

**TALLAVANA HOMEOWNERS' ASSOCIATION, INC.**

Minutes of the monthly Board of Directors meeting held on November 13<sup>th</sup>, 2007, at the Havana Public Library in Havana, Florida.

PRESENT: Tom Scott, Mike Mapstone, Diane Sheffield, Bill Oswald, Rob Combs and Neil McDonald Board members, Debbie Robinson, Corporate Secretary. See attached list of others in attendance.

ABSENT: Kimsey Helms (due to death in family)

The meeting was called to order at 7:06 pm by President, Tom Scott.

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

**Approval of Agenda:**

The Budget Review Committee report will be given after Correspondence/Phone Calls instead of after the ACC report.

MIKE MAPSTONE MOVED TO APPROVE THE AGENDA AS REVISED. BILL OSWALD SECONDED THE MOTION. MOTION CARRIED.

**Approval/Corrections of October 2007 Minutes:**

Spelling corrections.

MIKE MAPSTONE MOVED TO APPROVE THE MINUTES AS CORRECTED. ROB COMBS SECONDED THE MOTION. MOTION CARRIED.

**Treasurer's Report:** Diane Sheffield reported the total deposit for October was \$8,940.80, routine operating expenses of \$7,953.89, \$558.56 in major project expenses, checking account balance is \$1,375.19, Money Market balance is \$59,893.90 and the balance in CDs/Savings is \$81,298.94.

**Correspondence/Phone Calls:**

1. Rob Combs received a couple of phone calls regarding the height of the rain diverters on Deer Pass. That situation has since been corrected.
2. Tom Scott received a phone call from a member expressing their anger concerning the policy of business notices on the bulletin board. According to the bulletin board policy, no business notices or business cards are allowed. In observing the policy, Debbie repeatedly removed a business notice from the bulletin board and sent the member a letter that informed the member of the bulletin board policy and suggested posting the business service on the web site and in the newsletter. The phone call to Tom included threats and cursing. The member left a voice message on Debbie's answering machine that included threats, cursing and name-calling. Debbie made a permanent recording of the message in case there was the need to contact Scott Ivey. Neil McDonald also received a call from the member.
3. Tom Scott received an email from a member complaining about their neighbor adding 10 feet of fill during their shoreline restoration. Tom explained that the permit allowed people to add fill to their property markers but not beyond.
4. Neil McDonald received a call from Fred Ayer about a certain individual fishing on the lake. Neil contacted Rob and a game warden. After checking the individual, it was found that this time, he was legal.

5. Neil McDonald received a phone call from Mr. Kilette on behalf of his daughter, Dawn Kilette who owns a lot adjacent to Magnolia Court and is having problems with runoff from Magnolia Court. Dawn is present at the meeting and would discuss her problem with the board later.

6. Neil McDonald received a phone call from Jim Poss regarding the arbitration, which will be covered under legal.

7. Diane Sheffield received a phone call from a lady who has lived in the community for 15 years and while fishing on the dock was harassed by the person living next to the common area. This same member was also approached and harassed by the same person during the daytime when the member was just sitting near the pavilion meditating. The member has a Tallavana decal on her vehicle and said that the person harassing her saw the decal. The lady was not making noise and felt she was unjustly approached. Debbie reminded everyone that if there is a proper decal on the vehicle, then members should not be harassed by other members.

8. Debbie read a card received from the University of Florida in recognition of our financial support during the past fiscal year. The Association made a contribution to the building fund for the Lake Watch program, which does a great service for Lake Tallavana.

#### **Budget Review Committee** – Don McEwen

The ten-year budget spreadsheet was projected on a screen so that the Board and attending members could see what the committee works from when determining the budget.

The Budget Committee takes the responsibility to maintain the quality of the neighborhood, maintaining property values and keeping the lifestyle people have come to expect living at Lake Tallavana while keeping the budget as low as we can and as stable as possible. We have some major projects that come up every few years such as repaving the roads and keeping the dam in good shape. The community has 30-year-old culverts that have begun showing signs of needing to be replaced. Some culverts have already been replaced but there are many more. With all this in mind, the committee looks ahead to see what it is going to take to keep this neighborhood in good condition.

