

TALLAVANA HOMEOWNERS' ASSOCIATION, INC.

Minutes of the monthly Board of Directors meeting held on Tuesday, May 11th, at the meeting room of the Havana Library, Havana, FL.

PRESENT: Linda Ritchie, Earl Mills, Rob Combs, Bobby Boatright, Neil McDonald and Larry Jones, Board members, Debbie Robinson, Corporate Secretary. See attached list of others in attendance.

ABSENT: Marla Griffin

The meeting was called to order at 7:07 pm by President, Linda Ritchie.

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

Approval of Agenda:

ROB COMBS MOVED TO APPROVE THE AGENDA AS WRITTEN. BOBBY BOATRIGHT SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

Approval/Corrections of April 2010 Minutes:

Spelling correction.

EARL MILLS MOVED TO APPROVE THE MINUTES AS CORRECTED. BOBBY BOATRIGHT SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

Treasurer's Report: Bobby Boatright reported the total deposit for April was \$15,394.50, routine operating expenses of \$4,711.46, \$632.64 in major project expenses, checking account balance is \$703.20, Money Market balance is \$48,559.18 and the balance in CDs/Savings is \$94,624.16.

There were no unusual expenditures in April.

The balances of the Money Market and CD's reflect the transfer of \$40,000 from the Money Market to a 6 Month CD account as approved at the March Board meeting.

IT WAS THE CONSENSUS OF THE BOARD TO ACCEPT THE TREASURER'S REPORT.

Correspondence/Phone Calls:

1. Linda Ritchie received several phone calls about the level of the lake after heavy rains. She forwarded their names to Bobby Boatright. Using Tom Scott's information from the Spring newsletter regarding the lake level and when the gate valve is opened, Bobby responded to the callers. The article will be repeated in the Summer edition.
2. Earl received a phone call from someone checking on a boat that was on the lake.
3. Debbie read a card from Mr. Sev Sunseri thanking those responsible for weeding at the gate and clearing the walk path around the gate. Mr. Sunseri would rather use the path than open the gate on his daily walks. Linda Ritchie, Diane Sheffield and Debbie Robinson weeded, pruned and cleaned the landscaping around the gate with help from Marc Cocke.
4. Debbie received a phone call from a member who reported an imposter saying they were from the Census Bureau. The imposter was asking more detailed questions including Social Security numbers that the official CB interviewers. A notice was posted on the website and bulletin boards for all members to be made aware of the imposter.
5. Debbie received a phone call regarding coyotes. The member will call a wildlife officer if the coyotes threaten or act aggressive.

6. Neil McDonald received a phone call regarding what appeared to be a trespasser fishing from the dock of Don Jones. It was determined that Mr. Jones had given permission and the Association has no authority to enforce on private property.

7. Bobby Boatright reported phone calls about the lake and followed the calls with visits to four properties on Hickory. Three of the homeowners had previously seen the lake at this level; the fourth homeowner was new and concerned. Using information previously printed in the newsletter, Bobby informed the neighbors that the 12-pipes were working, the overflow was maxed and the water level would go down. Upon a visual inspection of the overflow pipe, Bobby determined there was no blockage that would slow down the flow.

BOARD REPORTS

Legal: Linda Ritchie

a. Heidenreich – Pine Top Court: Linda reported she along with Don Magruder and Jim Poss met with Ken Abele to discuss the issues regarding Pine Top Court and Magnolia Court. They are seeking that no work be done on Pine Top Court until it is agreed that there will be compliance with county standards and the road improvements to Pine Top be done right. Cost of repairs on Magnolia Court has yet to be determined and so it is uncertain what should be written in the agreement concerning that road.

It was the consensus of the Board to table discussion until the scope and cost of repairs is determined.

b. D. Jones/DEP – Mr. Don Jones was fined by DEP for shoreline restoration without a permit. Mr. Jones filed for mediation to protest the fine and permit requirements. DEP recently withdrew but did not state specifically why. To clarify DEP's withdrawal, Linda asked Association attorney, Ken Abele, to see what he could find. Linda read the following statement from Ken Abele in order to put it on record:

Linda – per your request, I spoke with the FDEP attorney Christine Fraencescani who handled Mr. Jones' case. She stated that FDEP's decision not to continue to pursue Mr. Jones was based upon a number of factors unique to Mr. Jones, including staff turnover, costs benefit analysis, and lack of quality evidence regarding the violation. Despite their decision not to continue to pursue Mr. Jones, the attorney stated that FDEP asserts that it has jurisdiction over the lake bed and shoreline. It further contends that Mr. Jones should have gotten a permit, and that others similarly situated are required to have a permit before undertaking shoreline work. The attorney offered to write the association an informational letter if you and the Board so desires. Ken Abele

