

TALLAVANA HOMEOWNERS' ASSOCIATION, INC.

Minutes of the monthly Board of Directors meeting held on July 16, 2005 in the civic meeting room behind Havana Fire Station, Havana, Florida.

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

ABSENT:

The meeting called to order at 7:05 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:

MOTION BY TOM SCOTT TO APPROVE THE AGENDA AS WRITTEN. SECONDED BY KIMSEY HELMS. MOTION CARRIED.

Approval/Corrections of June 2005 Minutes:

MOTION BY TOM SCOTT THAT THE MINUTES BE APPROVED AS CORRECTED. SECONDED BY MIKE JEFFERIS. MOTION CARRIED. (Correction consisted of spelling error)

Treasurer's Report: Mike Jefferis reported the total deposit for June was \$23,585.54, expenses of \$18,076.08, checking account balance is \$32,409.72, and the balance in the sinking fund is \$225,908.10. Road maintenance and purchases for the July 4th Social incurred the largest expenditures.

MOTION BY TOM SCOTT THAT THE TREASURER'S REPORT BE APPROVED AS READ. SECONDED BY KIMSEY HELMS. MOTION CARRIED.

Mike reported on the continuing research regarding the Association's bank accounts. Mike and Debbie met with representatives from Capital City Bank to discuss the consolidation of all THA funds to one banking institution and the various options the bank could offer in the best interests of THA. Mike also contacted other banks and credit unions. Mike compiled information on Capital City Bank, Florida Commerce Credit Union, Focus Credit Union and Envision Credit Union, comparing the type of checking accounts, interest bearing accounts and long-term options. The bank comparisons showed that Focus Credit Union came in line with what the Association is looking for. With Focus Credit Union, the Association would be the actual member, the location in Quincy is convenient and offers on-line banking. Also, Focus Credit Union is federally insured and chartered and serves state and non-profit corporations and their employees. The current checking account does not offer interest and the sinking fund at A.G. Edwards has not been earning what we could at other institutions.

MOTION BY TOM SCOTT THAT THE ASSOCIATION FUNDS BE TRANSFERRED TO FOCUS CREDIT UNION FROM CAPITAL CITY BANK AND A. G. EDWARDS. SECONDED BY MIKE MAPSTONE.

Discussion: Transfer of accounts should be done only after Mike and Debbie meet with a Focus Credit Union representative and terms are satisfactory. There was also discussion on who would be the signatures for the accounts with the four officers and corporate secretary being determined.

MOTION CARRIED.

Debbie gave an update on the delinquent accounts and listed the property owners who did not pay

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after the 30-day notice was mailed. The 30 days will expire on July 15th. Unless payment is made or there are other arrangements, the following members will have liens filed against their properties for lack of payment for part or all of 2004 assessments: Beckwith, Forbes, Gaines, Hanney, Lincicome, Patel and Reed. It was also discussed and suggested from the Board that members falling behind in 2005 should receive a letter to remind members that they are behind in hopes that they will attempt to get caught up before the threat of a lien.

At the June Board meeting, there was discussion regarding Debbie Robinson, Corp. Secretary/Bookkeeper not being covered by the Association insurance policy. It was requested that Debbie proceed with obtaining Bond Coverage with the Board approving to pay for the coverage.

Debbie presented the Board with the various coverage amounts and costs. The coverage amounts started at \$5,000 with a maximum of \$100,000, costs beginning at \$100.00 to \$326.03 for the maximum coverage. There was discussion on the amount of the funds at risk as well as other risk possibilities. The bond coverage is an annual fee.

MOTION BY KIMSEY HELMS THAT THE BOARD GIVES PERMISSION FOR DEBBIE ROBINSON TO OBTAIN THE MAXIMUM BOND COVERAGE OF \$100,000 AND TO BE REIMBURSED AT THE COST OF \$326.03. SECONDED BY TOM SCOTT. MOTION CARRIED.

Debbie will proceed to obtain the bond with the Association to reimburse her for the cost.

Correspondence/Phone Calls:

1. Debbie Robinson received a call from Mrs. Jackson, 140 Magnolia Court, concerning tree debris on the road and general hazards of Magnolia Court. Mrs. Jackson asked when the Association was going to be able to maintain Magnolia Court. Debbie told Mrs. Jackson that the Association is in the process of meeting with Mr. Heidenreich, his attorney, our attorney and DEP in order to resolve the issues regarding Magnolia Court so that the Association could accept Magnolia Court without further costs to the entire membership to bring Magnolia Court up to standards. Mrs. Jackson thought that she might be able to attend the Board Meeting to address the Board of her concerns. She did not attend.

