

## TALLAVANA HOMEOWNERS' ASSOCIATION, INC.

Minutes of the monthly Board of Directors meeting held on July 11, 2006 at the Community Center behind the fire station, 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:

The meeting called to order at 7:05 pm by President, Tom Scott.

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

### **Status of the Board:**

Board Member Carolyn Tanner resigned from the Board effective June 13<sup>th</sup>, giving notice via a written letter. The nomination of Linda Ritchie to serve on the Board until the Annual Meeting in January 2007 was presented to the Board.

MIKE MAPSTONE MOVED TO ACCEPT LINDA RITCHIE TO SERVE ON THE BOARD UNTIL THE ANNUAL MEETING. KIMSEY HELMS SECONDED THE MOTION. MOTION CARRIED.

It was also determined that Linda Ritchie will serve in the capacity of Secretary as an officer of the corporation, Tallavana Homeowners' Association, Inc.

Board Member Joe Smyth submitted his resignation to the Board for the reason of employment relocation. Joe read his written notice of resignation and submitted his letter for THA files. Joe stated that his resignation would be effective between this meeting, July 11<sup>th</sup> and August 1, 2006.

KIMSEY HELMS MOVED TO ACCEPT THE RESIGNATION OF BOARD MEMBER JOE SMYTH TO BECOME EFFECTIVE AUGUST 1, 2006. MIKE JEFFERIS SECONDED THE MOTION. MOTION CARRIED.

The Nomination Committee spokesperson, Pat Powell, was asked to bring nominations to the August meeting for the Board's consideration to fill the vacancy left by Director, Joe Smyth.

### **Approval of Agenda:**

Change Board Member Replacement to Status of Board and move immediately after the Call to Order.

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

### **Old Business: 1. Insurance/Doug Croley**

In consideration of Doug Croley, item #1 under Old Business will be discussed at the beginning of the meeting.

Mike Jefferis reminded the Board that our current insurance carrier, Nationwide, will not renew our policy that expires in October. Mike and Debbie have asked Agent Doug Croley to investigate new carriers for Homeowners' Associations in Florida. Doug approached several carriers finding that no company is able to cover all of the issues of Tallavana Homeowners' Association.

Doug gave a spreadsheet to the Board that explained the types of exposure to THA. Besides property and liability, THA also needs to cover the Directors & Officers Liability and automobile (non-owned and/or hired autos). Doug also suggested an additional "Umbrella" policy for coverage beyond our usual policy coverage. Because of the most exposure, the roads in Tallavana are most likely the

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greatest liability. Doug has not yet found a carrier for the dam but will continue searching. Also, insurance carriers are not willing to cover property such as the entrance gate or pavilion. THA will most likely have to self-insure these items.

Doug explained the liability to THA for our July 4<sup>th</sup> event. The pyrotechnic should be covered under a separate policy that he provides himself. THA must receive a certificate of insurance from the pyrotechnic as proof of that insurance. It was also mentioned that THA should consider "event" policies for additional coverage during events such as July 4<sup>th</sup>. The event policy is not for fireworks but general liability to cover incidents that do not involve fireworks.

The coverage amounts are the same as what we had with Nationwide but the rates are much higher due to the rising costs of insurance in Florida. We did not have an Umbrella policy with Nationwide but it was the consensus of the Board that THA should have the additional coverage.

MIKE JEFFERIS MOVED TO ACCEPT THE INSURANCE PROPOSAL FROM DOUG CROLEY AND TO AUTHORIZE DOUG TO PUT IN PLACE THE STRUCTURE OF HIS PROPOSAL QUOTING THE BASE PREMIUMS. MIKE MAPSTONE SECONDED THE MOTION. MOTION CARRIED.

Doug will begin the process to insure THA with the new carriers prior to the expiration of our policy with Nationwide.

**Approval/Corrections of June 2006 Minutes:**

Corrections were for grammar.