Linda put the question to the Board if they wanted FDEP to write an informational letter to the Association regarding their decision concerning Don Jones. In her discussion with Ken, he felt it better that we not have such a letter on file. It was the consensus of the Board to agree with Ken and not require further information from FDEP. Bobby added that the Association does not want to fracture our relationship with FDEP.

b. Legal Committee report: Jim Poss, Chairperson: Ken has requested the complete file from FDEP regarding the Jones case. Once he has reviewed the case in its entirety, he will be able to give a more detailed opinion.

Member Relations: Marla Griffin (absent)

The website had 1,239 visits in April.

Deadline for the next newsletter is May 15th. Articles to be included: a repeat of Tom Scott's article concerning lake level, fishing regulations and Linda will cover a few things in her President's report. There was discussion of other items that might be included.

Debbie reported that Marla is planning to meet with a couple of members who expressed interest

in serving as the Welcome Committee.

Lake Management: Bobby Boatright & Rob Combs

a. Carp Management – Neil reported that they shocked on Monday and harvested 15 carp in the 5-15 lb. range. While out, they saw numerous snakes, which they identified as water moccasins. Neil asked if he and Bill Oswald had permission to eradicate some of the snakes while out shocking.

LARRY JONES MADE A MOTION TO GIVE NEIL AND BILL PERMISSION TO KILL THE POISONOUS SNAKES WHILE ON THE LAKE SHOCKING FOR CARP. ROB COMBS SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

b. Fish Survey - The fish survey was done on April 19th. The fish population looks good and there was no recommendation for stocking. Following are recommendations from Bob Rousseau:

- Maintain higher water levels if possible during critical spawning and nursery periods (April-June) to maximize spawning habitats for the survival of young fish. (This is not possible given the lake level is set by a permit from the Water Management District)
- Alligator weed, pennywort and water hyacinths should be treated in Spring 2010.
- Dissolved oxygen levels and exotic plants should be monitored during the summer.
- Installation of an aeration system for improvement of oxygen levels in 7 foot deep or more.
- Discourage cormorants from taking up residence during fall and winter.
- Common carp should be monitored throughout 2010.

Bob also recommended changing size and bag limits for largemouth bass and enforce bag limits on the black crappie. Bobby Boatright suggested consideration for changes on the sign at the lake when the size and limits are posted. Lake Management Committee will discuss possible changes at their next meeting.

Some carp were harvested during the fish survey but Bob returned for a more intensive shocking for carp removal. On the day of the survey, approximately 20 carp were removed. Another 75 were removed on the second trip. The total weight of carp was 600-700 lbs. Bob reported that the water was too warm and the carp were not holding.

It was reported that while water was running through the 12-pipes there were children and adults attempting to remove the carp. Scott Ivey reported that he discouraged them from being in a restricted area and told them they would be arrested if they did not leave or if they returned later. The people were not members and were trespassing as well.

Which lead to the question regarding the signs at the 12-pipes as to who were the authorized individuals that would be allowed in the area? It was the consensus of the Board that Board members and those they appointed would be allowed to work in the 12-pipe area. All others would be trespassing.

Bobby has issued several THA citations at the lake for vehicles parked at the ramp without THA decals. It is not known if the vehicles belonged to members, their guests, or trespassers so any vehicle without a THA decal is considered a trespasser and received a citation. There was discussion that we need to step up the enforcement that guests on the lake must be accompanied by the member homeowner. There are too many “guests” with no accountability. Scott said he would spend more time at the lake to check for trespassers.

c. Aquatic weed update – The pennywort is extremely invasive and is becoming a problem. Bobby has moved several large patches of the floating weed to the 12-pipe area where it is then removed from the lake. While this process has helped, as recommended by Bob Rousseau, the pennywort and alligator weed should be monitored and sprayed for better control. Bob wanted to wait until the alligator weed matured before spraying. There was discussion regarding the elephant ears, while an exotic invasive plant, some homeowners desire to keep their elephant ears and do not want them sprayed. A notice will be posted on the bulletin board prior to spraying so that members may let Bobby Boatright know if they do

not want their elephant ears sprayed.