After determining what projects need to be done, we plug them into the 10 year model. The model is divided into three sections; the first section being the income, the second being the routine administrative and maintenance expenses and the last section being the major project expenses. The routine expenses are based on what was spent in the past with some inflation figured in. The whole idea of the model is to make sure we have the funds at hand when it comes time to do a project so that there is no need for a special assessment or a loan.

The Budget Committee has held three meetings with the helpful input of Board members and neighborhood members. Major projects for 2008 include repair to the backside of the dam and spillway, more culvert replacements and engineering expenses to prepare for sediment removal beginning in 2009. A major expense in 2009 is the road repair and asphalt overlay on the portion of Tallavana Trail that currently is cracking and breaking up. With the ever-changing price of petroleum, an exact cost is beyond what we can calculate.

A sediment removal project for the north end of the lake is currently in the planning stages and projected for winter of 2009-2010 with estimates ranging from \$190,000 to \$400,000 depending on the amount of area dredged. We have the lowest estimate in the 10-year model. Other lake issues to consider are water quality and sediment removal ponds.

Our lake consultant, Sean McGlynn, has suggested that Tallavana pursue a Federal grant to help with the costs for our lake projects. With the help of Tallavana volunteers, Sean could begin the application process right away. There is some preliminary work that needs to be done; those expenses are in the 2008 budget.

Minutes, Board of Directors Meeting, November 13, 2007

In order to accomplish the projects mentioned above, the assessments would have to increase from \$600 to \$700 per year. The additional \$100 per year from each member would complete the projects already accounted for with hopes that we would get the grant for the remaining lake projects.

Over the next 10 years, the budget does not go in the negative but the reserve fund gets as low as \$8,800 in 2010. We need some reserve in case of emergencies. We try to be realistic in the costs and estimates and as soon as we receive better information on projects, we update the model.

The Board of Directors approves the new budget prior to the Annual Meeting. The Board has on or before the January 2008 regular Board meeting to approve the 2008 Budget. By law, the membership must be informed and a meeting held regarding the increase of the assessments. Notification to the membership must be no less than 14 days prior to the date of the meeting. The meeting to discuss the increased assessments is scheduled for Saturday, December 8<sup>th</sup>, 10:00 AM, at the pavilion. Notification will be in the newsletter that must be mailed by November 21<sup>st</sup>. After the meeting on December 8<sup>th</sup>, the budget committee will meet to finalize a proposed budget for the Board.

There was discussion about the 10-year model and the projects. Jim Poss reminded the members that the Board approves the 2008 Budget only. The projected projects and expenses beyond 2008 are estimates only and will be revisited as 2009 approaches.

While scheduling the December 8<sup>th</sup> meeting and the next two Board meetings, it was suggested that the January Board meeting be held on the third Tuesday in January since the first Tuesday is a holiday and there are five Tuesdays in January. This would allow another week for the budget to be reviewed before approved and allow everyone to return from the holidays. It was the consensus of the Board to move the January ACC meeting to Tuesday, January 8<sup>th</sup> and the Board meeting to Tuesday, January 15<sup>th</sup>. The Annual Membership meeting is Saturday, January 26<sup>th</sup>.

## **BOARD REPORTS**

**Legal:** Diane Sheffield and Neil McDonald

A. Lambert runoff – Diane has asked Ken Abele to set up a meeting with Lambert for a site visit. Sean said there is a possibility that if Lambert finishes the projects for which he has received grant money, then we may not have to do any extensive redesigning of the D-8 sediment removal pond.

B. Heidenreich/Magnolia Ct. & Pine Top Ct. – Diane, Kimsey, Don Magruder and Debbie met with Jim Heidenreich, his attorney, contractor and engineer at the pavilion. Concerning Magnolia Court, the Association is trying to get Mr. Heidenreich to correct the problems with the road and drainage. Mr. Heidenreich said he thought it was fixed and approved. Diane sent an email to Ken reminding him that we need to deal with Heidenreich regarding Magnolia Court.

