

TALLAVANA HOMEOWNERS' ASSOCIATION, INC.

Minutes of the monthly Board of Directors meeting held on November 09, 2004 in the meeting room of the Havana Library, Havana, Florida.

PRESENT: Jean Wood, Linda Ortiz, Don Magruder, and Kimsey Helms, Board members, Debbie Robinson, Secretary to the Association. Tommy Baker arrived at 7:10 after meeting started. See attached list of others in attendance.

ABSENT: Tom Scott

The meeting called to order at 7:05 pm by President Jean Wood.

Meeting being recorded by Association Secretary for the purpose of accurate minutes.

Approval of Agenda:

Revision of the agenda to move item #4 under Old Business, Vacant Board Position, to be discussed after the Correspondence/Phone Calls.

MOTION BY KIMSEY HELMS, SECONDED BY DON MAGRUDER, TO APPROVE THE AGENDA AS AMENDED. MOTION CARRIED.

Approval/Corrections of September 2004 Minutes:

MOTION BY DON MAGRUDER, SECONDED BY KIMSEY HELMS, THAT THE MINUTES BE APPROVED AS CORRECTED. MOTION CARRIED. (Corrections consisted of grammatical errors & clarification.)

Treasurer's Report: Corporate Secretary Debbie Robinson reported the total deposit for October was \$4,935.00, expenses of \$7,791.22, checking account balance is \$30,957.30, and the balance in the sinking fund is \$243,563.79. Larger expenditures were for association liability insurance and dirt road maintenance and the amount in facilities maintenance reflects storm clean up.

MOTION BY KIMSEY HELMS, SECONDED BY TOMMY BAKER, THAT THE TREASURER'S REPORT BE APPROVED AS READ. MOTION CARRIED.

Correspondence/Phone Calls:

1. Jean Wood read a letter from member Jim Williamson that commented on the intention of lowering the level of the lake. Mr. Williamson's comments were against the lake being lowered. There are plans to do some shoreline restoration due to erosion caused by the German Carp and lowering the level to facilitate the restoration will be necessary. It is not planned to have a major draw down but enough that the homeowners along the shoreline may reclaim their property that has eroded into the lake.

2. Jean Wood received a phone call from member Donna O'Neal who expressed that the shoreline erosion was the fault of the association because grass carp were introduced to the lake. Jean explained that it was not the grass carp tearing up the shoreline but German carp. The source of the German carp is not known.

3. Jean Wood received a phone call from Wayne Kelly who would like the opportunity to submit a bid for the mowing. Mr. Kelly is not a member but does live close by.

4. Web site correspondence received from member Jan Townsend expressing an interest in a topography map available on the web site. Her reason was for insurance purposes. She would also like to see a link or a list of contact name and numbers for emergencies. The board's response to the first concern is that the county has these maps available for sale and most insurance and finance companies

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have resources as well. And to the second concern, the ESO will be updating their membership records and is in the process of being able to have contact names and numbers available to the membership.

5. Web site correspondence received from member Karen Mack concerning items besides wood being thrown in burn piles. The board's response was that the county regulates what can be burned. She suggested that maybe the association could purchase a chipper/shredder and rent it out to the homeowners.

Karen also was wondering what could be done to make owners responsible for their barking dogs while the owner is away. The board's response was that this is also a county matter and that the sheriff's department should be contacted.

6. Web site correspondence received from member Judy Gillian asking if we could post an article "We All Live Downstream" on the web site. To avoid copyright laws, the board declined.

OLD BUSINESS Item #4. Vacant Board Position

Member Joe Smyth of 101 Tallavana Trail has expressed interest in filling the vacancy left by the resignation of Donna Phillips.

MOTION BY TOMMY BAKER, SECONDED BY KIMSEY HELMS THAT THE BOARD APPOINT JOE SMYTH TO FILL THE VACANCY ON THE BOARD. MOTION CARRIED.

Joe will fill the position on the board until the annual meeting. The board can select and appoint a replacement in the mid-term of a position. The replacement will hold that position until the next annual meeting where the membership will elect a person to fulfill the remaining time of that position. Joe Smyth has expressed interest in running for the remaining term of 2 years at the annual meeting.

At this time, Joe Smyth took his position on the board.

BOARD REPORTS

Member Relations: Reported by Linda Ortiz

Articles for the newsletter are due Nov. 15th.

Linda reported website visits for August, September and October with the following numbers: For August, the web site received 280 visits, September received 300 visits, and there were 424 visits in October.

