

## TALLAVANA HOMEOWNERS' ASSOCIATION, INC.

Minutes of the monthly Board of Directors meeting held on September 9, 2003 in the meeting room of the new Havana Library, Havana, Florida.

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

ABSENT: None

Kimsey called the meeting to order at 7:04 pm.

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

### Approval of Agenda:

MOTION BY JOHN STARON, SECONDED BY TOMMY BAKER, THAT THE AGENDA BE CHANGED TO ALLOW TIME FOR OLD BUSINESS. FOLLOW THE AGENDA THROUGH THE FIRST FIVE ITEMS THEN JUMP TO OLD BUSINESS FOR THE CONSIDERATION OF THE TRAILER POLICY, AND THEN NEW BUSINESS FOLLOWED BY THE BOARD REPORTS. MOTION CARRIED.

### Approval/Corrections of August 2003 Minutes:

MOTION BY JOHN STARON, SECONDED BY JEAN WOOD, THAT THE MINUTES BE APPROVED AS CORRECTED. MOTION CARRIED.

***Treasurer's Report:*** Tommy Baker reported that income for August was \$10,401.00, expenses of \$14,035.91, checking account balance is \$17,911.05 and sinking fund balance is \$144,881.42. The larger expenses were for dredging, attorney fees, and dirt road maintenance.

MOTION BY DON MAGRUDER, SECONDED BY JEAN WOOD, THAT THE TREASURER'S REPORT BE APPROVED AS READ. MOTION CARRIED.

### Correspondence/Phone Calls:

1. A certified letter dated 8/18/2003 from the Connellys was received. Content of letter was a request for information on the docks.
2. A letter was received from Kelly Lawn Care letting us know that they would like to do business with Tallavana.
3. Kimsey received a phone message from Mike Jefferis asking what the amount of the dues was. Kimsey was unable to reach Mr. Jefferis to answer his questions.

### **OLD BUSINESS**

1. Continued consideration of Board Policy on Trailers, etc. - Don began discussion on the proposed policy. Kimsey brought up the amendment submitted by Jean at the August meeting but due to time shortage in August, the amendment was not discussed in detail. The amendment Jean submitted was to bring the proposed policy to conform to the covenants. There was discussion on the definition of "carport". It was at this time that Don introduced a revised amendment to the proposed board policy. Again, this amended policy proposal was to bring the policy in line with the covenants concerning the enclosed garage or carport for the motor coach. Don's amendment went on to include the use of a

Minutes, Board of Directors Meeting, September 09, 2003

screen, man-made or natural, to be allowed to enclose the motor coach. There was discussion about the natural screen. Billy addressed the board to remind them of the past practices and not react too quickly to make new policy. Don reminded the board that we now have the proposed policy, Jean's amendment and Don's substitute amended policy. He said what we need to do first is address the substitute, amended policy, then Jean's, then the original proposed policy in that order. After further discussion, Don withdrew his substitute, amended policy.

MOTION BY JEAN WOOD, SECONDED BY LINDA ORTIZ, THAT THE AMENDMENT TO ITEM #5 SUBMITTED BY JEAN WOOD BE ACCEPTED. MOTION CALL TO VOTE BUT THERE WAS FURTHER DISCUSSION.

ABOVE MOTION BROUGHT TO A VOTE. APPROVED: JOHN STARON, JEAN WOOD, AND LINDA ORTIZ. AGAINST: BILLY CABANAS, TOMMY BAKER, AND DON MAGRUDER. KIMSEY HELMS VOTED FOR THE AMENDMENT TO BREAK THE TIE. MOTION CARRIED.

There was continued discussion on the interpretation of the definition of carport, natural screen, and temporary.

MOTION BY BILLY CABANAS, SECONDED BY JOHN STARON, THAT THE VERBAGE "OR ARE SCREENED FROM VIEW BY EITHER A CONSTRUCTED OR NATURAL SCREEN WHICH HAS BEEN APPROVED BY THE ACC.", PART OF ITEM #4 ON DON'S SUBSTITUTE PROPOSAL, BE ADDED TO JEAN'S AMENDMENT #5 AFTER "ENCLOSED GARAGE OR CARPORT". MOTION BROUGHT TO A VOTE. APPROVED: BILLY CABANAS, DON MAGRUDER, TOMMY BAKER, AND JOHN STARON. AGAINST: JEAN WOOD AND LINDA ORTIZ. THERE WAS NOT A TIE SO THE PRESIDENT DID NOT HAVE TO VOTE. MOTION CARRIED.

