

TALLAVANA HOMEOWNERS' ASSOCIATION, INC.

Minutes of the monthly Board of Directors meeting held on March 8, 2005 in the meeting room of the Havana Library, Havana, Florida.

PRESENT: Jean Wood, Mike Mapstone, Tom Scott, Mike Jefferis, Don Magruder and Kimsey Helms, Board members, Debbie Robinson, Corporate Secretary. Joe Smyth arrived at 7:21 p.m. See attached list of others in attendance.

ABSENT:

The meeting called to order at 7:08 pm by President Jean Wood.

Corporate Secretary is recording the meeting for the purpose of accurate minutes.

Approval of Agenda:

Jean Wood added item #1, Request for key to Mason Drive gate, under New Business.

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

Approval/Corrections of February 2005 Minutes:

MOTION BY DON MAGRUDER THAT THE MINUTES BE APPROVED AS WRITTEN. SECONDED BY MIKE MAPSTONE. MOTION CARRIED.

Treasurer's Report: Mike Jefferis reported the total deposit for February was \$15,111.75, expenses of \$12,042.09, checking account balance is \$30,451.25, and the balance in the sinking fund is \$194,421.16. The larger expenditures for February were for legal expenses for both cases and the new drain field at the pavilion restrooms.

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

Correspondence/Phone Calls:

1. Mike Jefferis received a phone call from a title company in reference to a closing. He transferred the call to corporate secretary.
2. Jean Wood received several phone calls regarding question on shoreline restoration.
3. Jean Wood received a phone call from Cindy Lincicome regarding a key for the gate at Mason Way. This issue will be covered under new business.
4. Jean Wood received a phone call from Joan Kaye on Audubon who expressed concern over the herbicides that Progress Energy might use during tree removal along the power easement. The contact name for Progress Energy has been provided to Joan. Progress Energy will contact the property owners along the power line easements where the tree trimming will take place.
5. Debbie reported that the owner of Lot F-3 has complained about dumping taking place on his lot. There are construction materials, bags of clothing and other items. Member Bobby Boatright said that he too has seen the garbage dumped on that lot but it has been there for quite some time. The construction materials are not from the new construction taking place on the lot next to F-3. Debbie will notify the lot owner.

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BOARD REPORTS

Member Relations: Mike Mapstone

No website report for February.

Legal: Don Magruder and Mike Jefferis

A. Lincicome case – THA Attorney Jack Harnett has been out of town but Don will contact him upon his return. As part of the easement case settlement, one of the first things to take place is that all property involved be surveyed and legal descriptions written.

B. Connelly case –At the February meeting the board approved the hiring of a new attorney, Ken Abele, as Attorney Rob Maloney is no longer available and has been dismissed from the case. The Association has received a request for answers to a set of interrogatories, which would have been due this month. Due to the change of THA attorney, Mr. Abele contacted the Connelly's attorney, Mr. Stivers, who allowed a postponement and will give Mr. Abele time to familiarize himself with the case. Don Magruder and Diane Sheffield are currently working to answer the interrogatories.

C. Rules to implement new provisions of Articles of Incorporation – Discussion was continued at the March meeting regarding the rules that needed to be established following the adoption of the two new provisions of the Articles of Incorporation. The board discussed the number of days before dues are considered delinquent and also how much time to allow before charging interest.

MOTION BY DON MAGRUDER THAT THE PROPOSED RULE #1, UNPAID DUES OR ASSESSMENTS; LIENS; PENALTIES, BE REVISED AND BROUGHT TO THE NEXT BOARD MEETING FOR FURTHER DISCUSSION AND POSSIBLE APPROVAL. SECONDED BY KIMSEY HELMS. MOTION CARRIED.

Lake Management: Reported by Jean Wood & Tom Scott

Jean reported that more than 50 homeowners along the lake have had a site visit from our lake consultant, Sean McGlynn. Jean was with Sean for many of the site visits. Sean concluded that while there are many properties with erosion problems, the problems stem from various reasons, some of those reasons being caused by the existing or previous property owner. Sean listed the main reasons for erosion as 1.) Natural erosion over many years, 2.) Too much clearing of trees for building or landscaping, the steeper the lot the worse the erosion, 3.) Too much clearing of vegetation along the shoreline, and 4.) The carp. Time, humans and fish have all contributed to the shoreline erosion problems. During the site visits, most of the properties had a combination of problems causing the erosion.