There was discussion that a workday be planned to finish the painting signs and help decorate the pavilion for the Christmas party. Other workday suggestions included working on the sign and light on Mason Drive, planning stages for new street signs, and possible solutions for removing the barge that is down by the boat ramp. The barge is owned by Don Jones who will be contacted before any action is taken. It was decided that Saturday, December 11th, from 9:00 – 1:00 would be the planned workday.

The Christmas party is December 11th, at 5:00 p.m.

President Jean Wood brought up for discussion the restrictions and covenants that are posted on the web site. The version on the website does not include policies that have been made since the original

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printing of the restrictions and covenants. One of the items in question is the minimum square footage requirement of new homes. It was discussed and recommended that the square footage be changed on the website and on the hard copy right away. The change will be made from 1200 sq.ft. to 1500 sq.ft. with a footnote of the date it went into effect. The Articles of Incorporation will need to be revised depending on the outcome of the annual meeting. There was discussion that all of the board policies need to be added to the covenants as addendums.

Joe Smyth suggested that a small committee be formed to review the Covenants, Rules & Policies and bring a recommended version to the board. Don Magruder and Bobby Boatright volunteered to serve on the committee with Joe. Joe will also call Mark Palmquist to see if he would be interested in helping. This action is to correct grammatical errors, insure accuracy and to research and include all board policies to the existing governing documents.

Legal: Don Magruder:

A. Lincicome case –Both our attorney and the Lincicome attorney have agreed to go to trial on the easement case but there has been no response as to when the case will go before the judge. There is no action currently taking place on the small claims case. Jack Harnett did call Don as a result of the letter he received from the association and will contact the judge to see what we can do to proceed.

B. Connelly case –There are no new developments or updates to report and we are still waiting to receive the discovery.

The association sent letters to both Attorney Jack Harnett and Attorney Robert Maloney requesting that they contact the board and advise us of the possibility of final closure or the possible alternatives to accelerate the progress towards completion of their respective cases. There has been no response from Mr. Maloney. Don will continue his attempts to contact Robert Maloney.

Lake Management: Reported by Jean Wood

In conversation with our lake biologists, Jean found out that there is no known barrier to keep carp from entering an area. Also to answer a question that came up in the October meeting concerning a total draw down to start over, the biologists said that it is not advisable because of the cost and there would be no sure way to keep the carp from coming back since their source is unknown.

Member Leonard Whatley will be starting the cormorant patrol. One of the THA outboard motors was in need of repairs, which is now done, and there is a second motor available for volunteer use to help with the cormorant patrol. Our depredation permit for control purposes of 50 cormorants is good through March 31, 2005.

Report from Sean McGlynn, our lake consultant, is that he is in discussions with the DEP so that we may be issued a Wetlands Resource Alteration Permit to work on the D-8 area. Sean is currently working on documentation & maps with hopes to have the permit by the end of November. To monitor the fish quality, 6 large-mouth bass will be taken to age and test for mercury.

The continued process to remove German Carp will begin as soon as the water is cool enough.

MOTION BY DON MAGRUDER, SECONDED BY KIMSEY HELMS, TO SEND OUR LAKE CONSULTANT, SEAN MCGLYNN A LETTER OF CONGRATULATIONS ON HIS ELECTION TO THE BOARD OF THE NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT. MOTION CARRIED.

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Board member Linda Ortiz suggested that an article be written for the upcoming newsletter informing the membership of the planned shoreline restoration. The article is to mention that there will be informational meetings after the FDEP permit is secured. Jean will write the article.

Lake Watch – Pat Powell: No report as there has not been anyone available to go out. Pat will plan to contact the volunteers and go out November 21st.

Security: Tommy Baker

Tommy reported that Scott Ivey worked 20 hours for the Association and 15 hours on duty in the month of October. Scott performed 85 house checks, 15 vehicle stops and 10 boat checks. Billy Kemp patrolled 20 hours in September and 22 hours in October.

Tommy read the e-mail he received from Dave Taylor reporting a suspicious white pick up truck pulling up Dave's driveway in the early morning hours. When Dave turned on his outside lights, the truck sped out of his drive with the headlights out.

Gate: The gate has been working properly since the new timer has been installed. There have been no reports of the gate opening in the early morning. The gate will need additional repairs including the wheels.

The gate at the end of Mason Way was found open with the lock and chain missing. The gate is once again locked.

