

TALLAVANA HOMEOWNERS' ASSOCIATION, INC.

Minutes of the monthly Board of Directors meeting held on June 16, 2005 in the meeting room of the Havana Library, 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 7:13 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:

Add item #1 to New Business: July meeting date. Also, the Shoreline Restoration update will be presented by Sean McGlynn and will be moved in the meeting according to his arrival.

MOTION BY JOE SMYTH TO APPROVE THE AGENDA AS AMENDED. SECONDED BY KIMSEY HELMS. MOTION CARRIED.

Approval/Corrections of May 2005 Minutes:

MOTION BY TOM SCOTT THAT THE MINUTES BE APPROVED AS WRITTEN. SECONDED BY MIKE MAPSTONE. MOTION CARRIED.

Treasurer's Report: Mike Jefferis reported the total deposit for May was \$21,076.52, expenses of \$12,910.75, checking account balance is \$26,900.26, and the balance in the sinking fund is \$225,565.93. Road maintenance incurred the largest expenditures.

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

Mike reported that further research with our existing bank, Capital City Bank, found that they do provide some of the benefits the Association is looking for in a bank. Mike and Debbie will go to the main office to meet with bank officials to see what products Capital City can offer that would be in the best interest of the Association.

Last month the Board voted to send letters to the members that are in arrears for 2004 stating that the member has 30 days to pay the total of their 2004 dues or to contact the board to make arrangements otherwise a lien will be filed against their property. The letters were sent June 16th, Certified Mail, Return Receipt to 12 members. If a member pays the delinquent amount or makes other arrangements within the 30 days, a lien will not be filed.

Mike contacted the insurance agent for the Association in regards to coverage for the corporate secretary/bookkeeper as a contract employee. The current policy does not cover Debbie, as she is a contract employee and not an employee of the Association. The agent suggested that Debbie obtain a bond for her services. Mike suggested that there be a contract drawn up between the Association and Debbie Robinson that would explain the relationship and duties. Debbie was in agreement with both the bond and the contract and will present a draft of the contract to Don, Mike Jefferis and Jean before the next board meeting. There was further discussion that the other individuals who perform services for the Association also be contracted and proof of liability insurance if needed. Mike and Debbie will be

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working on this issue.

Correspondence/Phone Calls:

1. Tom Scott received a call from Frank Ellzey regarding the lake level with the approaching tropical storm.
2. Debbie Robinson read two letters from Robert Schara concerning a dog, Cowboy, which has become a problem. Debbie called Mr. Schara and gave him Scott Ivey's number. Scott has told the Board that he would make calls to pet owners when the pets are out of control.
3. Mike Jefferis received a call from Mrs. Knicely concerning septic tank clean-out companies to see if the Association could acquire a contract. Pat Powell called and found one company willing to have a contract with the Association however the details needed to be worked out. It was suggested that this could be an agenda item for a future board meeting.
4. Kimsey Helms received a call concerning the roads and will cover under his report.
5. Jean Wood received a call from Mr. Richardson, which will be discussed later in the meeting.
6. Mike Mapstone received a call from a homeowner on Hickory regarding his company truck that he has to bring home from time to time. So far there have been no complaints to any of the Board members.

Shoreline Restoration report – Sean McGlynn

The Association lake specialist, Sean McGlynn gave a presentation to update the Board and attending members concerning the shoreline restoration including where we are at with the FDEP permit.

Sean reported that it is very apparent that the lake is out of balance and the causes are runoff from Reston, the nurseries, and erosion from the cow farm. But the largest contributor is the carp. All of the lakefront properties have a problem but the properties with the least amount of disruption to the overall vegetation have lesser problems with their shoreline.