Concerning Pine Top Court, there is a concern that Mr. Heidenreich will attempt to develop Pine Top Court using the access from the lower, unpaved portion of Tallavana Trail. This access would cause runoff across private property and sediment entering the lake. An agreement superseding the original plans changes the access to the upper, paved portion of Tallavana Trail. Ken sent a letter to Mr. Heidenreich reminding him of the agreement and if he starts work on Pine Top Court using the lower access, we will seek an injunction to cease work.

There was discussion about the problems with Magnolia Court and the lack of cooperation on Mr. Heidenreich's part. The storm water pond behind the home of Dawn Kilette has failed and is causing runoff across her property. Neil suggested that the Association file suit against Heidenreich to force him to repair Magnolia Court and the holding ponds, bringing them into DEP compliance. Past meetings with Mr. Heidenreich have been unsuccessful in getting the repairs made.

NEIL MCDONALD MOVED THAT THE BOARD AUTHORIZE KEN ABELE TO PROCEED WITH THE FILING OF A LAWSUIT AGAINST JIM HEIDENREICH FOR THE CORRECTION OF MAGNOLIA COURT

Minutes, Board of Directors Meeting, November 13, 2007

INCLUDING THE HOLDING PONDS. MR. HEIDENREICH IS TO BE RESPONSIBLE FOR THE PERMITS IF REQUIRED TO BRING MAGNOLIA COURT, DITCHES AND HOLDING PONDS INTO COMPLIANCE. BILL OSWALD SECONDED THE MOTION. MOTION CARRIED.

Neil suggested that the membership should be aware of not only what legal issues the Board is pursuing but also if there are any legal issues against the Board such as the Arbitration filed by Jim Poss. Neil offered to write an article for the newsletter informing the membership of all the legal issues within the realm of not divulging attorney/client information.

**Member Relations:** Mike Mapstone

Mike reminded the Board and membership that November 15<sup>th</sup> is the deadline for the next newsletter. Debbie reminded the Board of the importance of meeting the deadline so that the newsletter can be mailed to give proper notification of the meeting on assessments.

Saturday, December 8<sup>th</sup> has been set for the Association Holiday Social beginning at 5:30 PM. Members are to bring covered dishes; meat and drinks will be furnished. Pat Powell asked for help to decorate the pavilion on Saturday, December 1<sup>st</sup>.

**Lake Management:** Tom Scott & Bill Oswald

**Dredging Project** – Tom said that the Lake Management Committee is being reactivated to work on lake projects and to focus on the dredging project. Anyone interested in serving on this committee should contact Tom.

**D-8 Pond Restoration update** – Plans to redesign the D-8 sediment retention pond are on hold until the Lambert issue is resolved.

Bill reported on the removal of 431 carp. He is seeing lots of “fingerling” size carp and shad. Bill has been keeping records in order that we may get our shocking permit renewed for 2008. Bill is to forward his report to Tom so that Tom can file for the permit renewal.

**Lake Watch** – Pat Powell: The committee went out on Saturday, October 20<sup>th</sup>. It was reported at the October Board meeting that there was a green slime coming from Hurricane Creek on the north end of the lake. Lake Watch did not see any green slime and Bill agreed the he too has not seen any slime when out shocking carp. Pat would like for the committee to go out again on the 17<sup>th</sup> or the 24<sup>th</sup>.

**Security:** Rob Combs

Rob reported that Scott Ivey worked 20 hours for the Association in October. Mike Fish worked 16 hours and issued several verbal warnings to speeders coming through the gate.

There was discussion about the continued problems with speeding. The majority of the speeders are commercial vehicles. There is a problem with all-terrain vehicles entering the power line easement from Mason Ct. The ATV's have cut a path that goes around the locked gate and are running across private property in the easement.

**Gate:** No report.

**Roads, Grounds & Dam:** Kimsey Helms (absent)

Rob Combs reported that the old barge has been removed from the ramp area. Don Jones had a crew that disassembled the barge and carried it off.

Neil reported that Wolf Tree Service is no longer parking in the power line easement and they are finishing up the tree trimming.

Minutes, Board of Directors Meeting, November 13, 2007

Neil reported that he has been in contact with Florida Fence to beginning the installation of the fence along the easement to the ramp at the end of Hickory. Marc removed the fallen trees and brush that was obstructing access to the ramp.

