

## TALLAVANA HOMEOWNERS' ASSOCIATION, INC.

Minutes of the monthly Board of Directors meeting held on January 09, 2007, at the Havana Public Library in Havana, Florida.

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

ABSENT:

The meeting called to order at 7:08 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:

Add item "a" under Security & Gate Report: Vandalism at Bloomquists.

Add item #1 under New Business: Discussion of Linda Ritchie's meeting with Mr. Pennington.

KIMSEY HELMS MOVED TO APPROVE THE AGENDA AS REVISED. MIKE MAPSTONE SECONDED THE MOTION. MOTION CARRIED.

### Approval/Corrections of December 2006 Minutes:

Spelling correction.

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

**Treasurer's Report:** Mike Jefferis reported the total deposit for December was \$23,380.15, routine operating expenses of \$6,965.22, \$74,565.84 in major project expenses, checking account balance is \$743.56, Money Market balance is \$24,650.14 and the balance in CDs/Savings is \$162,662.79. Routine expenses included administration expenses and attorney fees. Major project expenses included work along both sides of the dam, the balance of the paving and consultant fees for the D-8 pond.

Mike also reported the year end figures: \$214,100.06 total deposits, \$113,319.00 routine expenses and \$182,253.30 in major project expenses, the majority of that in road paving. Deposits exceeded the 2006 Budget amount and the expenses were less than budgeted.

Delinquent accounts update:

There are no changes from December report concerning the ongoing delinquencies. Mike did report that there are a few members who have incurred late fees over the last couple of years but will not pay them. Following standard accounting practices, Debbie applied their 4<sup>th</sup> Quarter payment to the oldest invoices first, which satisfied the outstanding balances. The remaining payment was applied to the 4<sup>th</sup> Quarter invoice leaving a balance due for the 4<sup>th</sup> Quarter. The members that had a portion of their 4<sup>th</sup> Qtr. payment applied to delinquent late fees were sent a notice explaining the balance due.

### Correspondence/Phone Calls:

1. Mike Jefferis and Tom Scott received phone calls from members who had questions regarding the lake level and shoreline restoration. Details will be discussed in the Lake Report.

2. Linda Ritchie received a couple of phone calls concerning the restrictive covenants but will discuss the details under New Business, Item 1.

3. Tom Scott received two phone messages from Joan Adkison concerning an ACC complaint about a building on their property that could not be seen without trespassing. This will be addressed under New Business.

4. Tom Scott received a call from Lorie Crawford regarding an issue where a home that is being purchased has a septic problem. As the representing realtor, Lorie contacted the ACC to get information for the new buyers; however, ACC wanted only to work with the buyers. Tom said that the ACC needs to work with the realtors when they are representing the buyer or the seller, especially when either party does not live in Lake Tallavana.

5. Tom received an email from a member asking how long the lake would be down. Tom replied with the possibility of 3-4 weeks.

6. Rob Combs received a phone call regarding a security problem at the pavilion and will cover that under his Security report.

7. Debbie Robinson received a phone call from Chris Guignard requesting decals for her boat that she planned on using even with the gas motor mounted on the boat. After some discussion, Debbie told Chris that she could not put the boat on the lake as long as the gas motor was attached and that if she had an issue with that, she needed to take it up with the Board. Some attending members reported seeing Chris on the lake with the gas motor on her boat. Rob Combs is to ask Billy Kemp to address this issue with Chris.

## **BOARD REPORTS**

### **Legal:** Mike Jefferis

A. Magnolia Court – There has been no action by the DEP. We will approach this issue before the end of March.

B. Lambert runoff – Update: All of the discovery questions have been answered and we are waiting for a response from Mr. Lambert's attorney. We do not know yet if this will go to court or if Mr. Lambert will be willing to sit down and discuss.

C. Lincicome easement agreement – Mr. Stivers has not been able to obtain Cindy Lincicome's signature on the agreement and now a foreclosure is in process. It is not to the advantage of the Association to take any action until the agreement is signed.

D. Roche shed – We are still waiting for a mediator to be assigned. Mike asked Ken to write a letter to see if we can make some progress towards mediation.

E. "Signs" policy draft – Mike Jefferis drafted a draft policy on "signs" in Tallavana. Each Board member received a copy to review and give Mike their input within 2 weeks. Once Mike has revised the draft, a notice will be put on the bulletin board and the web site for members to review prior to adoption of the policy at the February Board Meeting.

### **Member Relations:** Mike Mapstone

Mike reported that the web site had 493 visits for December.

Workdays were scheduled for March 17<sup>th</sup> and March 24<sup>th</sup>. The 24<sup>th</sup> is being scheduled to finish projects that were not completed on the 17<sup>th</sup>. Social Committee will provide lunch.

Minutes, Board of Directors Meeting, January 09, 2007

**Lake Management:** Tom Scott and Bill Oswald

The permit to electroshock the carp has been received. The permit specifically lists the volunteers who will be working on the electro shocking boat. Any other volunteers wanting to work on the boat will have submit their names to amend the permit.