Sean and an environmental engineer met with many of the homeowners and discussed all the possibilities to repair their shoreline and to prevent further damage from the carp. Sean reported that electro shocking is working and there are fewer carp but there are enough remaining to continue to do damage. It would also be a huge benefit if there were a draw down immediately after the carp spawned. The fish biologist would have to be consulted to consider the consequences to the other species if there were a draw down during the carp spawn season. It was suggested that we have a workshop involving our fish biologist, Sean McGlynn, the Board and THA Lake Planning Committee.

Sean has been working very hard with the DEP in our behalf. It was agreed to today that we can go through with a group permit. Even though we have 10 years to complete the work on our DEP permit, we need to do the work immediately to prevent further carp destruction. Once the permit is issued, no other homeowners will be permitted to do shoreline work on the Association permit. Homeowners desiring to do shoreline work but are not included on the THA permit will have to obtain their own DEP permit. Any homeowner restoring their shoreline without a DEP permit runs the risk of being discovered and fined by the DEP.

Results of the engineered drawings found that most of the residents will be able to stabilize their shoreline with bio-matting and lime rock and/or vegetation. A few homeowners are opting to have fill

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brought in to restore their property line.

Sean agreed to get pricing for lime rock. He did suggest using lime rock, as it will be a benefit to the water quality where as riprap is chunked concrete and has no additional benefits. Sean will estimate the amount of materials needed for all permitted projects but the Association will be fiscally responsible only for the shoreline along the common areas. The homeowners will be responsible for the work and materials used along their property but will be able to purchase the materials at a lower bulk rate.

Sean gave an update on the grant awarded to Mr. Dallas Lambert, cow farmer. Mr. Lambert is fencing his cattle from the creek that runs into our lake. Mr. Lambert is qualified to receive another grant that allows him to work on the erosion problems of a ravine that goes from County Rd. 270 to Tallavana property.

Sean will be asking Scott Matteo, environmental engineer, to begin looking at improvements to the D-8 pond.

BOARD REPORTS

Legal: Don Magruder and Mike Jefferis

A. Magnolia Court – The issues with Magnolia Court have been turned over to Attorney Ken Abele. There are questions regarding the ownership and responsibility of the holding ponds and DEP is now involved. There is a meeting on the 21st with Mr. Heidenreich, Mr. Abele, DEP and any Board members that can attend. It is hoped that we can finalize what needs to be done so that the Association may take over the maintenance of Magnolia Court.

B. Lincicome case – There is nothing to report at this time.

C. Connelly case – The case has been resolved. A joint dismissal was filed on May 19th, 2005. Both parties dismiss their respective claims and counterclaims against each other with prejudice, including all claims for court costs and attorneys' fees. Each party shall bear their own respective costs and attorneys' fees. Case is concluded. The dismissal was signed by both attorneys.

D. Sheffield Preserve – Don has contacted surveyor Tom Skipper to supply a quote for surveying the east side of the 30 acres and mark a fence line. Once a price is quoted, Tom can survey the fence line within two weeks.

When Don went to the Sheffield Preserve he found the lock and chain missing. The lock belonging to Progress Energy was also gone. The gate on the west side of the Preserve will be moved to the east side when the fence is installed. No Trespassing signs will be posted on the east side fence.

E. 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.

F. Killearn Properties, Tax Deed –The Association has been contacted by the Gadsden County Clerk of Court concerning Lot D-14, current owner Killearn Properties, Inc. C/O Mark Conner Flightserve. 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

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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. There are other legal options that Don will discuss with Attorney Abele and report to the board.

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

There is no report for the website as Linda Ortiz, web master, is having some problems with the server. Reports will be provided as soon as they are available.

Mike reported that Don Jones has been contacted regarding the fireworks for the July 4th activity. Also the Social Committee has met and is making plans for the 4th. The cookout will start at 6:30 p.m. with the fireworks to follow at dark. Dave Taylor will be lining up grills and cooks.

Joe Smyth asked if past newsletters are suppose to be posted on the website, there is a place for the newsletter but there are only a couple posted and they are not recent. Mike will check with Linda concerning the newsletters on the web site as well as the message board and how long it should go before cleaning it out.