## **COMMITTEE REPORTS**

### **ACC:**

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

Mike Mapstone & Carolyn Rankine, 2167 Tallavana Trail, roof replacement.

Sheila Mehle, 525 Tallavana Trail, roof replacement.

Jim & Margaret Gibbs, 699 Tallavana Trail, color change for house and trim.

### **Other ACC Issues:**

1. The ACC and Patsy Harrell, realtor for 66 Honeysuckle, came to a non-binding agreement for the removal of trees.
2. The ACC requests the Board to send a letter to Mr. Bravo requesting that he return the shed to its original location. Tom said that he would write the letter.
3. The ACC asked the Board to consider withdrawing the offer of \$200 to help homeowners more their sheds effective Jan. 1, 2008. After Board discussion, it was the consensus of the Board to let the ACC policy read as it was approved. The policy states that reimbursement is at the sole discretion of the Board.

**For the record, Minutes/Report of the ACC meeting are attached.**

### **OLD BUSINESS**

1. Nominating Committee – At the October Board meeting the following members were appointed by Board members to serve on the Nominating Committee: Pat Powell, Leonard Whatley, Mark Palmquist and Linda Ortiz. A fifth member is to be appointed as well as an alternate.

Board Member Diane Sheffield appointed Earl Mills. Board Member Rob Combs appointed Jim Poss as the alternate.

The Nominating Committee is to select nominees for two three-year positions and one one-year position.

### **NEW BUSINESS**

No New Business.

Member Don Ellingsen questioned the Board regarding the rain diverter on Deer Pass East. Kimsey would be able to answer the questions about the diverter on Deer Pass East when he returns home.

Member Jim Moran questioned the Board regarding the sand on Hickory Lane and the problem with the sand causing a washboard effect. Mr. Moran was told that several other residents on Hickory Lane complained about the dust. The sand keeps the dust down. It does washboard but on a positive side, that slows down the traffic. There have been other complaints about the speeders on Hickory. The

Minutes, Board of Directors Meeting, November 13, 2007

same type of sand was spread portions of Honeysuckle. It too has slowed down the traffic and keeps the dust to a minimum.

Member Gordon Patton mentioned that since the water has thoroughly soaked the dog fennel, that particular weed could be easily pulled from the lake.

With no further business, meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Debra Robinson  
Corporate Secretary

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

**November 6, 2007**

**Minutes/Report**

Meeting of the monthly Architectural Control Committee (ACC) was held on November 6<sup>th</sup>, 2007 at the pavilion of Lake Tallavana.

PRESENT: ACC Members –Pat Powell, Earl Mills, Linda Ritchie, Virginia Everett and Jim Grantham.  
THA Members –Julie Zimmerman, Rod Pigott, Jim and Sue Poss and Corporate Secretary, Debbie Robinson.

**Approvals:**

Mike Mapstone & Carolyn Rankine, 2167 Tallavana Trail; submittal for roof replacement, fiberglass three tab shingles, color Weathered Wood. Old shingles to be removed and hauled away.

Sheila Mehle, 525 Tallavana Trail; submittal for roof replacement, fiberglass, color Burnt Sienna. Old shingles to be removed and hauled away.

Jim & Margaret Gibbs, 699 Tallavana Trail; submittal for color change for exterior of house and trim. House color is Desert Sand, trim is Del Coronado Brickstone.

**Pending:**

Minutes, Board of Directors Meeting, November 13, 2007

**Other ACC Issues:**

ACC and Patsy Harrell came to a non-binding agreement concerning the removal of several trees at 66 Honeysuckle Drive. Pasty was the realtor representing the buyers. Of the trees to be removed, 3 are diseased and the rest are near or over the house. Other trees are to be trimmed.

The ACC requests the Board to send a letter to Mr. Bravo at 2405 Tallavana Trail stating that he must return his shed to the previously approved location. Mr. Bravo moved the large shed from the backyard to the front yard without ACC approval.

The ACC would like to ask the Board to consider withdrawing the offer of \$200 to help homeowners move their sheds after December 31, 2007.

Respectfully submitted,  
Debbie Robinson,  
Corporate Secretary for Tallavana Homeowners' Association

APPROVED