

## TALLAVANA HOMEOWNERS' ASSOCIATION, INC.

Minutes of the monthly Board of Directors meeting held on May 13, 2003 in the meeting room of the Havana Public Library meeting room, Havana, Florida.

PRESENT: Kimsey Helms, Don Magruder, John Staron, Tommy Baker, Linda Ortiz Board members, Donna Johnson and Debbie Robinson, Secretary and assistant to the Board of Directors. See attached list of others in attendance.

ABSENT: Jean Wood and Billy Cabanas

Kimsey called the meeting to order at 7:05 pm.

Meeting being recorded by Association Secretary and D. Connelly, homeowner.

Approval/Corrections of April 2003 Minutes: John moved to accept minutes as written and Don seconded, there was no opposition in voting. Later into the meeting Don moved that a correction be made to April minutes, Tommy seconded, and there was no opposition in voting.

Due to time constraints, Helge Swanson gave his presentation to the board at this point in the meeting. Helge addressed the issues on the final stages of the D8 pond, the planning stages for Beaver & Hurricane Creeks, and the overall lake situation. During this time Don McEwen with the Lake Management Committee asked that the board consider the purchase of water testing instruments that would result in better information needed for grants. Approximate cost of instruments is \$2,500.00. Tommy moved for \$2,500.00 to be spent on testing instruments, John seconded, and there was no opposition in voting. Helge concluded saying that design and cost estimates for the next phase could be done by this fall.

Approval of Agenda: Item 3 added to Old Business, Tommy moved to add, Linda seconded, and there was no opposition in voting.

Resolution: Tommy moved and Don seconded to insert a Resolution for Tom Hanson for his ACC service. There was no opposition in voting. Tommy moved, John seconded to accept resolution, and there was no opposition in voting. Resolution is in recognition of Tom Hanson and his service to the Architectural Control Committee.

### Correspondence/Phone Calls:

1. Don received a phone call from new owner who purchased property in the new development. She expressed her frustration with getting the approval to begin construction. Her house plans have been approved but the developer first had to meet the conditions placed on the lots per a court order. Also, the engineered drawings of the house placement and tree clearing are inconsistent with the lot. Don told her that once these issues were solved, we would allow the tree clearing to begin.
2. Kimsey mentioned the copies of a newspaper article concerning the Connelly's horses that were placed in the mailboxes. It was not determined who distributed the article.

Treasurer's Report: Tommy Baker stated that income for April was \$18,917.00, expenses of \$7,391.61, transfer from checking to sinking fund of \$30,000.00, checking account balance is \$17,296.57 and sinking fund balance is \$144,881.42. The larger expenses were for mowing, lake consultant, and CPA. John motioned to approve the Treasurer's Report, Linda seconded, and there was no opposition in voting.

## BOARD REPORTS

Minutes, Board of Directors Meeting, May 13, 2003

Legal: Reported by Don Magruder

Lincicome case –Currently on hold. The hearing is in July with the trial to begin in August. A set of the materials that were given to our attorney to forward to the Lincicome’s attorney were not yet received by their attorney as of the date of this board meeting. It was the decision of our attorney and not the board to not forward the materials.

Connelly case –We received a copy of the response to our complaint that was filed in court. The response from the Connelly’s will require research due to the large list of alleged violations the board is allegedly not enforcing. Prepared materials including backgrounds, by-laws, covenants and restrictions of the association will be given to our attorney. Next step will be for Mr. Mahoney to submit our answer.

Kimsey reminded all members present that correspondence from the board will always be on Association letterhead and will be signed by either Kimsey or a board member.

Lake Management: No report in the absence Billy Cabanas and Jean Wood  
See Helge’s report at beginning of meeting.

Security: Reported by Tommy Baker

Scott Ivey worked 20 hours in April and an additional 10 hours on county time. Two speeding tickets and seven other warnings were issued. Forty-one boat and fifty-two house checks were performed. Billy worked 20 hours, checked 76 users, and issued 3 warnings. He spent 4.5 hours on Mason Drive. The 3 warnings were for non-residents fishing on the lake.

There was discussion concerning a four-wheeler that has been running through the power-line easements, along personal property, on Tallavana roads and on the school property. Tommy will look into it.

Gate: Tommy said there was nothing to report on the gate.

Roads, Grounds & Dam: Reported by Kimsey Helms & John Staron

Kimsey reported that Marc is mowing. There will be some road maintenance now that the dredging is done.

Kimsey has contacted Robert Presnell, a Gadsden County engineer, to work with the developer of Magnolia Ct. and apply pressure for the road and drainage system.

Member Relations: Reported by Linda Ortiz

Newsletter: Reported by Linda Ortiz

The newsletter deadline is 5/15. This will be the last issue that Carolyn Tanner will do, Linda is looking for committee volunteers. After this last newsletter goes out, e-mail articles to Linda instead of Carolyn.

Website: Reported by Linda Ortiz

Linda reported that the website has been updated and would like any feedback. She asked if there is anything we want to put on the website to contact her.

ESQ: Reported for Bob Harrer by Linda Ortiz

Still in the process of reorganizing. A meeting is scheduled for first Tuesday of June at 7:00pm.

**COMMITTEE REPORTS**

Minutes, Board of Directors Meeting, May 13, 2003

ACC: Reported by Mike Mapstone (not present)  
No report.

Lake Watch: Pat Powell reports that Lake Watch will resume on the last weekend of this month.

Welcome Committee: Reported by Pat Powell for Carolyn Palmquist

The Spring Welcoming Party for the newcomers was a success. There were 60 current members and 11 newcomers. Note cards were given to the newcomers as gifts; however, note cards are available to all members for a fee, with all fees going back into the Newcomers' parties. Note cards depict scenes of Lake Tallavana.

Pavilion Committee: No report

### **OLD BUSINESS**

1. Term Limits – Don stated that all committees including the ACC are underneath the board's direction and term limits can be established by policy. As there has been the discrepancy of appointed vs. elected the precedence has been established of board appointment. Don suggested, by the direction of our attorney, that the board adopt a policy to set term limits for the ACC with conditions being that the terms be staggered. Included in that policy should be a statement concerning the other committees and their chairperson.
2. Restrictive Covenant #10 – Our attorney advised that this covenant is in question for interpretation. The board can use past practices or based on history as to what the policy should be. The board can come up with a policy that is for today that is not in direct violation of the covenant.
3. ACC – Beckwith, Shield, & Harrell – Linda move that this item be move to New Business at the June board meeting, Tommy seconded, and there was no opposition.

### **NEW BUSINESS**

1. Culverts and disputed drainage easements – Kimsey has an engineer looking at this issue and will find out what can be done.

With no further business, Tommy moved to adjourn at 9:45 pm, John seconded.

Respectfully submitted,

Debra Robinson,  
Assistant Secretary to the Board

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