

TALLAVANA HOMEOWNERS' ASSOCIATION, INC.

Minutes of the monthly Board of Directors meeting held on February 14, 2006 at the Havana Library, Havana, Florida.

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

ABSENT: Carolyn Tanner

The meeting called to order at 7:03 pm by President, Tom Scott.

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

Approval of Agenda:

Revision to agenda – Add Item #2, Board Retreat, under New Business.

MOTION BY KIMSEY HELMS TO APPROVE THE AGENDA AS REVISED. SECONDED BY MIKE JEFFERIS. MOTION CARRIED.

Tom Scott asked for a moment to introduce the new and returning Board Members. Bill Oswald and returning Board Member, Kimsey Helms were introduced. Carolyn Tanner was absent.

Lake Report – Shoreline Restoration & D-8 Pond Area – Tom Scott

Sean McGlynn was unable to attend but also had very little to report. Our permit application is now in the hands of another new DEP regulator. This is the third person to be working on our application. The permit application has also been transferred to Pensacola. The DEP regulator from Pensacola will be here next week to meet with Sean. Sean will let Tom know when the meeting is set up so that available Board Members may attend.

Approval/Corrections of January 2006 Minutes:

Corrections consisted of clarification.

MOTION BY MIKE MAPSTONE THAT THE MINUTES BE APPROVED AS CORRECTED. SECONDED BY KIMSEY HELMS. MOTION CARRIED.

Treasurer's Report: Mike Jefferis reported the total deposit for January was \$15,593.90, expenses of \$4,428.23, checking account balance is \$2,874.86, Money Market balance is \$47,459.34 and the balance in CDs/Savings is \$231,347.85. The larger expenditures for January were in Administration, Lake and Legal. The checking account will keep a low balance while the remaining funds are in higher interest bearing accounts.

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

Correspondence/Phone Calls:

1. Past President, Jean Wood, reported receiving a phone call from member Gavin Naylor concerning the amount spent on security. After reviewing the budget, Mr. Naylor stated that he felt too much was spent on security and that security personnel were not needed.

2. Tom Scott had email correspondence concerning shoreline restoration and a member's phone calls placed to DEP.

3. Written correspondence consisted of a THA letter responding to Mr. Garrison's December 2005 letter, a THA letter to Mr. Roche, a reply from Mr. Garrison to THA and a copy of a letter sent to Dallas Lambert from attorney, Ken Able.

BOARD REPORTS

Legal: Mike Jefferis

A. Magnolia Court – Ken Abele has had no response from DEP or Mr. Heidenreich concerning the storm water retention ponds or Magnolia Court.

B. Lincicome case –The easements that were surveyed still are not flagged. Ken has asked Stivers on three different occasions to have the surveyor flag the easements subject in the pending agreement. It is unknown who removed the original survey flags. Ken Abele suggested expediting the issue by THA hiring a surveyor to flag the easements per the pending agreement. Since the survey has already been done, it should be easy to reestablish the flags. THA does have a certified survey.

MOTION BY KIMSEY HELMS THAT A SURVEYOR BE HIRED TO MARK THE EASEMENT SURVEY AND USE PERMANENT MARKERS AT THE POINTS WITH COSTS NOT TO EXCEED \$500.00. SECONDED BY MIKE MAPSTONE. MOTION CARRIED.

C. Acquisition of Deer Pass – Linda Ritchie presented the Board with a signed Quit Claim Deed for Deer Pass road. There are outstanding taxes due totaling \$1,412.50, which includes the 2006 amount of \$90.53. Linda suggested that once we record the deed, we should pay the taxes.

MOTION BY MIKE JEFFERIS THAT THE ASSOCIATION APPROVES THE PAYING OF THE TAXES IN THE AMOUNT OF \$1,412.50 FOR DEER PASS ROAD. SECONDED BY KIMSEY HELMS. MOTION CARRIED.

Linda Ritchie suggested that Deer Pass be resurveyed so that we know more of the definite boundaries of the road. Mike Jefferis will meet with a surveyor concerning Deer Pass.

D. Lambert update – Attorney Ken Abele sent a letter to Dallas Lambert regarding the upland activities that are causing damage to Lake Tallavana. The letter stated that the Board of THA would like to meet with Mr. Lambert to discuss a resolution of the issues between the parties without the necessity of litigation. Mr. Abele asked that Mr. Lambert contact him within ten days to set up a meeting. As of the date of this meeting, there has been no response from Mr. Lambert. Mike suggested that we invite Ken Abele to the next Board meeting to discuss our legal options.