Lake Management: Reported by Jean Wood & Tom Scott

Shoreline Restoration update: See Sean McGlynn's report above.

Tom Scott received a call from Frank Ellzey concerning the lake level with the approaching tropical storm the weekend of June 11th. Tom opened the valve 24 hours prior to the predicted time for the storm to reach our area. Tom closed the valve 24 hours later during a downpour. After the storm passed, the area received even more rain, which brought the lake level up after it was dropped approximately 6-8 inches. There was discussion about a possible policy on opening the valve prior to predicted storms to minimize the lake rising. There is always the risk that we will not receive the rain predicted and the lake stays low as has happened in the past. Another problem is that someone has opened the valve but there was no one available to close the valve.

Tom suggested that further studies be done so that a reasonable policy can be drafted. Frank Ellzey has volunteered to help. It is difficult to determine what to do to prevent rapid rising lake levels when the information of rainfall is based on predictions. Also, some of the worst rainfalls of this past spring came from sudden thunderstorms which there was no way to tell how much rain we would get and no time or way to prepare. The 12 overflow pipes are doing their job and there has been no water on the roads.

Lake Watch – Pat Powell: Pat is scheduling next Lake Watch for Saturday, June 18th. Pat summarized the report from Lake Watch for November through February. The quality of the lake is decreasing with nitrates, phosphates and other elements increasing.

Security: Reported by Joe Smyth

It was reported that Scott Ivey worked 20 hours for the Association and 16 hours on duty in the month of May. Scott performed 65 house checks and 14 vehicle stops. Billy Kemp worked 20 hours in May. It was also reported that Billy issued 3 warnings for undersized black crappie.

Gate: No problems with the gate.

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

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Mike Jefferis gave the update on the street signs. Mark Palmquist sent an e-mail reporting that he talked with Stacy Wallace-Sweet, the new owner of Sign Solutions, formerly Signs by Judy. Stacy quoted price per sign and set-up fees. Mike Jefferis agreed to meet with Stacy and discuss the details for replacing the wooden street signs that are in total disrepair. The Board is in agreement that the new signs should be wood and match as close a possible to the existing signs.

Kimsey reported that when the D-8 pond was cleaned out it was discovered that there was a large amount of erosion around the concrete apron and culvert with erosion continuing under the road. This is a repair that must be done as soon as possible. Mike spoke with a Peavy representative about what should be done and was given an estimate of \$15,750.00. The cost estimate included draining the pond; dig a footing, reinforcing the wall and backfilling with concrete. There was concern from other Board members that the repairs might affect the D-8 pond, which is going to be studied by an environmental engineer for possible improvements. The repairs will be to the road edge and will not affect the D-8 pond. Currently, the erosion is approximately 3-4 feet beyond the concrete apron.

MOTION BY TOM SCOTT THAT THE BOARD ACCEPT THE BID FROM PEAVY & SON NOT TO EXCEED THE \$15,750.00 AND THAT THIS WORK BEGIN IMMEDIATELY. SECONDED BY MIKE JEFFERIS. MOTION CARRIED.

There was further discussion regarding that Peavy & Son was the only contractor contacted but this job was too small to get other contractors to come out. The job could be done 2-3 weeks.

Regarding the other two areas of culvert erosion repairs, Kimsey reported that the area on Tallavana Trail is complete and the check has been released for payment for that job. We are still holding payment for Honeysuckle repairs as Peavy is to repair the blacktop on Tallavana Trail at Honeysuckle Drive where their heavy equipment was unloaded and also to sod the area around the culverts on Honeysuckle.

The parking ticket form issue was brought up with Don Magruder mentioning that he would contact Jack Harnett to see if he has a copy of the form. We are still looking for a copy of the form.