Roads, Grounds & Dam: Kimsey Helms & Tom Scott

Kimsey reported the results of the bids for asphalt paving including a culvert replacement and corrections to Deer Pass East rain diverters. There was discussion on the various alternates including the thickness to be laid. The lowest bidder for the overall project was Peavy & Son Construction in Havana, FL.

MOTION BY TOMMY BAKER, SECONDED BY DON MAGRUDER, THAT WE ACCEPT THE BID FROM PEAVY & SON CONSTRUCTION FOR THE BASE BID AND ALTERNATES 1,3,4,5,6 & 7 AND TO GIVE THE AUTHORITY TO PROCEED. MOTION CARRIED.

Work will begin as soon as Peavy has equipment available, which could begin before Thanksgiving.

Kimsey reported that there has been work on the dirt roads with fill and grading. Also Tom & Kimsey will attempt to get the Magnolia Court sign up.

The septic tank at the pavilion restrooms has been cleaned. It has been determined that the drain field is in need of being replaced. Skip Sheffield will contact the Gadsden County Health Department to begin the process for a new drain field.

COMMITTEE REPORTS

ACC: Reported by Mike Mapstone

ACC meeting held on November 4th, following items were approved by ACC for board approval:

- a-1. Jonathan & Lory-Anne Cheesborough, at 645 Hickory Lane, Lot 12, Block DD, submittal for 1744 sq. ft. house, hardie board siding, trim, fascia, and exterior doors in

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approved colors. Site plan of house, driveway and septic approved. The contractor is Evans Construction, Juan Williams.

MOTION BY TOMMY BAKER, SECONDED BY KIMSEY HELMS THAT THE RECOMMENDATIONS BY THE ACC BE APPROVED AS RECOMMENDED. MOTION CARRIED.

- b. The ACC Building Permit signs have not yet been ordered but will be taken care of soon by Diane Sheffield.

Details of ACC recommendations on file.

OLD BUSINESS

1. Mason Drive – Bulletin Board & Light – Jean spoke with Mrs. Butler who has given the association permission to cleanup around the sign, paint the sign, and either repair the existing light fixture or replace it. Also, a bulletin board will be added to the sign on Mason Drive. The bulletin board will be use to post the same association notices that are posted at the main gate.

2. Nominating Committee – The board has contacted the following members to serve on the Nominating Committee: Doug Crawford, Pat Powell, Bobby Boatright, CeCe Langford and Milton Wood. Ralph McCaskill will be asked to be the alternate.

3. Budget Review Committee – The committee chairperson, Don McEwen has had some health issues that has postponed the meeting of the committee. Don will be in contact with the committee to set up meetings.

NEW BUSINESS

1. Bulletin Board-purpose for lock – Due to official association notices being removed as well as inappropriate notices being posted, a lock was installed on the bulletin board at the main gate. Currently Jean Wood and Debbie Robinson have keys and notices can be given to them for posting. Member CeCe Langford volunteered to accept notices and keep the bulletin board in order. Jean will get a key to CeCe

2. Publishing names of delinquent homeowners – After much discussion about listing in the newsletter the names of homeowners that are delinquent in their assessments, it was decided to postpone a decision until after the Annual Meeting in January. Joe Smyth asked to go on record that the association goes about the collection of delinquent assessments in a proper manner.

3. Sheffield Preserve-Progress Energy Co. request - Progress Energy has requested that the dirt piles in the power easement on the Sheffield Preserve be removed. The dirt piles are from lake dredging that occurred several years ago. In discussion, it was determined that Marc Cocke would remove a fallen tree to clear access to the property and mow. It was also determined that the best solution for removing the dirt piles would be to spread the dirt out. Peavy & Son Construction would be able to furnish the equipment and labor to do this. Progress Energy would provide a letter authorizing Peavy and Marc to be working as agents but the association would be responsible for payment of Peavy and Marc.

MOTION BY DON MAGRUDER, SECONDED BY TOMMY BAKER, TO REQUEST PROGRESS ENERGY TO AUTHORIZE A THA CONTRACTOR, AS AGENTS WITH RESPECT TO CORRECTION OF ENCROACHMENTS ON TRANSMISSION RIGHT-OF-WAYS LOCATED IN LAKE TALLAVANA AREA.

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MOTION CARRIED.

With no further business, at 10:12 pm, Linda Ortiz moved to adjourn, Joe Smyth seconded.

Respectfully submitted,

Debra Robinson,
Secretary to the Board

/dr

APPROVED