Next discussion was on the policy as a whole with the approved amendments.

MOTION BY DON MAGRUDER, SECONDED BY TOMMY BAKER, THAT THE PROPOSED POLICY WITH THE APPROVED AMENDMENTS BE APPROVED. MOTION BROUGHT TO A VOTE. APPROVED: DON MAGRUDER, BILLY CABANAS, TOMMY BAKER, AND JOHN STARON. AGAINST: LINDA ORTIZ AND JEAN WOOD. THERE WAS NOT A TIE SO THE PRESIDENT DID NOT HAVE TO VOTE. MOTION CARRIED.

MOTION BY JEAN WOOD, SECONDED BY LINDA ORTIZ, THAT THE APPROVED POLICY TAKE EFFECT ONLY IF AFTER OUR ATTORNEY LOOKS AT THE POLICY AND SAYS THAT AS WRITTEN, THE POLICY DOES NOT VIOLATE THE COVENANTS. MOTION BROUGHT TO A VOTE. APPROVED: LINDA ORTIZ, JEAN WOOD AND TOMMY BAKER. AGAINST: DON MAGRUDER, JOHN STARON, AND BILLY CABANAS. KIMSEY HELMS VOTED FOR THE MOTION TO BREAK THE TIE. MOTION CARRIED.

MOTION BY LINDA ORTIZ, SECONDED BY JEAN WOOD, THAT SHOULD THE POLICY BE FOUND IN CONFLICT THAT THE BOARD WILL REVISE. ALL APPROVED, MOTION CARRIED.

2. Discussion of ACC items

- a. Beckwith – The home was built without being submitted for ACC approval. The entire home is covered with a vinyl siding that is in violation of the Rules & Regulations.

Minutes, Board of Directors Meeting, September 09, 2003

MOTION BY LINDA ORTIZ, SECONDED BY JEAN WOOD, THAT A LETTER BE SENT TO THE BECKWITHS REMINDING THEM THAT THE COLOR OF SIDING IS STILL IN VIOLATION AND ASK THEM TO PLEASE RESPOND TO THE BOARD. MOTION CARRIED.

Let it be noted that the Tallavana sign on Mason Drive should include "Deed Restricted".

- b. Shields – House color was changed after the ACC had approved the house & color. Also a garage was built that was not approved by the ACC. Both the new color and the garage would most likely have been approved if they had been submitted. There was also discussion of the lot being subdivided which now looks like that will not happen.

MOTION BY DON MAGRUDER, SECONDED BY JOHN STARON, THAT A LETTER SHOULD BE WRITTEN TO THE SHIELDS ASKING THEM TO SUBMIT THE PLANS TO THE GARAGE AND A PAINT CHIP OF THE EXISTING COLOR ON THE HOUSE TO THE ACC FOR APPROVAL. ALSO INCLUDE IN THE LETTER THAT THE BOARD WILL RECOMMEND THE ACC TO APPROVE COLOR AND PLANS. MOTION CARRIED.

Tommy Baker suggested that the ACC come up with some sort of permit to be posted next to the county building permit to show ACC approval on the construction or painting that is taking place. As head of Security, Tommy could ask Scott and Billy to look for the ACC permits as they patrol the neighborhood and see construction going on. Mike Mapstone mentioned that he could put an article in the Newsletter explaining to homeowners the need for the ACC permit and ask that those who have been approved but have not yet started their project to get a permit from Mike.

- c. Harrell – The Harrells are in violation by the number of trees removed from the buffer zone. When first contacted about this, they said they would start to replant as soon as the weather cooled off. That was over a year ago.

MOTION BY JEAN WOOD, SECONDED BY LINDA ORTIZ, THAT A LETTER BE SENT TO THE HARRELLS TO INSIST THAT THEY START PLANNING TO PLANT WITH WINTER JUST AHEAD. ALSO INCLUDE A DEADLINE OF MARCH 1<sup>ST</sup> 2004 FOR THE PLANTING. MOTION CARRIED.

