

TALLAVANA HOMEOWNERS' ASSOCIATION, INC.

Minutes of the monthly Board of Directors meeting held on Tuesday, October 11th, 2011, at the First Baptist Church Fellowship Hall, Havana, FL.

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

ABSENT: None

The meeting was called to order at 7:00 pm by President, Bobby Boatright.

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

Approval of Agenda:

Cheryl added item #b. One FL State Statute under Board Reports #1 Legal.

LINDA RITCHIE MOVED TO APPROVE THE AGENDA AS REVISED. ROB COMBS SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

Approval/Corrections of September 2011 Minutes:

Typographical error.

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

Treasurer's Report: Bobby Boatright reported:

Totals for September:	Total Deposit: \$30,113.00
Routine Expenses: \$7,278.59	Checking Balance: \$1,276.86
Major Project Expenses: \$0.00	Money Market Balance: \$125,734.97
	Savings/CD Balance: \$96,320.69

Notable Expenses: No significant notable expenses for September.

Bobby reported September total of hours for Debbie Robinson, Corporate Secretary/Bookkeeper:

Total hours worked for 9 months:	770.00**
Total hours per contract @ 80 hours/mo for 9 months:	720.00
Hours worked over contract	50.00

** Total hours worked does not include hours volunteered to work on gate or work days.

LINDA RITCHIE MOVED TO ACCEPT THE TREASURER'S REPORT. CHERYL ROBERTS SECONDED THE MOTION. THERE WAS NO OPPOSITION. MOTION CARRIED.

Delinquent Update – A written report accompanied two spreadsheets and was distributed to the Board. No names have been removed from the delinquent list since September report. Most of those past dues are the larger amounts on monthly payment plans. And since most of the monthly payments are \$100 per month, the total amount of delinquencies decreased as of today is \$1,433.80.

A judgment was filed against a member for default on stipulation of payment. On October 3rd, THA went to small claims court against a member who then did not show so the Association received judgment by default. On October 4th, THA went to a hearing with Judge Garner regarding two members who would not respond to previous stipulation payment agreements. One member did not show so the

Association received judgment by default. The member who did show promised the court that he would pay \$100 per month.

As of today, 26 members still owe for the 4th quarter only. Most of those past due usually pay by the due date but may be off schedule with the new due dates. A statement will be mailed as a reminder of the new due date. Members still owing by the end of October will receive notice to pay in 14 days or THA will proceed to file in small claims court. Three members still owe for both 3rd and 4th quarters. They will be receiving a notice to pay in 14 days or face a filing in small claims.

Correspondence/Phone Calls:

1. Neil McDonald reported receiving a phone call about an ATV on Tallavana Trail.
2. Debbie reported on the letter received by FL Dept. of Transportation regarding the notice of two upcoming public meetings on the improvements to State Rt. 12 to be done in 2014. A copy of the notice was posted on the bulletin boards and website.

BOARD REPORTS

Legal: Cheryl Roberts, Linda Ritchie

a. Resolution for payments and collections: Bobby reported the resolution is being worked on and should have something to the Board in next couple of weeks. He said the current collection process is following our governing documents and that the resolution will indicate specific dates.

b. One FL State Statute: Cheryl read statute FL 720.303 (2) (c) 1. "Notices of all board meetings must be posted in a conspicuous place in the community at least 48 hours in advance of a meeting, except in an emergency." Cheryl stated that she did not see the meeting notice on the bulletin board specifically the agenda. Bobby explained that the state statutes indicate meeting notice not agenda. The agenda is posted as a courtesy. Debbie explained that in her busy schedule on Sunday, she simply forgot to post the agenda but that the meeting notice was up 1 week prior to the meeting.

Member Relations: Marla Griffin

The website had 1726 visits in September.
Deadline for next newsletter is November 15th.

Cheryl complimented the changes and updates on the website but would like to see different wording regarding the ACC.