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

**Treasurer's Report:** Mike Jefferis reported the total deposit for June was \$28,377.80, operating expenses of \$11,110.33, \$2,782.50 in major project expenses, checking account balance is \$939.48, Money Market balance is \$50,239.32 and the balance in CDs/Savings is \$270,793.22. The expenditures for June were routine with additional expenditures for Lake Watch contribution and dock repair. The Major project expense was for shoreline restoration permit revisions and dam/water level survey.

Delinquent accounts update:

1. Gaines: A complaint has been filed in Small Claims court. We are waiting to hear from Ken on the date for the pretrial hearing.

2. Beckwith: Ongoing bankruptcy.

**Correspondence/Phone Calls:**

1. Tom Scott has received several phone calls relating to the shoreline restoration. Tom will discuss the shoreline restoration under Lake Report.

2. Tom received a call regarding some young men that were not members or guests but were in Lake Tallavana. Tom called Scott Ivey and asked that he have a talk with the young men.

3. The Board of Directors received a letter from Christiane Guignard stating her thoughts on the level of the lake. The letter was distributed to the Board members for their review.

**BOARD REPORTS**

**Legal:** Mike Jefferis

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A. Magnolia Court – The issue with Magnolia Court and the storm water retention ponds continues to be at a standstill. We are still waiting for DEP for a decision on the responsible party for the task of repair and maintenance on the storm water retention ponds.

Mike cleared a misunderstanding concerning Magnolia Court. From a legal stand point; THA has not accepted Magnolia Court. As a Homeowners' Association, we need to be responsive to the owners on Magnolia Court and be more supportive. The residents on Magnolia Court have been paying to have the shoulders mowed. Mike suggested that THA have our mowing contractor mow the shoulders on Magnolia Court but that is all. If any other problems arise on Magnolia Court, Marc Cocke is to contact Kimsey Helms or Mike Jefferis at once. THA will not be legally responsible to maintain the road, drainage or the storm water pond.

B. Lambert runoff – Update: Ken Abele filed the complaint against the Lambert property owners. The complaint covers the runoff from Lambert property on the counts of Private Nuisance, Trespass, Negligence and Injunction. Mike, with Ken Abele, will keep the Board posted.

C. Roche shed – Update: Per the advice of Ken Abele, hold off on any action in this case until the ACC policies have been revised and approved.

Soprano ACC violation – As a result of clearing trees from the buffer zones and THA road right-of-way, Attorney Ken Abele has sent a letter to Mike Soprano with a request to respond in 14 days.

ACC Policies – Ken has had a very heavy schedule and is not finished with the ACC draft. He will have something by the August meeting.

**Member Relations:** Mike Mapstone

Mike gave the web site report for May and June. In May the web site had 435 visits and 531 in June.

The July 4<sup>th</sup> cookout served approximately 200 people. There were not as many people as years past but it could have been due to the heat or the confusion around the fireworks. Don Jones did obtain insurance and was able to purchase additional fireworks. There was a great display of fireworks.

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

Shoreline Restoration update – Since the DEP has issued the shoreline restoration permit with the instructions that the slope allowance is 3:1, there has been discussion that the ratio may be excessive on some of the shorelines. Sean went back to DEP and the following amendments will be made to the permit: 1.) Homeowners will be allowed to use a combination of rock and sand and 2.) Slopes can be restored to 2:1 or 3:1 depending on the existing slope. The original permit was not going to allow the homeowners to use rock. Sean has been checking prices and is finding lime rock many times more expensive than sand. Sean is working on a bathometric map around the dam and common area to determine the quantity of materials to order.

Member John O'Neal had previously emailed Sean with questions about what the permit will allow. Mr. O'Neal was in attendance at this meeting and was told that when THA gets the amended permit and drawings, copies will be available to all the homeowners listed on the permit.

D-8 Pond Restoration update – The DEP has requested additional information which Sean has already provided. It is not certain when the 90-day clock will begin for DEP to rule on the permit.