In the interest of time left the following revision was made to the agenda:

MOTION BY JOHN STARON, SECONDED BY JEAN WOOD, THAT THE ACC REPORT BE MOVED UP ON THE AGENDA TO BE THE NEXT ITEM SO THAT THE SEPTEMBER REPORT CAN BE VOTED UPON BY THE BOARD AT THIS BOARD MEETING. MOTION CARRIED

**ACC:** Reported by Mike Mapstone  
September 2<sup>nd</sup>, meeting held, four items approved:

1. Approval of a new roof at 452 Tallavana Trail. Same style, material, color as current roof.
2. Approval of a 26' X 16' single-car carport & storage area at 77 Deer Pass.
3. Approval of a 14' diameter cedar gazebo on Lot EE-21 on Hickory Lane.
4. Approval of a 2878 square foot house on Lot 100, Block A, corner of Tallavana Trail and Tallavana Court.

Minutes, Board of Directors Meeting, September 09, 2003

Details of items in written report submitted by Mike Mapstone and filed with minutes.

MOTION BY TOMMY BAKER, SECONDED BY JEAN WOOD, THAT THE RECOMMENDATIONS BY THE ACC BE APPROVED. MOTION CARRIED.

Emory Morris update – Emory has promised a survey and pictures to show the foot prints of the original structure. Mike Mapstone said he would call Emory first then will follow with a letter as a reminder of Emory's promise.

## **BOARD REPORTS**

**Legal:** Don Magruder.

Connelly case – The attorneys have been communicating, working on setting a date for a hearing with the Judge to determine how to proceed. We should know more by next meeting.

Lincicome case – We are currently working with the Lincicomes to move forward since the agreements arrived at during mediation. John Staron will be getting bids for the work that THA is responsible for.

**Lake Management:** Reported by Billy Cabanas

Helge is still working with the DEP to get the permits for the D8 pond. Also, Billy and Jean are working with the biologist to schedule three more carp removals. The Lake Management budget is in good shape and there is plenty to cover the shockings and weed control.

We are having a problem securing a person to write the grants for THA. Billy recommended that if the total of hours is not too excessive, that we should negotiate with a grant writer at \$40/hour. Billy will talk with Helge about estimating how many hours should be involved. If the number of hours at the above mentioned rate to not exceed \$2,000.00, Billy asked if he should proceed with the search for a grant writer.

MOTION BY BILLY CABANAS, SECONDED BY TOMMY BAKER, THAT WE SHOULD PROCEED TO FIND A PERSON TO WRITE THE GRANT FOR THA AT THE RATE OF \$40/HOUR NOT TO EXCEED A TOTAL OF \$2,000.00. MOTIONED CARRIED.

Pat Powell was absent. No report for Lake Watch committee.

**Security:** Reported by Tommy Baker

Scott Ivey worked a total of 20 hours, 12 on duty, for August. Billy Kemp worked 19 hours.

**Gate:** No new problems. Now that Donna is in charge of the Pavilion, she will be given a set of keys to open the gate when needed.

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

John reported that with the dryer weather, the shingling on the sign could be completed. If the weather remains dry by Sunday, John will be able to finish the sign. Kimsey said he could also help.

Kimsey mentioned the letter from Kelly Lawn Care and asked if we should consider asking them to bid on the mowing in Tallavana. General discussion agreed that since Marc Cocke mows and grades

Minutes, Board of Directors Meeting, September 09, 2003

the roads that we would not consider outside bids at this time.

Tom Lincicome reported to Kimsey that a pile of dirt was dumped back on the easements. Don and John said they would investigate.

**Member Relations:** Reported by Linda Ortiz

**Website/Newsletter:** The new format of newsletter was sent out. There was no cost for the printing and color thanks to Linda. Linda received e-mails via the website mentioning the great newsletter and website. There was some interest expressed in receiving the newsletter via e-mail. Also an e-mail from the suggestions@laketalavana.com, from a member on Mason Drive expressing their concern about the paving and gating of Mason Drive.

Linda reminded the board that their attendance is hoped for at the Newcomers Social on Saturday, October 4<sup>th</sup>, at 5:00, at the pavilion.

**ESQ:** Reported by Bob Harrer – No report

### **COMMITTEE REPORTS**

**Welcome Committee:** Reported by Carolyn Palmquist (absent) No report other than that given by Linda concerning the Newcomer Social.

With no further business, at 10:15 pm, Tommy Baker moved to adjourn, John Staron seconded.

Respectfully submitted,

Debra Robinson,  
Secretary to the Board

/dr