Mike reported that he met with Ken and Sean McGlynn on the Lambert issue. Ken and Mike also discussed other THA issues including the ACC policy. Ken has some minor changes to the policy but was not able to review the governing documents with the ACC policy in time to have an opinion for this Board meeting. There are three areas in which Ken expressed concerns; 1) How the ACC is appointed, 2) The statutes requirements for approval and appeals system, and 3) The emergency approvals and pre-purchase approvals that are covered in the ACC policy.

ACC acting chairperson, Andrena Knically, asked if the ACC could discuss with Ken Abele any issue that arises in which the ACC may have a question. It was the Board's consensus that the ACC may contact our attorney.

Member Relations:

There is no web site report. The server did not allow current reports to be printed.

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Workday is scheduled for Feb. 25th with the alternate for March 18th. Volunteers are to meet at 9:00 at the pavilion. The following jobs need to be done: install the new bulletin board on Mason Drive, move the smaller bulletin board from Mason Drive to the boat ramp for the posting of fishing regulations, pavilion roof needs repairs, corner of pavilion repaired of tree/root damage, flag pole moved to accommodate a growing tree. The Social committee will furnish lunch. Mike Mapstone will give Pat Powell a list of volunteers for the Social committee so Pat can get some help.

Lake Management: Tom Scott & Bill Oswald

Shoreline Restoration update – See report at the beginning of the meeting.

There was a carp removal in January with approximately 300 carp removed. Sean spoke with Charlie Rousseau that it could be possible that the carp got out of balance during the last draw down. There were four carp shockings in 2005 and it could be by the number removed at this last shocking that the carp population is coming back in balance. The carp population will continue to be monitored.

Cormorant Control - Mr. Garrison responded to THA Jan. 23rd letter responding to his initial concerns about the safety and need for shooting cormorants. His second letter again expressed concerns about the shooting of guns in a residential area.

Discussion: The Association does have a permit to terminate up to 50 cormorants and to shoot noisemakers to annoy the cormorants and deter roosting. If these efforts were to stop, Lake Tallavana would have several hundred cormorants roosting, eating fish and defecating. If there were not some mortality, the remaining techniques would be ineffective. Some of the noise heard is from the pyrotechnics and not guns. The cormorant control volunteer reported that there are not as many cormorants as we have had in the past but the scare tactics must continue as more are coming in.

Mr. Garrison spoke with Deputy Sheriff Officer, Scott Ivey, who said that the Association is within the law. President Tom Scott asked Joe Smyth, Security, to discuss with Scott the laws regarding discharging a fire arm at Lake Tallavana.

Bill Oswald commented that THA does have a legal description of the lake and that the lake should be lowered within the THA boundaries. Bill feels there is no need for shoreline restoration if the lake were lowered. He agreed that the German Carp need to be controlled. Tom suggested that the Lake Management Committee meet to discuss this and that the lake boundaries be checked. Member Jean Wood said she has discussed the lake level with surveyor Lee Dowling who said that the lake is where it should be and should be left alone. Again, Tom suggested that the Lake Management Committee meet to further discuss this issue.

Lake Watch – Pat Powell: Pat would like to schedule an outing for Saturday but needs to check with Ron Crawford to see if the boat is running and if she can get a crew together.

Security: Joe Smyth

It was reported that Scott Ivey worked 20 hours for the Association in January and another 20 hours on duty. Billy Kemp worked 20. Billy reported that he is periodically checking the fence line on the Sheffield Preserve.

Gate: No problems with the gate to report. The 2006 budget accommodates the purchase of a new mechanism box. It was suggested to Bill Oswald that the new mechanism be ordered and on hand to replace the old one as soon as it goes out. Having the new mechanism on hand will decrease the time the gate is out of order.

Joe spoke with Bill Oswald about training a few members on gate repair. Members Dave Taylor, Mark Palmquist and Gary Robinson have volunteered to learn the gate controls.

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Tom asked for changes in personnel for the Gate Committee. Tom asked Joe Smyth to be the chairperson with Kimsey Helms, Tom Scott and Mike Mapstone as committee members. Debbie would remain the backup. Also, members will be encouraged to send their written request to the Corp. Secretary and she will then pass the request to the Gate Committee.