ROB COMBS MADE A MOTION TO HAVE BOB ROUSSEAU SPRAY FOR WEEDS AT THE TIME HE DEEMS NECESSARY TO ERADICATE ALLIGATOR WEED. EARL MILLS SECONDED THE MOTION. IN VOTING, THOSE IN FAVOR: BOBBY BOATRIGHT, ROB COMBS, EARL MILLS AND NEIL MCDONALD. OPPOSED: LARRY JONES. MOTION CARRIED.

Larry is in opposition of using chemicals in the lake.

d. Water level gauge – Bobby Boatright would like to follow through with a suggestion from last year to have a water level gauge installed on the platform at the overflow pipe. He is looking into the least expensive yet effective way to mark the level so that it can be seen from the dam.

At the last Lake Management meeting, the topic of the Private Pond Fishing License was discussed. Bobby began the discussion with the Board stating that the Association pays for the license and then anybody who fishes the lake is covered. If a security officer asks to see a person's driver's license and they don't have it with them, it is not possible to enforce trespassers. Without a blanket license, the office would ask to see a fishing license, making it easier to enforce who should be on the lake. Personal fishing licenses have the owners address on it making it easy to identify THA members verses nonmembers. And anyone caught fishing without a license would be asked to leave.

There was discussion on the advantages vs. disadvantages. What would be the implications for out of state family members visiting THA members that wanted to fish? Would those fishing from their own dock be in violation if they did not have a state license? Would pulling the "blanket" license really aid in the ability to discourage trespassers? All this was discussed amongst the Board and members.

BOBBY BOATRIGHT MADE A MOTION THAT WE NOT RENEW THE PRIVATE POND LICENSE IN ORDER TO IMPROVE LAW ENFORCEMENT ON LAKE TALLAVANA. ROB COMBS SECONDED THE MOTION. IN VOTING, THOSE IN FAVOR: BOBBY BOATRIGHT, ROB COMBS, AND LARRY JONES. OPPOSED: EARL MILLS AND NEIL MCDONALD. PRESIDENT LINDA RITCHIE VOTED IN OPPOSITION TO FORCE A TIE SO THAT THE MOTION WOULD DIE AND THE TOPIC COULD BE BROUGHT UP AGAIN.

Linda asked that more research be done and brought back to the table so that a more informed decision could be made. Also, Linda wanted feedback from more members than those attending the Board meeting. The topic will be in the newsletter to spark member input. It was also suggested that we invite a Fish & Wildlife office to attend the next meeting so that we may have their input.

Lake Watch – Pat Powell: Pat said the committee is scheduled to go out on Saturday at 10:00 a.m.

Security & Gate: Rob Combs

Scott Ivey worked 20 hours for the Association in April and 15 hours on duty. He conducted 75 house checks and 7 traffic stops. Mike Fish worked 19.25 hours in April.

Scott Ivey reported a discussion with Mr. Chambers regarding an aggressive coyote on his property. Mr. Chambers was given permission to eradicate and remove the coyote as it was posing a threat to his grandchildren.

It is still undetermined what is killing the deer in the neighborhood. So far approximately 11 deer have been found dead but not one has been fresh enough for cause of death to be determined. Scott mentioned there are several things that neighbors might be doing that inadvertently poison the deer. D-Con for rats and moth balls are toxic to deer and should be used with extreme caution as they can poison the entire food chain.

The exit gate needs rail work but is temporarily fixed until then.

Roads, Grounds & Dam: Earl Mills (from his written report)

Magnolia Court – Neil is working on getting prices for creating a swale on each side from the intersection with Tallavana Trail up to the sediment pond. Once we have budget pricing and have title to the roadway, a RFQ will be developed to bring the project before the budget committee. The budget committee will provide the parameters for bidding. Requests for bids will be sent out and the results presented to the board.

The road culvert under Honeysuckle at Tallavana Trail has been cleared as far as Marc could reach with the rod he made. Looking at it after the last couple of rains, Marc feels it is flowing much better.

At the culvert under Tallavana Trail near Magnolia Court, a large hole has washed out on the lake side of the roadway. This is a relatively new culvert and it is thought that the water is probably undercutting the pipe and will need concrete bags placed around the end to stop the erosion. The headwall also needs repair. Marc will be checking it out on Tuesday.

The roads are worked after each substantial rain to prevent big washouts. Limb and bush trimming are done as needed to provide good sight clearance for walkers and cyclists.

We are into the season of regularly scheduled mowing: partial mow then 2 weeks later a full mow.

The D-8 pond needs to be cleaned out again. Earl said that attempts would be made to involve more bidders for the best pricing. The sediment will be hauled to the power line easement where members can pick up fill.

