

## TALLAVANA HOMEOWNERS' ASSOCIATION, INC.

Minutes of the monthly Board of Directors meeting held on January 14, 2004 in the meeting room of the Havana Library, Havana, Florida.

PRESENT: Kimsey Helms, Don Magruder, Linda Ortiz, Billy Cabanas and Tommy Baker, Board members, Debbie Robinson, Secretary to the Board of Directors. See attached list of others in attendance.

ABSENT: Jean Wood and John Staron

The meeting called to order at 7:13 pm by President Kimsey Helms

Meeting being recorded by Association Secretary for the purpose of accurate minutes.

### **Approval of Agenda:**

Kimsey Helms suggested that items 1 and 2 on the agenda be reversed in order that the lake consultant can give his presentation before the Legal Report.

MOTION BY TOMMY BAKER, SECONDED BY BILLY CABANAS, TO APPROVE TO THE SUGGESTED CHANGE IN ORDER OF THE AGENDA. MOTION CARRIED.

### **Approval/Corrections of December 2003 Minutes:**

MOTION BY DON MAGRUDER, SECONDED BY TOMMY BAKER, THAT THE MINUTES BE APPROVED AS WRITTEN. MOTION CARRIED.

**Treasurer's Report:** Tommy Baker reported that income for December was \$25,476.02, expenses of \$9,608.86 checking account balance is \$5,571.15 with a transfer of \$58,000.00 to the sinking fund leaving a balance in the sinking fund balance of \$197,797.60. The largest expenses were for the two carp removals and maintenance on the dirt roads.

MOTION BY LINDA ORTIZ, SECONDED BY DON MAGRUDER, THAT THE TREASURER'S REPORT BE APPROVED AS READ. MOTION CARRIED.

### **Correspondence/Phone Calls:**

1. Kimsey Helms received a call from Stacy Harnett from Prudential Realty, which he passed on to Debbie Robinson. Debbie reported that Stacy called for her client to ask if fencing for dogs was permissible. Debbie told Stacy that any fences that were allowed had to be approved by the ACC and suggested she call Mike Mapstone.
2. Don Magruder received a phone call Chris Guignard regarding the "ugly" dock repairs being done on the dock at the Gibbs residence. Don called Mike Mapstone who said that the property owners did have ACC approval to repair their dock.
3. A letter to Tom Lincicome dated December 31, 2003 in response to his request for copies of the permits for the Association's new dock, the repairs on the old dock and permits for the fish habitats in the lake.
4. Other correspondence included a memo dated 12/31/03 that went to Mason Drive residents pertaining to the permission for ingress or egress over any lot to the Tallavana Subdivision.
5. A letter dated January 7, 2004 was sent to Mrs. Dick Turner to acknowledge her request for a street sign for Magnolia Court. The letter also included that THA has not accepted the road from the developer due to unsolved issues with the drainage. THA will pursue obtaining a

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sign for Magnolia Court.

It was brought up at this time that the sign for Honeysuckle is missing. Kimsey mentioned that our stop signs are looking shabby as well as other street signs. There was discussion and suggestions on the making of new signs and possible placing of numbers on the signs particularly at the intersection of Tallavana Trail and Tallavana Trail.

Also at this time, Linda Ortiz reported a problem with a dog attack on one of Emory Morris' dogs. Other members reported other problems with dogs in that area.

**BOARD REPORTS**

***Lake Management:*** Reported by Billy Cabanas:

Billy began by thanking Mr. Whatley for his efforts with the cormorant control while most of the volunteers with the cormorant control were sick.

Billy then introduced Helge Swanson. Helge reported in greater detail on the following:

**D-8 Pond Expansion**

- Redesign and revision of plans is under way for DEP approval.
- Permitting for the expansion should occur by March 2004
- Construction should begin by April or May.
- Total budget for D-8 expansion is \$45,000

**EPA Grant**

- Research & preparation is underway
- Grant should be ready for submittal by June or July 2004
- Possible Award of grant by September 2004
- Total budget for grant writing is \$2,500

**On-Going Lake Monitoring**

- There will be quarterly water quality analysis
- The data from Lake Watch will be reviewed
- A bythemetric study will be done in June
- Ongoing studies and pre-design evaluations for the North end of the lake will be occurring in June – August 2004.
- Total budget for monitoring and planning \$5,300

Helge suggested that there be an informational campaign on the problems with septic tanks that are past due for a cleaning. The lake front lots with septic tanks are most definitely influencing the nutrient levels in the lake.

Lake Watch – Pat Powell: No report but will have one for the Annual Meeting. The committee did go out on Saturday, January 10<sup>th</sup>. It was cold!

***Legal:*** Don Magruder:

Lincicome case – Don received a letter from Mr. Stivers, Lincicome's attorney. The letter stated that they want THA to sign a general release of the 30' X 30' turnaround easement but this is without any

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action on their part of what was agreed upon in the mediation agreement. Our attorney, Jack Harnett, has sent a letter to Mr. Stivers, copy to the court, that THA is ready to carry out our agreement as signed and asked that we be informed if his client is ready to perform each of the obligations he agreed and signed to during mediation.

On January 12, 2004, Mr. Lincicome called Don stating that he is taking THA to small claims court for \$700 for not providing copies of the bids for the fencing along the 15' easement as he previously requested. Since the fencing is part of the mediation agreement and is still in litigation, the bid information falls under the attorney/client privilege and the bids are not for release.

It was brought up that in the October minutes it was stated that not all the surveying had been done as agreed in the mediation agreement by Lincicome. As of today, the surveying has still not been done.

Connelly case – Don reported that Mrs. Connelly called our attorney, Mr. Maloney. Mr. Maloney informed Mrs. Connelly that he was not allowed to speak with her. Mr. Maloney reported to Don that we are currently in a request for discovery and in about 2 weeks, will be asking the court to hold a summary judgment.