Bill scheduled the first shocking for Thursday at 10:00 a.m. and possibly Friday and Saturday. The permit requires that the carp be buried but Tom will call to see if the fish can be given away as in the past.

**Shoreline Restoration update** – The gate valve will be opened on Friday to allow a draw down of 2-4 feet depending on how much shoreline is exposed in order for the work to be done along the dam. The lower level will remain for 3-4 weeks to allow members to work on their private shoreline. The DEP has allowed the use of rock and the permit is being amended with an additional cost of \$250.00 to the Association.

The members that were included in the permit asked about receiving the final drawings of their property and a copy of the permit to work from. Tom said he would call Sean on Wednesday to see what information could be available to the homeowners.

It was of greatest importance to repair the dam shoreline before Spring rains or possible hurricanes in the Summer. The Board made the decision to have the dam repaired immediately however; it did not give the homeowners much notice so that they would be prepared with contractors and/or materials. Tom assured the homeowners that there would be another draw down to allow the homeowners to work on their property. Members are to contact Sean McGlynn as he offered to provide the drawings, a list of contractors, and pricing on the matting material.

The US Corps. of Engineers permit for the dam expires in March. It was vital to get the dam work done and so the apparent rush on lowering the lake. If homeowners are not prepared at this time, they could use this draw down to plan and prepare for the next draw down. To keep impact to the fish at a minimum, the next draw down will have to be in Fall or Winter after the water cools down.

While the lake is down, the overflow pipe will be examined and repaired as needed.

Member Bobby Boatright expressed concerns about fishing while the lake is dropped and the fish are in concentrated areas. It was the consensus of the Board to ban fishing during the draw down and until the lake level is restored to normal pool. Signs will be posted on the docks, boat ramp and at the gate.

**D-8 Pond Restoration update** – We are still in the 90 day window for the DEP to review and accept the D-8 permit application. We should hear from them soon.

**Lake Watch** – Pat Powell: Lake Watch is planned for Saturday before the lake is too low. Lake Watch may be suspended until the lake level returns.

**Security:** Rob Combs

Rob reported that Scott Ivey worked 20 hours for the Association in December and another 20 hours on duty with the Gadsden Sheriff's Department. Scott performed 16 vehicle stops and 56 house checks. Billy Kemp worked 20 hours in December. Billy has been continuing to check fisherman for size and bag limits but so far there have been no violations.

Rob received a phone call from member Pat Runnels who reported that the dock and surrounding area were trashed. Pat left the dock by 9 pm on a Saturday and returned to the dock area Sunday morning. Sometime after she left on Saturday, unknown persons threw beer cans, the boxes and other trash in the grass and trees at the dock and pavilion area. Pat asked if there could be more patrol in the pavilion area.

Minutes, Board of Directors Meeting, January 09, 2007

Rob reported vandalism to the Bloomquist mailbox at 1242 Tallavana Trail. The box has been stolen, the post removed, more than once. A report has been filed with the Sheriff's department and Scott Ivey has been notified. There have been no other reports in the neighborhood. The vandalism started on December 15<sup>th</sup> and the last box was destroyed on January 7<sup>th</sup>. The members were asked to be more vigilant of suspicious activities and call Rob Combs.

The Board discussed the possibility of having more patrols from the Sheriff's department driving through. Rob also suggested having an officer from the Sheriff's department attend a meeting to inform the members what could be done to better patrol our neighborhood.

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

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

a. Safety/Speed signs – Safety signs will be installed by Peavy. Several sharp curves on Tallavana Trail will be marked.

The water diverters that were replaced after paving on Deer Pass were improperly constructed. Mike met with Peavy personnel to have the situation corrected. Regarding the paving project, Peavy now has the reflective markers installed and the road has been striped.

Kimsey mentioned that there would be work done on the dirt roads.

Member Neil McDonald reported the repairs to the overhang uprights at the pavilion area restrooms have been replaced. The previous uprights were damaged when a vehicle plowed into them.

## COMMITTEE REPORTS

### **ACC:**

a. ACC Submittal report: (Read by Tom Scott)

a1. Approved: Dorothy Ross, 220 Audubon Drive, removal of one dead pine tree.

a2. Approved: Jim & Reesa Yarborough, 20 Audubon Dr., 20'X30' detached garage/workshop.

a3. Approved: Don Ellingsen, 280 Deep Pass East, 1000 sq ft detached garage/workshop.

a4. Approved: Delber & Jackie McGarvey, 2753 Tallavana Tr., 12'x10' deck over water with 4'x6' walkway.

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

b. There was no report to update the ACC violations

There was a report that camellias were planted in the road right of way at 2405 Tallavana Trail. The plants will get too large to be planted that close to the road. Diane Sheffield said that she would talk with the owners. There is to be no planting in the road right of way for safety reasons and to allow the shoulder to be maintained.

Per county ordinance, we cannot allow any planting on the right of way.

Member Neil McDonald thanked the Board for the ACC meeting being held in an open forum.