2. Jean Wood received a phone call from Mrs. Turner, 180 Magnolia Court, expressing concern that the Association has not settled on the maintenance of Magnolia Court. Mrs. Turner was informed the same as Mrs. Jackson in item 1.

3. Jean Wood received a phone call from Tom Cobb regarding "Cowboy" the dog that is becoming a nuisance. Various members complaining about Cowboy have been referred to Scott Ivey.

4. Jean Wood received e-mail from Bill Findley, 628 Mason Drive, regarding having trouble with the web site. Jean forwarded his e-mail to the web master.

5. Jean Wood received e-mail from Jan Townsend concerning the condition of Deer Pass. Jean responded to her call as well as Don.

6. Jean Wood had a message from Christiane Guignard who thought that there were motorcycles driving on the side of the road. No other Board members have been contacted regarding this issue and it is thought that the tracks were from parking at the July 4th Social.

7. Jean Wood received e-mail from Mr. & Mrs. Boyington thanking the Association for a wonderful July 4th celebration.

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8. Jean Wood received e-mail from Nancy Wade concerning the status on the permit for lakeshore restoration.
9. Jean Wood received e-mail from Lorie Crawford concerning the opening of the gate for her private party.
10. Jean Wood received e-mail from Carolyn White concerning lakeshore restoration.
11. Tom Scott received a phone call from Frank Ellzey concerning the opening of the lake valve as Hurricane Dennis approached. Tom opened the valve 24 hours prior to the predicted time for Dennis to hit the area.
12. Tom Scott received e-mail from Tom Wade. When Mr. Wade saw the lake level rise due to the rainfall from Dennis, he thought that the gate valve was not opened. Tom Scott replied to Mr. Wade that the gate valve was opened 24 hours prior to the rain from Dennis but will consider opening the valve 36 hours prior to the next storm depending on the amount of predicted rainfall. Although the gate valve will drop the lake level, the pipes installed under Tallavana Trail a few years back have been controlling the lake levels where there has been no water in Mr. Wade's house since 1994. Again, it is hard to predict just how much rain this area may receive during a storm and by opening the valve too early and not the receiving the predicted rainfall, it may cause the lake level to be too low, hampering other members from getting their boats away from their docks. Tom Scott did check the pipes after the rains from Dennis and reported that they were taking all the water they could.
13. Joe Smyth received a suggestion that the overhanging branches over Tallavana Trail should be trimmed back so that trucks and RV's not hit the branches while traversing the road. It was suggested that the roads be cleared to 15' high to prevent damage to tall vehicles. Member Jim Poss said he would be willing to talk with Marc Cocke and let him know where the hazardous branches are and where trimming is needed.

BOARD REPORTS

Legal: Don Magruder and Mike Jefferis

A. Magnolia Court – The issues with Magnolia Court continue to be discussed between the Association, our attorney, Mr. Heidenreich, his attorney, Mr. Ghazvini and FDEP. One of the issues in question is the ownership or responsibility of the storm water retention pond adjacent to Magnolia Court. A meeting between the above mentioned parties revealed that there are 3 storm water retention ponds on Heidenreich property that show Ghazvini as permit holder. The permits were not transferred at the same time the property was.

Ken Abele, Association attorney, suggested that the Association gives the DEP a reasonable amount of time to allow them a decision on how they plan to enforce the repairs of the ponds. The Association will not take over the maintenance of Magnolia Court or the retention ponds until all issues are resolved. Don has asked Ken Abele to keep the board informed.

The DEP report concerning a total of 7 storm water retention ponds came with recommendations for both the Association (4 ponds) and Heidenreich (3 ponds).

B. Lincicome case – Per Jack Harnett, the survey of the transferred easement is to be delivered to the lawyers. Once the survey is received, documents required to finalize will be drafted.

C. Sheffield Preserve – The survey work has not been done yet but should be by July 21st. Mike Jefferis will meet with surveyor in Don's absence.

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D. Acquisition of Deer Pass – No word yet from Jack Harnett if he was able to contact Mr. Pennington to ask if the easement for Deer Pass could be turned over to THA.

E. Killlearn Properties, Tax Deed –The Association has been contacted by the Gadsden County Clerk of Court concerning Lot D-14, current owner Killlearn Properties, Inc. C/O Mark Conner Flightserv. The property will be sold at public auction on August 3, 2005 for unpaid taxes. The Homeowners' assessments have not been paid for several years and the Association does have a lien on the property. If the property is sold at auction for back taxes, the Association will not be able to collect the past due assessments and the lien is null. Only government liens are recognized when property is sold at an auction.

