that their shed meets all the requirements and asked that the Board approves the shed submittal. The Refenes purchased the shed prior to receiving ACC approval and without the knowledge that the Board was not approving sheds until the ACC guidelines policy was adopted and in place. It was decided that before any motions are made regarding sheds that item b. ACC guidelines policy be discussed.

MOTION WITHDRAWN BY JOE SMYTH.

b. ACC Section 200 guidelines policy – A draft of the proposed ACC guidelines policy was reviewed and discussed item by item. Changes made by the Board were marked on the draft. The draft will be available for the general membership to view prior to the proposed adoption of the ACC guidelines policy at the regular January 2006 board meeting. Discussion began at 9:10 P.M. and consumed approximately the next 2 hours. (Draft with marked changes on file with Corp. Secretary)

c. Fines for ACC violations – no update until ACC policy is adopted.

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d. Roche ACC violation – Mr. Roche has placed a shed in the front yard that was not approved by ACC. Both the shed and it's location are in violation. It was recently reported to Jean Wood that Mr. Roche has purchased and place on his property large plants. It appears that these plants are to be planted around the shed as a natural barrier. Jean placed a phone call to Mr. Roche. Mr. Roche sent an email to the Board in response. His comment was that he does not plan to plant any shrubs until the matter is fully resolved. A member of the Board was to write a letter to Mr. Roche explaining that there would be no decisions made on his ACC violation until the ACC guidelines policy was adopted and in place. As of this date, the letter had not been written

MOTION BY KIMSEY HELMS THAT A WRITTEN RESPONSE TO MR. ROCHE'S E-MAIL BE SENT TO MR. ROCHE. THE RESPONSE BEING THAT THE BOARD WILL NOT MAKE A DECISION ON HIS SHED UNTIL THE ACC GUIDELINES POLICY IS ADOPTED. SECONDED BY DON MAGRUDER. MOTION CARRIED.

Mike Jefferis offered to draft the letter. A draft of the letter will be sent to our attorney for his review and opinion prior to mailing letter to Mr. Roche.

The shed submittal for the Refenes was again brought up for discussion. The ACC committee usually makes a site visit prior to approval recommendations for sheds. The committee has not yet visited the site due to the time constraints. There was general consensus among the Board to stay consistent with the motion made the last couple of meetings to not approve sheds until the ACC guidelines policy is adopted.

MOTION BY JOE SMYTH THAT THE APPROVAL FOR THE REFENES' SHED BE TABLED UNTIL THE SITE VISIT CAN BE MADE AND THE ACC BRINGS THEIR RECOMMENDATIONS TO THE BOARD AT THE NEXT MEETING. SECONDED BY MIKE MAPSTONE. MOTION CARRIED.

**Policy Committee:** Reported by Joe Smyth- No Report.

The Annual Meeting will be Saturday, January 28<sup>th</sup>, at the Tallavana Christian School gymnasium.

With no further business, meeting was adjourned at 11:12 p.m.

Respectfully submitted,

Debra Robinson  
Corporate Secretary