Roads, Grounds & Dam: Kimsey Helms and Mike Jefferis

Kimsey reported that there are 2 trees in need of removal. A dead oak on Hickory near Parmer's house needs to be removed. At the Annual Meeting, a member reported to Kimsey that there was a tree at 1423 Tallavana Trail that is leaning towards the road. It is uncertain at this time if the tree is on THA right of way or on private property. Both trees will be checked and removed if possible.

There has been some road grading but not much material added. More material will be added to the dirt roads through out the year.

Once the easement survey is settled and the agreement signed, THA will have a fence built along the boat ramp easement. This fence will match the existing fence along the private property and will be contracted out for installation.

Joe Smyth mentioned that there is a lot of trash around the main entrance to Lake Tallavana. There was discussion that pick up of trash could be added to the workday list. There are members who walk in Lake Tallavana and pick up trash during their walk however; most do not walk outside the gate where the trash is accumulating.

There was discussion about the number of signs that are in the neighborhood. Some of the signs are from contractors but others are personal. There should be no signs on the THA right of way. Joe Smyth found during his study of past minutes where the issue was brought up years ago and will continue to research past minutes.

COMMITTEE REPORTS

ACC: Reported by Andrena Knicely, acting chairperson

- a. Revisions to adopted ACC guidelines policy – tabled until legal opinion is received.
- b. Submittals for approval:
 - b.1 Henry and Mary Moody, 591 Hickory Lane, submittal for an enclosed screen porch within the footprint of the existing house for additional living area. Windows will replace the screens and the siding will be the same as the existing.
 - b.2 James DiGiulio, 1968 Tallavana Trail, submittal to add sidewalks. Buffer is not an issue.
 - b.3 Paul and Deborah Keith, 3445 Tallavana Trail, submittal for a potting/storage shed with a lean-to roof. Placement of shed directly behind the house per submitted plans. Shrubs will be planted to obstruct the view of the shed from any part of the road.
 - b.4 Donald and Sandi Refenes, 934 Tallavana Trail, submittal to replace charcoal standard shingles with a medium brown architectural shingle. New color matches the new vinyl siding.

MOTION BY KIMSEY HELMS THAT THE SUBMITTALS BE APPROVED AS RECOMMENDED BY THE ACC. SECONDED BY MIKE MAPSTONE. MOTION CARRIED.

Details of the ACC report are attached to the minutes for record.

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c. Fines for ACC violations update – The authority to fine has to be voted upon by the membership. Attorney Ken Abele will help with the wording but it is up to the Association to start the process to change the governing documents to have the authority to fine for ACC violations. Tom Scott suggested that the process start with the ACC to list what constitutes ACC violations. When the ACC meets to begin this process, the membership will be notified, as the ACC meetings are to be open. Tom asked Mike Jefferis to contact Ken Abele to see if he would attend the next Board meeting.

d. Roche ACC violation – The letter that was sent to Mr. Roche was read. Mr. Roche was asked to remove the unapproved shed from the property or to the alternative location on the rear of the property within 30 days. The letter was sent Jan. 25th so it has not been 30 days as of the date of this Board meeting. If there is no response from Mr. Roche or the shed has not been moved within the 30 days, Mike will discuss our options with Ken Abele.

e. Keith – pending submittal – covered previously under ACC submittals.

Policy Committee: Reported by Joe Smyth

Joe reported that it is a very slow process reviewing all the old minutes for policies, rules and regulations that have been adopted and forgotten or proposed policies that were dropped and not adopted or ruled out.

OLD BUSINESS

1. Liability Insurance – The agent has been contacted that we may meet to determine the type of coverage needed and a proposal be presented to the Board. The current policy expires in October however; the coverage is not adequate to cover roads, common property, the Board and events such as the 4th of July. The existing policy covers the pavilion but not much else.
2. Quail Court update – Linda reported that the ditch work will be done and rock spread by this Friday.
3. Committee to research property management idea update – CeCe Smyth reported the committee had a “brainstorming” meeting to determine the intent and the scope of work. It appears that there are two separate areas to research. The first area to research is the property management company and the second area is the need for a project engineer. The project engineer would oversee major projects that are going on in the subdivision. There may be a member or two who would have the background to fill this position. CeCe will assign the committee members particular areas to research and hopes to have some of the results by the next meeting.

NEW BUSINESS

1. Donation to Tallavana Christian School for Annual Mtg. – A contribution of \$100 for use of the gym for our Annual Meeting was given last year.