Payment of the back taxes in the amount of \$3,223.05 would stop the auction sale. There would be no ownership of the property but a tax certificate issued. If the Association were to pay the back taxes and stop the sale, it would allow some time to determine if we could foreclose on the property. Should we be able to foreclose, the Association could sell the property to recover the taxes paid and the past due assessments. With the auction taking place before the next meeting, there was discussion regarding what actions the Board wanted to take, keeping in mind the best interest for the Association.

MOTION BY TOM SCOTT, PER LEGAL COUNCIL, THE ASSOCIATION PROCEED TO PAY THE BACK TAXES THEN FORCE A SALE OF THE PROPERTY TO RECOVER THE TAXES, ASSESSMENTS AND FEES. IF LEGAL COUNCIL ADVISES AGAINST PAYMENT OF BACK TAXES, THEN THE ASSOCIATION BACKS OFF AND ALLOWS THE PROPERTY TO BE SOLD AT AUCTION. SECONDED BY JOE SMYTH. MOTION CARRIED.

In conclusion, Mike Jefferis will contact Ken Abele for council on the best actions for the Board to take regarding Lot D-14

F. Don is still attempting to contact Mr. Park Brittle concerning the property on the backside of the dam. Member Frank Ellzey mentioned to Don an alternate contact number, Don will try that.

Member Relations: Mike Mapstone

The web site received 188 hits for June. Mike sent e-mail to the web master to see if the web site could be brought up to date with the newsletters.

A big thanks to members Laura and Kimsey Helms, Jill & Dave Taylor, Pat Powell, Joe and CeCe Smyth, Tom Scott, Don Jones and all other volunteers that helped to make the 4th of July activity a successful one. There was plenty of food and the rain almost held off for a great fireworks display.

Lake Management: Reported by Jean Wood & Tom Scott

Shoreline Restoration update: Jean spoke with Sean McGlynn. The DEP has asked Sean to assess if any of the shorelines to be restored are classified wetlands. Sean did his study on Saturday, July 9th. Sean is also looking for the best way to get materials to the lakeshores. After looking at the dam, it has been decided that riprap should be used as well as the matting.

Sean and Scott Matteo would like a meeting with the Lake Planning Committee and the Board to discuss the D-8 pond. Items to be discussed include a working design for the pond and what type of trails should be considered for the area. A tentative meeting date was set for August 20th at the pavilion beginning at 10:00 am. Debbie indicated that she has not been made aware of any other conflicts for the pavilion for that date. Jean will call Sean and Scott to finalize the date so that the Lake Planning Committee can be contacted.

Tom Scott reported that the gate valve was still open as of today but would be closing it

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Wednesday afternoon. While water was flowing heavily through the overflow pipes, Tom noticed lots of carp going through as well. He also saw a few brim and specs but mostly carp. There is erosion on the backside of the dam due to the flow of water through the overflow pipes.

The ravine adjoining the D-8 pond was in need of a name besides D-8 Ravine. After polling the membership for suggestions, the following names were submitted: Magnolia Hammock Creek, Fawn Creek and Critter Creek.

MOTION BY DON MAGRUDER TO NAME THE RAVINE AND CREEK AT THE D-8 AREA MAGNOLIA HAMMOCK CREEK. SECONDED BY TOM SCOTT. MOTION CARRIED.

Lake Watch – Pat Powell: Pat is scheduling next Lake Watch for Saturday, July 16th if she can get a crew and boat.

Security: Reported by Joe Smyth

It was reported that Scott Ivey worked 20 hours for the Association and 18 hours on duty in the month of June. Scott performed 85 house checks and 12 vehicle stops. Billy Kemp worked 19 hours in June. It was also reported that Billy issued 1 warning for nonresident fishing.

Gate: There was a problem with the gate that left it open for at least 5 days. Bill Oswald was out of town when the gate went out and there is no one else to repair the gate. It was suggested that the search begin for at least two other volunteers who would be willing to apprentice with Bill and learn the workings of the gate.

A few years ago, security and board members were given parking violation forms to issue when violations were found on Tallavana common properties and at the lake. The forms have not been used but it has been discussed that we begin using the forms once more. Copies of the forms were given to the Board Members for their review. There are some changes that need to be made. Joe, Mike Jefferis and Debbie will work on a revised form for the Board to review by August meeting. Debbie will obtain pricing for the printing of the forms.

There was also discussion regarding a guest pass or temporary pass. It was decided that the ticket would be used first and if there are a number of member's guests that are receiving the tickets then guest passes will be re-discussed.