COMMITTEE REPORTS

ACC: Reported by Pat Powell in the absence of Diane Sheffield

ACC meeting held on May 25th and again on June 15th, and the following items were recommended by ACC for Board approval:

- a-1. Robert Schara, 3835 Tallavana Trail, submittal for a garage and pool.
- a-2. Earl Mills, 3801 Tallavana Trail, submittal for a 21' X 38' carport and workshop.
- a-3. Ron Crawford, 2495 Tallavana Trail, submittal for a deck and walkway.
- a-4. Tom Cobb, 2405 Tallavana Trail, submittal for an elevator with matching siding replacing existing exterior stairway and porch.
- a-5. Doug Perdue, 600 Mason Dr, submittal for 1,991 square foot house. Note: The Association does not have Mr. Perdue as a member and has not been notified of his purchase of any property in Tallavana. Submittal withdrawn by ACC.

MOTION BY DON MAGRUDER THAT THE SUBMITTALS TO THE ACC BE APPROVED AS

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RECOMMENDED WITH THE EXCEPTION OF THE SUBMITTAL FOR MASON DRIVE UNTIL PROOF OF OWNERSHIP IS RECEIVED. SECONDED BY KIMSEY HELMS. MOTION CARRIED.

Details of ACC recommendations on file.

There was discussion concerning the properties purchased by Joe Harrell and has begun to clear timber. There have been no site plans or house plans submitted to the ACC. The lot that has already been cleared is in violation of ACC regulations with a circle drive that creates two cuts through the buffer. It was suggested that Diane Sheffield, ACC chairperson, draft a letter for the board to send to Mr. Harrell so that he is on notice before his project gets too far.

At the April 2005 Board meeting, there was discussion concerning the restrictions against building additional homes on Magnolia Court until the Association takes over the road maintenance. A current lot owner desires to sell and the interested buyers want to build a house as soon as possible. With the current ban on the ACC to approve house plans for Magnolia Court, both parties approached the board to see if there could be an exception. The Board continued the discussion at this meeting and the following motion was made.

MOTION BY JEAN WOOD THAT THE ACC BE ALLOWED TO ACCEPT AND APPROVE HOUSING SUBMITTALS FOR MAGNOLIA COURT AS LONG AS THE SUBMITTALS ARE FROM INDIVIDUAL LOT OWNERS AND NOT THE DEVELOPER. SUBMITTALS APPROVED BY THE ACC WOULD THEN BE PRESENTED TO THE BOARD FOR FINAL APPROVAL. SECONDED BY TOM SCOTT. MOTION CARRIED.

It should also be noted that the lot owners submitting plans for building be made aware that the Association is not responsible and does not maintain Magnolia Court. Although this is a temporary issue, the lot owners should be made aware of this.

As a result of the motion, member Frank Richardson, interested buyer for lot on Magnolia Court, ask if the Board could write a letter stating that the ACC and the Board will allow his housing submittal for review. It was agreed that a letter would be drafted immediately, addressed to Mr. Richardson, and to include verbiage from the motion.

Policy Committee: Reported by Joe Smyth
No report for June

OLD BUSINESS

1. Policy for opening of security gate – The draft has been reviewed by the Board and will be posted on the bulletin board and the web site prior to the Board's vote at the July meeting.

NEW BUSINESS

1. July meeting date – The Havana library is scheduling summer activities in the meeting room and takes precedence over any prior reservations. The dates available in July are Thursday the 7th and Thursday the 21st. The Board agreed to meet on July 7th at the Havana Library.

Items of mention-

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Cece Smyth related an incident concerning emergency vehicles needing entrance to Lake Tallavana. It was suggested that the sheriff's department dispatch be made aware of the phone number to the gate.

Bobby Boatright related a problem of vehicles coming into the subdivision by going across Tallavana Christian School property to the power easements and onto Tallavana Trail. Tallavana Christian School does have a gate across the road that gives access to the power easements but has not been keeping it closed. Debbie Robinson said that she would talk with Pastor Cutler regarding the problem.

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

Respectfully submitted,

Debra Robinson
Corporate Secretary

APPROVED