Lake Management: Bobby Boatright & Rob Combs

a. Carp Management – Neil reported the boat needs repairs and currently he is not physically able to participate. He said he and Bill would go out in November.

b. Aquatic Vegetation – In an email from Sean McGlynn regarding the dissolved oxygen profile, Bobby read the following, "Because of the lack of rainfall the water has a lot of organics and is rather thick. The water, in the degradation process of these organics, and with the algae in it too, is consuming oxygen as well. It is good you did not spray the plants because that would have added even more organics to the water and sediments. The aeration system would definitely help."

Comments were made about other lakes in the area that are weed infested and that right now, the weeds are providing good cover for the fish and may even deter cormorants from feeding.

The question was raised if our septic tanks were contributing to the nutrients in the lake. A recent report from DEP indicated that the nutrients were not the type from septic tanks and were in higher numbers at the north end of the lake where the creeks come in.

c. **Lake Watch** – Pat Powell: Lake Watch did not go out in September but will try again in

November.

Security & Gate: Rob Combs

Officer Jeff Stowell worked 20 hours in September. He reported making 6 traffic stops, and 18 rounds of community checks. At the September meeting, the Board authorized to increase Jeff's hours to 30 per month as currently we have no wildlife officer working in Tallavana.

Rob thanked the Board members who responded to his email asking what they would like to see with the increased security. Speeding was definitely on the list as well as more time spent in the pavilion/boat ramp area.

Gate – Bill Oswald installed the new gate operator but the gate still has some issues. Cheryl stated the gate has reached a critical stage. Gary Robinson has been working on the wheels, getting the bearings replaced but the tracking rail is cracked in places with lots of play along the run of the gate. Bobby mentioned that just today he locked the gate open as it became inoperable. Bobby spoke with Bill about the gate receiving Bill's response that he did not want the lifetime maintenance position for the gate.

The current problem with the gate appears to be the angle iron that acts as the tracking rail when the gate is in motion. Bobby asked Cheryl if she would discuss the problems with Bill to get his suggestions on what should be done so the Board can determine what direction to go on getting the gate repaired and working well.

Roads, Grounds & Dam: Earl Mills

Large Culvert Replacement across 1715 Tallavana Trail – Still monitoring. Earl said he would be getting updated pricing to present at the next budget meeting based on keeping one lane open to traffic. The replacement is to be scheduled for 2017 when that section of Tallavana Trail will be resurfaced.

Spalling on the outflow side of the 12-pipes – Neil and Cheryl are waiting for cooler weather to repair as the material is temperature sensitive.

The ramp at the pavilion is in need of repairs – No update from Neil or Kimsey

Road cracks in overlayment on Section 3 Tallavana Trail – Earl met with Keith Estes to get an estimate on filling the cracks. Keith felt the filling would not last due to what was discovered under the roadbed. He stated he would have to quote with no guarantee. Then they looked at a wide crack at 2173 Tallavana Trail where a stick would not touch bottom. The next door neighbor brought out a 36" long rod, inserted it in the crack, and it did not hit bottom. Keith then decided that he would not be able to provide pricing as there was no way to know how much material would be required and he had a concern that the material could flow into the lake creating an ecological issue.

Guardrail on the outflow side of 12-pipes – Neil is working on a solution.

Driveway to new home on Magnolia Court – Homeowners have not moved in full time. Earl will keep an eye on the issue as we get heavier rains.

Damage in the Pavilion restrooms – Vandals broke the commode tank top and sink in the ladies restroom. Jim Digiulio and Earl replaced the broken items as well as the drain parts and water supply line. Also the commode in the men's restroom was unstable, leaking at the base, and the shutoff valve was inoperable. Jim and Earl replaced the wax seal, valve, supply line and reseated the commode to minimize rocking.

Mason Drive Sign – Earl provided a copy of a rough draft agreement between Ashley and Roxann Campbell and Tallavana HOA to allow moving the sign, bulletin Board and utility pole to their property at 180 Mason Dr. Earl asked for the Board's input so the final draft may be reviewed by our

attorney or arranged in a more legal format.

b. Workday plans – Volunteer workday is scheduled for Saturday, December 10th. Cheryl is working on a list. The Social Committee will provide lunch.

c. Playground Equipment update – Marla has researched and found two companies whose equipment may be of interest. She has requested catalogs for our review. She said if we cannot replace the current equipment then maybe we can consider a canopy.