Roads, Grounds & Dam: Kimsey Helms, Mike Jefferis and Tom Scott

Kimsey reported that the roads are suffering due to the large amounts of rainfall. Marc will grade and repair ditches as needed. We are still waiting for Peavy to repair the asphalt on Tallavana Trail at Honeysuckle Drive before we release payment for culvert/road repairs done on Honeysuckle Dr.

The erosion around the apron at the D-8 pond is not as critical as the erosion around a culvert going under Tallavana Trail at Magnolia Court. Mike Jefferis is to meet with Peavy to discuss solutions for the problems with the culvert on Tallavana Trail. Also, Peavy has not been able to begin work on the D-8 culvert due to the weather and work load.

Mike Jefferis will pick up the street signs that were made by Stacy's Sign Solutions. Kim and Tom volunteered to install the signs the upcoming weekend. Some of the old signs will be refurbished and replace signs that have totally deteriorated. Mike also mentioned that the neighborhood is lacking in stop signs. Mike received a quote from PSI for \$150.00 each for sign, pole and installation. There was discussion about PSI installing the stop signs but it was agreed that they would install the signs at the legal height and position at the intersections.

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MOTION BY KIMSEY HELMS THAT THE ASSOCIATION PROCEEDS WITH THE PURCHASE OF THE STOP SIGNS FROM PSI. SECONDED BY TOM SCOTT. MOTION CARRIED.

COMMITTEE REPORTS

ACC: No submittals, no meeting, no report.

The submittal for Doug Perdue that was rejected at May meeting has not been reviewed. Diane spoke with Mr. Perdue pertaining to the property ownership. He told Diane that he purchased the property back in April. Diane asked him to contact Debbie Robinson so that we can have his warranty deed on record and proceed with reviewing his house plans. Mr. Perdue has not contacted Debbie as of this date, but after researching the county records, Debbie found where Mr. Perdue did purchase Lot AAA-5 from Hutchinson's.

Policy Committee: Reported by Joe Smyth

Both Joe and Mike Jefferis are reviewing past minutes for adopted policies but the process is slow.

OLD BUSINESS

1. Policy for opening of security gate – After reviewing the draft, it was found that there needed to be a couple of corrections not in the policy itself but in the wording and spelling.

MOTION BY DON MAGRUDER THAT THE GATE POLICY BE APPROVED AND ADOPTED AS AMENDED. SECONDED BY JOE SMYTH. MOTION CARRIED.

NEW BUSINESS

1. Publishing of liens filed - There was discussion regarding the publishing of the names of members who were delinquent for nonpayment of dues, which resulted in a lien being filed against their property. The names and lot numbers would be published in the quarterly newsletter.

MOTION BY TOM SCOTT THAT THE NAME AND LOT NUMBER OF LIENS THAT HAVE BEEN FILED FOR LACK OF PAYMENT BE PUBLISHED IN THE NEWSLETTER. SECONDED BY MIKE MAPSTONE.

ADDENDUM TO MOTION: IN CASES WHERE THE NONPAYMENT OF ASSESSMENTS IS DUE TO A HARDSHIP, AT THE DISCRETION OF THE BOARD, THE NAME MAY NOT BE PUBLISHED. MOTION CARRIED.

2. Premier Construction – request for late fees waived: Premier Construction received a 30-day notice for nonpayment of 2003 & 2004 assessments. After receipt of notice, they contacted Debbie Robinson to inform the Association of their intent to pay but would like the late fees dropped because Premier has not been receiving invoices. Debbie had been trying to find the correct address for Premier but the invoices were returned with the envelope marked “Refused”. There has been no forwarding address provided to the Association. The correct address was finally obtained by searching the county tax records. When Premier asked that the late fees be waived, Debbie said that she would present their request to the board.

The payment history for Premier has been very poor. A check was received in March of 2003 for dues and fees from 2001, 2002 and part of 2003. The Association was not notified of any address

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changes. In all fairness to the entire membership, it was general consensus of the Board that the late fees not be waived. Debbie will send a letter to Premier stating the Board's decision given the reasons mentioned above.

3. Budget Workshop – Mike Jefferis stated that the Board should begin thinking about the budget for the next year and beyond. Don McEwen chairs the Budget Review Committee and Mike would like to see the committee start coming together. Mike would like to see the “Sinking fund” be more defined with specific project amounts and timelines. Jean has asked Sean McGlynn to develop a five-year plan for the lake. The other areas to consider are the roads and culvert replacements.

Item of mention – There were two contract samples given to the Board for review. The contracts are for specific services of the bookkeeper and may be used as baseline for the services of security and web master. The contract samples will be discussed at the August meeting.

With no further business, at 10:10 pm, Don Magruder moved to adjourn, Joe Smyth seconded.

Respectfully submitted,

Debra Robinson
Corporate Secretary