**Budget Review Committee:** Mike Jefferis and Debbie Robinson

Board Members reviewed the 2007 Budget previous to the Board Meeting. As required by law, a notice was posted on the bulletin boards stating the adoption of the 2007 Budget and the assessments at \$600.00 would occur at this January meeting. With no questions from the Board, the 2007 Budget was adopted.

KIMSEY HELMS MOVED TO ADOPT THE 2007 BUDGET AS PROPOSED WITH THE ANNUAL ASSESSMENTS TO REMAIN AT \$600. BILL OSWALD SECONDED THE MOTION. MOTION CARRIED.

Minutes, Board of Directors Meeting, January 09, 2007

***Nominating Committee:*** Pat Powell reported that the committee did meet and the following names will be placed on the ballot: Linda Ritchie for 2 years, Tom Scott for 3 years, and Rob Combs for 3 years. All three are currently serving on the Board.

### **OLD BUSINESS**

1. THA Committees & chairpersons – Tom Scott spoke with Lorie Crawford and Julie Zimmerman who want to get the Welcome Committee back on track. There was some discussion about what materials are currently available and the welcome socials. A board member suggested that an ACC member be on the Welcome Committee. After further discussion, it was the consensus of the Board that during their visits, the Welcome Committee refers to the ACC section in the governing documents but not to have an ACC member visit newcomers with the Welcome Committee.

2. Annual Meeting update – Debbie Robinson reported that the notice for the Annual Meeting was mailed to the membership on January 6<sup>th</sup>. The location is at the Tallavana Christian School gym and there will be refreshments. Check-in begins at 9:30 a.m. and the meeting begins at 10:00.

Debbie asked that the Board members and Committee members please provide a hard copy or electronic copy of their report to turn in to her by the meeting.

### **NEW BUSINESS**

1. Tom Scott asked the Adkisons to explain their issue with the letter they received from the ACC. Joan Adkison explained that they have obeyed all the buffers on their lot, they received the approval from the ACC for a gazebo, and although they may remain on their lot late into the evening, they do not camp in the gazebo as had been reported. Then the Adkisons receive a letter from the ACC reminding them that there is no camping allowed in their gazebo. Mrs. Adkison stated that they do not camp on their property; they have not broken any rules and felt that they were being unfairly accused. Although the ACC chairperson had been previously informed that the Adkisons were not camping on their property, the chairperson sent the letter anyhow. President Tom Scott apologized to the Adkisons and stated that there are some issues with the ACC that will be addressed.

Tom stated that he has drafted a letter to the ACC and would like the Board's input prior to sending it. The letter states that the ACC needs to work as a committee and that nothing is done without the consensus of the majority of the ACC members. It is also suggested that the ACC first approach the members as neighbors if infractions are found. The letters that have been upsetting the neighbors are sent unilateral without the consensus or approval of the entire committee.

Tom is trying to work through the ACC issues. There are some good people on the committee and as President; Tom would like to get the committee working together. After discussion and comments from Board members and attending members, it was the consensus of the Board to work with the ACC chairperson for approximately one month in an attempt to get the ACC on track without offending the membership. The Board will continue this issue at the next Board meeting.

With all of the discussion regarding the covenants and the ACC policy, Linda Ritchie visited with one of the original developers, Mr. Pennington. He said that the idea of the original development of Lake Tallavana was that of weekend homes and that square footage and which way the house faced was not as big a concern as the overall harmony of the community. And because of what the original development was to be, a "plain vanilla package of covenants" was drafted. The community is now a full time residential community and the covenants no longer "fit". Mr. Pennington suggested that the covenants be amended to match the neighborhood.

Because of what Linda has found out in her discussion with Mr. Pennington, Tom asked Linda and Mike Jefferis to start looking at what can be done to bring the covenants more into harmony with the

Minutes, Board of Directors Meeting, January 09, 2007

existing community. Linda relayed Mr. Pennington's suggestion that we look at each covenant and amend as needed and then let the ACC policy set up the guidelines. Tom would like Linda and Mike to form a committee to begin the process to see what we can do and report to the Board at the April meeting.

With no further business, meeting was adjourned at 9:26 p.m.

Respectfully submitted,

Debra Robinson  
Corporate Secretary

## **ACC REPORT TO THE BOARD January 2, 2007**

Members Present: Knicely (Chair), Jean Wood, Pat Powell, Jim Grantham, Ron Crawford, Mark Palmquist, Virginia Everett

All owners submitting are current on their dues payments.

### **The following ACC submittals were rejected.**

\* None

### **\* The following ACC submittals were approved.**

Ross, Dorothy, 200 Audubon Drive, Removal of one dead pine tree.

Yarborough, Jim and Reesa, 20 Audubon Dr., 20' X 30' detached garage workshop.

Ellingsen, Don, 280 Deer Pass E., 1000 square foot detached garage workshop.

McGarvey, Delbert and Jackie, 2753 Tallavana Trail, Deck over water 12' X 10' with walkway 4' X 6'.

### **To Be Resubmitted**

\* None

### **Insufficient Information or not valid**

\* None

### **Correspondence**

\* None

Andrena Knicely, Chairperson, ACC