MOTION BY KIMSEY HELMS THAT THA CONTRIBUTES \$100 FOR THE USE OF THE GYM AT TALLAVANA CHRISTIAN SCHOOL FOR THE THA 2006 ANNUAL MEETING. SECONDED BY JOE SMYTH. MOTION CARRIED.

2. Board Retreat - It was discussed at the Organizational Meeting the possibility of the Board attending a one day retreat to familiarize itself with the statutes and laws of a homeowners’ association, to organize a plan for Lake Tallavana and to discuss general issues. Under the Sunshine laws, the retreat

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would have to be open to the membership even though there would be no discussion of/or specific business conducted. The retreat would be a Board workshop to establish goals and objectives. It would be beneficial to invite Ken Abele for a restricted amount of time to explain some of the state statutes governing homeowners' associations. Tom suggested that Joe develop an outline for an agenda to email to the Board members to give them a place to start. Kimsey suggested that the Board members email Joe with their ideas for items to cover at the workshop. Once it is decided what the Board would like to cover, then the workshop can be planned keeping in mind that it will be an open meeting.

Last item of business was the recommendation and approval of 3 new ACC members. Andrena Knicely, acting chairperson for the ACC recommended to the board the following THA members and years for term: Jean Wood, 3 yrs; Linda Ritchie, 3 yrs; Charles Norvell, 1 yr to complete position of Alyce Parmer. Retiring ACC members are Diane Sheffield, Alyce Parmer and Mike Mapstone. Remaining ACC members are Marlene Porter, Pat Powell, Virginia Everett and Andrena Knicely.

AS PRESIDENT, TOM SCOTT ACCEPTED THE ACC'S RECOMMENDATIONS AND RECOMMENDED TO THE BOARD OF DIRECTORS THE FOLLOWING THA MEMBERS TO SERVE ON THE ACC: JEAN WOOD, 3 YRS; LINDA RITCHIE, 3 YRS; CHARLES NORVELL, 1 YR. MOTION BY KIMSEY HELMS TO ACCEPT RECOMMENDATIONS FOR ACC MEMBERS. SECONDED BY MIKE MAPSTONE.

Discussion: Mike Jefferis expressed concern with Linda Ritchie being a developer that there could be a conflict of interest. Linda understood his concerns and stated that should a submittal become a conflict of interest, she would abstain from voting. The current ACC members do not have a problem with Linda on the committee.

QUESTION CALLED. MOTION CARRIED.

Prospective buyers attended the meeting to ask questions about the D-8 pond area and how much of the reconstruction of the D-8 pond would affect the property they are interested in. They were given Sean McGlynn's number and told that he could better answer their questions.

With no further business, meeting was adjourned at 8:57 p.m.

Respectfully submitted,

Debra Robinson
Corporate Secretary

ACC Report
February 14, 2006

The Tallavana HA's ACC recommends the Board approve the following submittals:

- 1) Moody, Henry and Mary, 591 Hickory Lane – Submittal to enclose a screen porch within the footprint of the current house to make a living area. The porch is currently under the same roof as the house and on the same foundation as the house. Windows will replace the screen and will match the replacement windows intended for the remainder of the house in the near future. Siding will be the same as the remainder of the house, red cedar, clear stain.
- 2) DiGiulio, James, 1968 Tallavana Trail – Submittal to add a front sidewalk from the driveway to the front door and a back sidewalk from the driveway to the back door. Buffer is not an issue.
- 3) Keith, Paul and Deborah, 3445 Tallavana Trail – Submittal to place a potting/storage shed with a lean-to roof. Shed will be placed directly behind the house on the right side, as plans submitted indicate. The siding and trim will be the same as the house, cypress, and same color as the house siding and trim. Shed attached lean-to roof will be on the west side of the shed. The shed will not be seen from the road directly in front of the house. However, because the house is much lower than the public road and the curve before the house allows visibility of the back yard, the shed will be visible from the road as one approaches the house. Therefore, the Keith's will plant evergreen shrubs to help obstruct the view of the shed from any part of the road.
- 4) Refenses, Donald and Sandie, 934 Tallavana Trail – Submittal to replace charcoal standard shingled roof with a medium brown architectural shingle roof. New color matches house's new vinyl siding well.

Andrena Knicely,
ACC Member

Motion by Kimsey Helms that the submittals be approved as recommended by the ACC. Seconded by Mike Mapstone.
Motion carried.