**Lake Watch** – Pat Powell: Pat reported receiving a phone call from Lake Watch in Gainesville to thank THA for the contribution to their building fund.

The last 2 quarterly reports show the levels of phosphorus and chlorophyll are down but

the nitrogen level is up. The nitrogen level continues to rise.

Pat would like to schedule Lake Watch for the upcoming weekend providing there is no rain.

**Security:** Reported by Joe Smyth

It was reported that Scott Ivey worked 20 hours for the Association in June and another 14 hours on duty with the Gadsden Sheriff's Department. Scott performed 16 vehicle stops and 70 house checks. Joe mentioned that Scott will do house checks if going on vacation, just call Scott. Billy Kemp worked 19 hours in June.

**Gate:** No problems. Bill mentioned that the new mechanism box will eventually need to be installed and that the shed at the gate is in need of repair. The new gate phone number goes into effect on Monday, July 17<sup>th</sup>. The membership will receive notice of the new number in their 3<sup>rd</sup> quarter billing that will be mailed the 11<sup>th</sup>.

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

a. Safety/Speed signs – Mike Jefferis and a representative from PSA walked parts of Tallavana Trail to determine the need for safety signs. PSA noted that 8-10 curves could be marked as dangerous and that there should be a sign warning that the pavement is ending on Tallavana Trail. Mike is to work up a cost and make recommendations at the next meeting.

b. Lincicome easement fence – The Board accepted the bid from Florida Fence and Deck at the June meeting. Since then, THA was notified of a foreclosure sale of the property. The sale takes place on July 19<sup>th</sup>. THA has been informed that Mrs. Lincicome will prevail and that the sale may not take place. THA will wait for the outcome of the sale before moving forward on fencing the easement.

c. Paving proposals – Kimsey presented a draft bid package to the Board for discussion. The Board discussed the starting and stopping points on Tallavana Trail as well as how much should be overlaid. It was decided that the bid should have the option of dividing Tallavana Trail and get a bid per section and/or the entire project. The rain bumps on Tallavana Trail were discussed and Kimsey and Mike will visit the site to determine the best solution for repairs.

d. Culvert replacements – There are 4 more culverts on Hickory to be replaced. The contractor is busy with another project but will return to finish Hickory soon.

e. Dock repairs update – Dock repairs were near completion by the July 4<sup>th</sup> event and finished by today.

Kimsey reported that Marc Cocke told him that there is kudzu starting to grow on the backside of the dam. There are several issues that need to be addressed on the backside of the dam including cleaning up some of the brush. Board members Mike J., Kimsey and Tom would like to meet with Marc to walk the backside of the dam to determine what needs to be done. Saturday, July 15<sup>th</sup>, was scheduled for the meeting at the dam.

## COMMITTEE REPORTS

**ACC:**

a. The ACC chairperson will continue to be Charles Norvell.

b. ACC Approved Submittals:

b.1. Kimsey & Laura Helms, 3059 Tallavana Trail, submittal for the removal of a diseased oak

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tree that is 10 feet from the house.

b.2. Ivan & Cheryl Roberts, 3565 Tallavana Trail, submittal for the removal of a large oak tree that is in the front buffer and is in danger of falling on the house.

b.3. Brian & Whitney Fletcher, 720 Hickory Lane, submittal for a new house was approved last month with the exception of the roof color. A sample of the metal roof was reviewed and approved.

b.4. Andrew & Donna Phillips, 55 Mason Drive, submittal for a R.V. garage measuring 30' x 30', 12' high. Site placement, materials and colors have been reviewed and approved.

Submittal from Robert & Cathy Bailey, 4245 Tallavana Trail, for an above ground pool was rejected due to insufficient information for the review.

d. Bravo shed – Domingo Bravo, 2405 Tallavana Trail, moved a shed from the rear of the property to the front of the house without discussing first with the ACC. Mr. Bravo was at the ACC meeting to discuss the shed issue. He agreed to consider a plan to remove the shed and submit a plan for a carport with a storage/workshop area.