COMMITTEE REPORTS

1. ACC:

a. ACC Report – Since the full report is attached to the minutes, a brief summary follows:

Approved Submittals:

Tom & Nada Scott, 1579 Tallavana Trail, submittal for new roof, repair and staining of siding, deck surface replacement.

Pat Peters, 1465 Tallavana Trail, submittal to rebuild dock and repair existing boardwalk.

Joe Pullen, 84 Audubon, submittal for back yard fence.

Brian Kendall & Iris Anderson, 1990 Tallavana Trail, submittal for French Drain and diverters added to backyard landscape to prevent damage from runoff.

Pending: Mike Carter, new homeowner at 170 Hickory, submittal for shed. Details in full report at end of minutes.

See full report attached to the minutes

b. Other ACC business: Pat reported at the Board meeting that the ACC did visit the property on Hickory to gather more information on the shed. While there, they approved the removal of two dead trees. The location of the shed is still pending.

2. Lake Management Planning Committee: No report on the shoreline planting.

3. Budget Committee: The first meeting of 2010 is scheduled for June 3rd, location to be

announced. Linda expressed a concern about the amount of delinquent assessments, which in turn creates the need to review the current budget and determination of future projects. Also, new projects have come forth since the approval of the 2010 Budget in January.

Member Dick Jones has asked the Board to revisit the dredging project. His cove is quite shallow and he would like to see it dug out. The muck removal project of the north end of the lake was put on indefinite hold a few years ago as it was cost prohibitive. Further discussion will be at the Budget meeting.

OLD BUSINESS

No old business.

NEW BUSINESS

1. Division of Lot on Deer Pass East – Property owners, Teresa Reaver and Leitner Daleen, 187 Deer Pass East and Shon and Mary Jane Brower, 405 Deer Pass East, presented a request to the Board to make an exception regarding lot division for the adjacent lot between the two properties currently owned by Devin Thompson. Both parties desire to split the lot between them and absorb the additional land into their existing homesteads. There is to be no development on the additional land by either homeowner.

Planning and Zoning of Gadsden County will base their decision on the outcome of the Board's decision.

In discussion, the Board was adamant that the division would be approved only if the additional land was to be added to each homestead as indivisible property and the additional land would not be sold nor developed.

NEIL MCDONALD MOVED TO ACCEPT THE HOMEOWNERS' REQUEST FOR THE ADJACENT LOT TO BE DIVIDED, BECOMING A PART OF THEIR EXISTING HOMESTEAD AS FURTHER APPROVED BY PLANNING AND ZONING OF GADSDEN COUNTY. LARRY JONES SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

With no further business, meeting was adjourned at 9:23 p.m.

Respectfully submitted,

Debra Robinson
Corporate Secretary

ACC Report on next page.

**TALLAVANA HOMEOWNERS' ASSOCIATION, INC.
ARCHITECTURAL CONTROL COMMITTEE**

May 6, 2010

Minutes/Report

Meeting of the monthly Architectural Control Committee (ACC) was held on May 6th, 2010 at the pavilion of Lake Tallavana.

PRESENT: ACC Members –Pat Powell, Gary Robinson, Kimsey Helms, and Dorothy Ross.
THA Members –Bobby Boatright, Linda Ritchie and Debbie Robinson

Approvals:

Tom & Nada Scott, 1579 Tallavana Trail, submittal for new roof, metal, Forest green; repair siding and stain exterior the same color; replace deck surface; repair screen porch and install lattice around the underside of porch.

Pat Peters, 1465 Tallavana Trail, submittal to rebuild dock as the old one has fallen into the lake. The new dock will be resized at 12' x 8' from 10' x 8'. Includes repairs to the existing boardwalk. The new dock will have a 22" railing.

Joe Pullen, 84 Audubon, submittal for fencing in back yard for dog. Mr. Pullen is the new homeowner at this address and needs the fence for his dog before he can move in.

Brian Kendall & Iris Anderson, 1990 Tallavana Trail, submittal for French drain and water diverters in the back yard to prevent runoff from the uphill slope of the back yard into their pool and undermining the foundation of their house.

Pending: Mike Carter, new homeowner at 170 Hickory, submittal for shed. Mr. Carter would like the shed to be placed in the front yard. The Committee did not know the size of the shed and wanted to discourage the shed being placed in the front yard. The ACC met on site after the regular meeting to meet with Mr. Carter and discuss possible locations for his shed other than the front yard. Outcome is pending.

Other ACC Issues: None

Respectfully submitted,

Debbie Robinson
Corporate Secretary for Tallavana Homeowners' Association