Riser Pipe Meeting – Cheryl reported on the meeting held Thursday, Sept. 21st at the dam to discuss the work needed on the riser pipe. Bobby, Linda, and Cheryl met with Barry Poole of Poole Engineering. Neil made a brief appearance but could not stay. Mr. Poole was furnished a set of construction drawings of the existing riser pipe and outflow pipe that runs through the dam to the back side. Bobby explained the function of the system, provided some history and listed the concerns. Mr. Poole then proceeded to the outflow pipe to see where it was in relation to the riser pipe. During his observations, he suggested a section of trees that should be removed. He asked if Tallavana has received any citations or notifications; the answer was negative. He then suggested a bulkhead of cement around the outflow pipe to prevent leakage between the galvanized and PVC pipes. This would be a proactive measure and should not require a significant drop to the lake. Mr. Poole is to present a pre-proposal for suggested work to be done.

Platform at Gate Valve – It was suggested that the deterioration of the platform at the gate valve should be addressed. Once Cheryl found out that Jack's Docks built the existing platform, she called to inquire if an estimate for repairs/replacement could be furnished so that the amount could be put into the 2012 Budget. The owner of Jack's Docks will see what he can do.

COMMITTEE REPORTS

1. ACC:

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

Approved Submittals:

Warren & Faith Jones, submittal for 6 foot fence to replace section of existing chain link.

Melissa Stock, submittal to fence small portion of back yard for small dog.

Robert & Kathy Bailey, submittal to paint house, color change to Rustic Taupe.

Jack & Norma Wolfgang, submittal for extension of existing deck, roofing and screening both sections.

b. Other ACC business – None

2. Lake Management Planning Committee: No report from Diane but she is continuing to work with Sean on a project proposal for an aeration system.

3. Budget Committee: Debbie reported the committee met on Tuesday, Sept. 20th. The first item of business was to review a draft of THA bidding procedures. Don McEwen outlined the procedure for bidding projects for a more uniform process and in keeping with "Best Management Practices". The committee then reviewed projects that are tentatively planned for 2012. The next Budget Committee meeting will be Tuesday, Oct. 25th at First Baptist Church.

Debbie told the Board members she would be sending sections of the routine budget that they

were responsible for to determine budget requests for the next year.

Old Business

1. Mason Drive Sign - Another letter was received from Jeff Butler, 147 Mason Drive, stating his attorney's recommendations for reimbursements from THA for the THA sign on his property. There was no documentation to back his claims for the amounts he felt owed him for the duration of the sign located on his property.

It was the consensus of the Board to have the sign moved by the end of the year and to send a letter to Mr. Butler informing him of the same. Mr. Butler was also to be reminded that the work would be done by volunteer help and asked to be patient with the progress. Bobby asked Debbie to contact Talquin about disconnecting the electrical power and inquire of the cost and procedure to move and install electrical hookup at the new location.

Earl drafted an agreement between Ashley and Roxann Campbell and THA for the sign to be located on their property at 180 Mason Drive. It was the consensus of the Board to review the agreement, suggest revisions if any and then vote on the final draft via email. All suggested changes should be sent to Earl.

2. Golf Carts – Bobby read sections of the letter from our attorney, Ken Abele, regarding our questions to him about golf carts in Tallavana. Following are excerpts from his letter:

Issue #1 Whether the Lake Tallavana Homeowners Association has the authority to allow the operation of golf carts on its community roads?

.....Florida law does not prohibit the use of golf carts on private roads, only public; therefore, absent restrictions set by the Association, it is likely that the use of golf carts on Lake Tallavana Community roads would be permissible. However, Section 150 of the Association's "Policy, Rules & Regulations" entitled "Off-highway vehicles prohibited" states the following:

1. No off-highway motorized vehicle, except one being used for an association approved maintenance project, shall be operated at anytime within the subdivision known as Lake Tallavana in Gadsden County Florida.
2. Off-highway motorized vehicles include dirt-bikes, go-carts, allHerrain vehicles, and any other motorized vehicle which is not allowed to be operated on the public streets and highways of the State of Florida.