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

c. Section 200, ACC Guidelines – Certain members of the ACC and Board will meet with Ken Abele to work on a pre-final draft. The ACC and Board would like to schedule a workshop to review the pre-final draft. The workshop was scheduled for Tuesday, August 1<sup>st</sup>. Tom Scott asked if Ken could be at this meeting. Once the pre-final draft is reviewed, discussed and revised, the final draft will be presented to the Board for approval at the August 8<sup>th</sup> Board meeting. Tom asked if Ken could be at the Board meeting as well. Debbie will schedule the meeting room at the Library for both meetings and post notification to the membership.

Bill Oswald mentioned that there are some issues in the ACC policy draft that conflict with the Restrictive Covenants. These issues will be discussed at the meeting on August 1<sup>st</sup>.

**Policy Committee:** Joe Smyth reported that while he has not been able to research the past minutes much as he had hoped, he would give Mike Jefferis what he has so far. Mike and Joe have been reviewing past minutes for policies that have been made but are not included in our governing documents.

**OLD BUSINESS**

2. Deer Pass Survey –Thomas Skipper needs about another month to finish the survey and map for Deer Pass. There was a question about the benchmark that Skipped used when he surveyed the elevation of the lake. Skipper clarified that the benchmark used was back at the USDS marker on Highway 12. With that being determined, the lake is within ¼” of where it is suppose to be.

3. Sign for “Pavilion Reserved”- Debbie will order the “reserved” sign for the pavilion as well as a couple of blank signs that and be used as needed.

**NEW BUSINESS**

It was determined that new Board Member, Linda Ritchie, will serve in the capacity as Secretary as an officer of THA.

With no further business, meeting was adjourned at 9:25 p.m.

Respectfully submitted,

Debra Robinson  
Corporate Secretary

## **ACC REPORT TO THE BOARD**

**July 11, 2006**

All submittals are current on their dues, per D.R. 7/7/06.

The following ACC submittal was rejected due to insufficient information for the review.

- \* Bailey, Robert and Cathy, 4245 Tallavana Trail; Above ground pool

The following ACC submittals were approved.

- \* Helms, Kimsey and Laura, 3059 Tallavana Trail; Removal of large, diseased oak tree 10 feet from the house, not in the buffer.
- \* Roberts, Ivan and Cheryl, 3565 Tallavana Trail; Removal of large oak tree, in the front buffer, in danger of falling on the house.
- \* Phillips, Andrew and Donna, 55 Mason Drive; R.V. Garage, 30 feet wide, 30 feet deep, 12 feet ceiling, trim and siding to match house by product and color, metal roof hunter green, building to be placed 40 feet from left lot line, 60 feet from the back wall of the house in the back yard. Windows and door to be architecturally complementary to the house, two metal garage doors same color as siding.
- \* Fletcher, Brian and Whitney, 720 Hickory Lane; New home plans were approved last month. A large sample of the "Galvalume" metal roof was reviewed. This metal roof product is coated with a dull silver gray colored material. Owner reports the contractor said the shine will dull within 6 months. The light colored metal roof was approved due to this particular roof's reported extreme energy efficiency.

Discussion: New homeowner, Domingo Bravo, attended to discuss issues regarding his recent relocating the large shed at his new home to the home's front yard. His real estate agent told him that the shed had been approved and therefore, he could move it anywhere he chose. He moved it without inquiring about limitations on shed locations. It should be noted that the shed relocation took place very shortly after closing on the house. Charles Norvell delivered Domingo a copy of the policies subsequent to his moving the shed. We discussed the need for him to move the shed in order to comply with the ACC policy. He agreed to discuss the issues with his wife and possibly submit a plan to remove the shed completely and submit a plan for a carport with a storage/workshop area.

Attending ACC Members: Charles Norvell, Ron Crawford, Virginia Everett, Pat Powell, Jean Wood;  
Non member: Andrena Knicely

APPROVED