There will be approximately 50 homeowners that will be included with the Association for the FDEP permit. The permit allows three (3) years for completion so not all homeowners have to finish their shoreline restoration right away. However, the work will need to be completed at the end of three years in order for DEP to sign off on the permit. The engineered drawings that were done during the site visits were required by DEP as part of the permit application. The work to be done on the homeowners' lots will be contracted out or done by the homeowner. There will be a need for neighbors to be on the lookout for shoreline work being done on properties where the homeowner did not sign up to be on the permit. No work can be done without a DEP permit, the requirements are either the THA's permit with the homeowner listed as a participating party or the individual homeowner has their own DEP permit.

Sean will attempt to finish with the homeowners today so that he can complete the permit application and get it filed. It should take 6-8 weeks for permit approval providing DEP does not find too

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many objections.

While the work is being done on the Association common ground shoreline, the contractor, Allan McGlynn, has asked permission to park a motor home at the pavilion area. There were no objections from the board.

At the last board meeting there was discussion concerning the natural level of the lake. Diane Sheffield spoke with the surveyor/developer, Lee Dowling, who said that he "sited" the lake before and after the 12 culverts were installed and that the level of the lake is where it should be. There are some homeowners who have mentioned that their property markers are in the water and felt that the lake level was too high. It has been questioned whether some of the property markers may have originated in the lake and could have been under water. Jean had taken pictures of the overflow pipes just today, March 8th, to show the overflow pipes in action after at least a 2-inch rainfall the previous night. Pictures were passed around to those in attendance of the board meeting.

Jean has scheduled a carp removal for March 23rd beginning between 9-9:30. Even though this is on a weekday, there will some members available to help. Tom Scott reported that there are only two known lakes in North Florida with a carp problem such as ours and Lake Tallavana is one of them. Steve Wharton, who is helping Sean, has asked if he could bring his 4-H group out to the lake to catch carp. There were no objections from the board.

Lake Watch – Pat Powell: Pat reported that she would attempt to line up a boat and volunteers for lake watch on Saturday, March 19th. Last report showed higher levels of nitrates, phosphorus and chloroforms. The levels normally decrease once the cormorants are gone.

A couple other items pertaining to the lake, Jean Wood asked Kimsey to have Marc Cocke clear all shrubbery along the dam just prior to the mat and riprap being laid down. During the shoreline restoration, the lake will be lowered no more than 18"-24". The last item pertaining to the lake is that we have a preliminary report on the fish that were tested for mercury. So far the preliminary reports are negative and the full report will most likely agree.

Security: Joe Smyth

It was reported that Scott Ivey worked 20 hours for the Association and 20 hours on duty in the month of February. Scott performed 68 house checks and 14 vehicle stops. Billy Kemp worked 24 hours in February.

Gate: No problems with the gate.

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

Mike Jefferis did a Lake Tallavana Street Sign survey and found 5 signs that could use some touch up, 7 signs that need refurbishing to be functional, 2 signs that need to be replaced and a couple of signs missing. Mike also found that there is an inconsistent use of stop signs. The idea for a volunteer day to make and paint the signs is still being studied as well as other options to have the signs made. A couple of the board members will check other avenues. The board's main concern is to have functional street signs without a tremendous cost to the association.

a. Sign at Magnolia Court – The Association still has not accepted Magnolia Court due to remaining problems that the developer, Jim Heidenreich, has yet to repair. The "road committee" will be preparing and installing a sign at Magnolia Court and Tallavana Trail to indicate that Magnolia Court is not maintained by the Association. The committee will however, install the Magnolia Court street sign.

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Kimsey reported that Marc Cocke has done some grading on Hickory and Deer Pass, has more fill to apply along the edges of the new asphalt, and has cleaned up some trees along the lake. It was reported to Kimsey that Mark needs to fill the hole that has developed around the culvert and driveway at 1242 Tallavana Trail.