As a result, it is our belief that golf carts would fall under the "any other motorized vehicle which is not allowed to be operated on the public streets and highways of the State of Florida" provision under Section 150 of the Association's "Policy, Rules & Regulations";Therefore, at this time, the operation of golf carts on the Lake Tallavana community roads is prohibited.

Issue #2 Does the Board have the authority to approve the use of golf carts or would a vote by general membership be required?

....It is our understanding that the Board regularly enacts amendments and additions to the Association's "Policies, Rules and Regulations" by a Board majority vote.

Issue #3 What should be included in a potential "Policies, Rules and Regulations" golf cart provision?

- (1) Posts appropriate signs on the road indicating that the operation of golf carts is allowed:
- (2) Prohibits the operation of golf carts during the hours between sunset and sunrise unless the government entity has determined that a golf cart is equipped with headlights, brake lights, turn signals, and a windshield;
- (3) Requires all golf carts be equipped with efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both the front and rear; and

(4) Require operators of golf carts on public streets be at least 14 years of age.

Also some notable provision that we may want to include:

- an exclusion from travel on particular streets;
- liability insurance coverage requirement;
- maximum occupancy standards;
- driver's license requirements;
- hours of operation restrictions;
- prohibitions against gas golf carts or golf carts modified to go beyond 20 MPH;
- registration with the association requirement; and
- signed waivers of liability for the association.

Bobby reminded all those attending that the Board is not against golf carts but the rules should reflect the safe use of golf carts which currently the rules do not allow golf carts. Bobby also stated his desire for community involvement. This is a community issue and should be brought before them. There was discussion amongst the Board about no community input, taking the issue to the annual meeting for the general assembly to vote on, or just a workshop or forum for community input before the Board drafts the rules and votes them in place. It was noted there are several members waiting to see what the Board decides before they purchase a golf cart.

At the conclusion of discussion, the Board decided to hold a forum or workshop on Sunday, October 30th, at 3:00 p.m. at the pavilion to give the membership the opportunity to discuss their thoughts and feelings on allowing golf carts on Tallavana roads and what issues the rules might cover.

3. Nominating Committee – At the September Board meeting, Bobby asked the Board members to submit a name or names for the nominating committee to Pat Powell. Pat was then to call the person to confirm that they would be willing to serve on the nominating committee if appointed by the Board at the October meeting. A list of ten names was finalized and each Board member received a copy of the list. Those members expressing an interest or volunteering to serve on the nominating committee are: Adriene “Fry” Forare, Kimsey Helms, Faith Jones, Mark Palmquist, Jim Poss, Pat Powell, Willis Rabon, Gary Robinson, Mike Soprano and Tom Scott.

Each Board member called out their selection of five names. Board selections were tallied and the top five selections to serve on the nominating committee are: Kimsey Helms, Faith Jones, Mark Palmquist, Gary Robinson and Mike Soprano. The nominating committee will announce when their meeting will be scheduled and anyone interested may attend.

New Business

No new business

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**

October 6, 2011

Report

Meeting of the monthly Architectural Control Committee (ACC) was held on October 6th, 2011 at the pavilion of Lake Tallavana.

PRESENT: ACC Members –Pat Powell, Linda Ortiz, Dorothy Ross, and Gary Robinson
Other THA Members – Debbie Robinson

Approvals:

Warren & Faith Jones, 2939 Tallavana Trail, submittal for 6 foot high wooden fence to replace only a portion of existing chain link fence on left side of property along back yard.

Melissa Stock, new owner of 1462 Tallavana Trail, submittal to fence small portion of back yard for pet. The fence will be green vinyl-covered chain link and will not be seen from the road.

Robert & Kathy Bailey, 4215 Tallavana Trail, submittal to re-stain house with color change. Color to be Rustic Taupe from Benjamin Moore.

Jack & Norma Wolfgang, 3982 Tallavana Trail, submittal to extend existing deck, roofing and screening both decks.

Pending:

Other ACC Issues:

Respectfully submitted,

Debbie Robinson
Corporate Secretary for Tallavana Homeowners' Association