Don thanked the membership for their patience and cooperation in the tree trimming around the power lines. Musgrove Construction handled the trimming in a most professional manner.

Kimsey reported that there is still some mulch available that the tree-trimming people left.

**Security:** Tommy Baker

Both security officers worked 20 hours each for December. There was no news of recent vandalism in the restrooms or anywhere else.

The new security number for the gate will go into effect Monday, January 26<sup>th</sup>. The new number will be printed on the 1<sup>st</sup> Quarter invoices that will be going out next week. Tommy will put a sign with a number to call for questions concerning the new gate number.

**Gate:** Gate required a motor replacement and a wheel replacement. The timers are better.

**Roads, Grounds & Dam:** Kimsey Helms

Kimsey reported that there has been some grading and new materials on the dirt roads.

There is a plan to pave 1+ mile of Tallavana Trail beginning where it was last left off and to extend across the dam. This will be a little over 1 mile. Since there will be heavy equipment traffic for the D-8 construction, paving will begin after that but before the weather turns cold next fall.

We have hired an engineering firm to evaluate the culverts, first in the section that is planned for new pavement. The engineers should start this week with cleaning the culvert areas and examining them. The contract is for all for the drainage culverts to be evaluated.

There will also be some road patching at the gate entrance.

**Member Relations:** Reported by Linda Ortiz

Linda reported that the THA website had 128 visits during December. For the entire

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year, (actually since June), the web site received 1,739 visits. Linda is going to put septic tank information on the web site as well as inform the members that the phone number for the gate will be changing January 26<sup>th</sup>.

**COMMITTEE REPORTS**

***ESQ:*** Reported by Bob Harrer – No Report.

***ACC:*** Reported by Mike Mapstone. (Not present, e-mail report read)

January meeting held, following items were approved for board approval:

1. House for Bradley Cox, Lot 1AA, 1500+ sq. ft. Buffer zones and colors were submitted and approved. A carport was not approved due to insufficient information.
2. John & Margaret Staron, 388 Honeysuckle Dr., 16' X 8' addition to house. All material, roofing, and color same as existing house.
3. Howard Myers, 3027 Tallavana Trail, modification to driveway.
4. Lance & Linda Ortiz, 2638 Tallavana Trail, 324' post & rail fence.

MOTION BY DON MAGRUDER, SECONDED BY TOMMY BAKER, THAT THE RECOMMENDATIONS BY THE ACC BE APPROVED. MOTION CARRIED.

- a. Emory Morris – Pictures of the shoreline at Emory Morris' were viewed by the board. It was found that although there appears to be less foliage, the main trees are still in place. The original picture was taken in the summer, the current one in the winter, which would account for some of the missing foliage.
- b. No response from Beckwiths and Harrells. Mrs. Shield has contacted Mike to submit a site plan, elevations, and color descriptions on their unapproved structure by the end of this week.
- c. ACC Building Permit – Diane is looking into a sign that is used by another association. Linda submitted a sample of a form for consideration.

Mike also reported that at the residence of the Willsches, 1365 Tallavana Trail, there appears to be an unapproved structure. It may be a temporary hot house for plants, but Mike will be sending a letter to get clarification on the structure.

***Welcome Committee:*** Reported by Carolyn Palmquist – No report but will have a report for the annual meeting.

***Lake Tallavana Community Enhancement Committee:*** Reported by Roxann Dunn- No report.

***Budget Review Committee:*** Reported by Don McEwen

Don reported that at our final Budget Review Committee meeting we had 3 board members present that we might get their input and that they might see just how the 10-year model works. Even by including funds in 2004 for the culvert engineering, the budget is on track with the plan to hold the assessments at \$600.00. Don added that there is money in the 2004 budget for engineering consulting for the pavilion so that by 2005 budget, repairs or improvements can be included.

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MOTION BY TOMMY BAKER, SECONDED BY BILLY CABANAS THAT THE RECOMMENDED BUDGET BE APPROVED FOR THE TOTAL OF EXPENDITURES OF \$236,709 WITH THE ASSESSMENTS REMAINING AT \$600 PER YEAR. MOTION CARRIED.

**Nominating Committee:** Reported by Tom Hanson

The Nominating Committee met to select nominees. Current board members, Billy Cabanas and John Staron will not be seeking another term on the board. Linda Ortiz will. The following have been chosen for this year's election to fill vacancies for the Board of Directors:

Linda Ortiz, 2638 Tallavana Trail      2 year term  
Tom Scott, 1579 Tallavana Trail      3 year term  
Donna Phillips, 550 Mason Dr.      3 year term

MOTION BY DON MAGURDER, SECONDED BY TOMMY BAKER, THAT RECOMMENDATIONS BY THE NOMINATION COMMITTEE BY APPROVED. MOTION CARRIED.

Linda Ortiz abstained from voting. Kimsey voted to make the quorum.

Kimsey distributed copies of the policy on committees to clear some of the misconceptions concerning being a volunteer on the same committee that one has currently been serving on. It was suggested that at the annual meeting instead of the sign up sheets getting passed around and possibly not getting to everyone, that the sign up sheets be on a table available to all.

**OLD BUSINESS**

1. Annual Meeting – Set for January 24<sup>th</sup>, 10:00a.m. at Tallavana Christian School gymnasium.
2. Linda Ritchie – Enchanted Forest: Has been working with her attorney to prepare the deed for Quail Court and for the easement for the buffers on the parameter of Enchanted Forest.

**NEW BUSINESS**

No new business.

With no further business, at 9:30 pm, the meeting was adjourned.

Respectfully submitted,

Debra Robinson,  
Secretary to the Board

/dr