COMMITTEE REPORTS

ACC: Reported by Mike Mapstone

ACC meeting held on February 28th, and the following items were recommended by ACC for Board approval:

- a-1. Lance Horne, 3275 Tallavana Trail, submittal for a garden fence made from landscaping ties. May install electric fence but wire will be invisible from road.
- a-2. Brewster Banks, 1843 Tallavana Trail, submittal for color change of house from brown to boulder with white trim and increase the size of external front porch from 6' to 12.5' in width, 8' in depth with post and rails. Roof to be replaced with galvanized metal Gray. Approval of red brick piers under porch being withheld until sample is available.
- a-3. Brewster Banks, 505 Hickory Lane, submittal for optional metal roof on new construction, color gray.
- a-4. Charles & Mary Ann Wright, 624 Tallavana Trail, submittal for RV shelter to be placed to left of existing nonattached brick garage. Roof will match house and garage. ACC recommended that hedges be placed on the north side of driveway that branches off the circle section of driveway.
- a-5. Rejected by ACC: Walter & Jan Roche, 2075 Tallavana Trail, submittal for storage shed. Location was in the front yard and it has been a practice of the ACC to not approve storage sheds in front yards.

MOTION BY DON MAGRUDER THAT THE SUBMITTALS TO THE ACC BE APPROVED AS RECOMMENDED. SECONDED BY TOM SCOTT. MOTION CARRIED.

- b. Mike reported that Diane Sheffield is working on ordering the signs for homeowner projects that have ACC approval. Signs will be posted so that they will be seen from the road and any one passing by can see that the project has been approved by the ACC.

Mike Mapstone reported that Diane Sheffield is the new chairperson for ACC for 2005.

Details of ACC recommendations on file.

Policy Committee: Reported by Joe Smyth

The committee has not had time to meet but Joe has been reading minutes of past meetings to start accumulating board policies that have been adopted in the past. Mike Jefferis has offered to help and a disc containing the minutes of past board meetings will be provided to him.

OLD BUSINESS

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1. Policy for opening of security gate – Kimsey Helms is still working on the draft for the policy and should have a proposed policy draft by next meeting. Kimsey has been in contact with Tommy Baker and has received some suggestions from him. There was board and member discussion concerning the opening of the gate and what the policy might cover.

Member Ray Zimmerman mentioned that we may want to consider posting the neighborhood crime watch signs.

Also, the board is looking for a couple of volunteers to consider learning about the operation and repairs of the gate. Bill Oswald has volunteered many hours over the past 25 years and has asked that help be found that he may pass on his invaluable information concerning the operation of our security gate.

2. Acquisition of Deer Pass – It was found that Deer Pass was not accepted by the Association and is still held by the developer. The first step is to have Deep Pass surveyed and a legal description written.

MOTION BY TOM SCOTT THAT THE BOARD APPROVES TO GET A SURVEY DONE AND LEGAL DESCRIPTION WRITTEN FOR DEER PASS THAT THE ASSOCIATION MAY BEGIN THE PROCEEDINGS TO TAKE OVER DEER PASS. SECONDED BY MIKE MAPSTONE. MOTION CARRIED.

There was further discussion about what the next steps will be after the survey. A Quit Claim Deed will be drafted and presented to Mr. Pennington, Tallavana Properties, Inc., for his signature.

NEW BUSINESS

1. Key request for Mason Way – Cindy Lincicome called Jean Wood to request a key for the gate at Mason Way. There was utility construction on Hickory that blocked passage for about 1 hour. Jean told Cindy that she thought the only people to have keys to that gate were the residents on Mason Drive but would check into it. There is a recorded agreement between Gerald Harris and the Association, which a portion was read at the meeting. Item #1 of the agreement states that “the gate shall remain locked when not in use and keys will be issued only to residents of the AAA section...”. The board was in agreement that we not violate the agreement and send a letter to Cindy with a copy of the Harris/Association agreement.

There was further discussion concerning the gate at Mason Way. Once a settlement is reached in the easement case, a new gate will be installed, new lock used and new keys given to the members on Mason Drive. The lock that is currently on the gate is temporary. Besides the members on Mason Drive, board members and the association corporate secretary will have keys to the new gate and lock so that in the case of an emergency, there is access to Route 12. There will be a list informing all residents who to call regarding both gates.

2. Work day schedule – The board set up April 23rd as a work day for chores such as painting the sign on Mason Drive, repairing and painting the fishing regulations sign at the ramp and fencing the drain field. There may be other “jobs” come up as the date approaches. Start time will be 9:00 a.m.

With no further business, at 9:11 pm, Joe Smyth moved to adjourn, Tom Scott seconded.

Respectfully submitted,
Debra Robinson, Corporate Secretary