

## TALLAVANA HOMEOWNERS' ASSOCIATION, INC.

Minutes of the monthly Board of Directors meeting held on September 9<sup>th</sup>, 2008, at the meeting room of the Havana Library, Havana, FL.

PRESENT: Neil McDonald, Larry Jones, Bill Oswald, Rob Combs and Kimsey Helms Board members, Debbie Robinson, Corporate Secretary. See attached list of others in attendance.

ABSENT: Rick Kornmeier and Tom Scott

The meeting was called to order at 7:00 pm by President, Neil McDonald.

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

### Approval of Agenda:

Add Item 2 under New Business: Review Notice & Proxy for Special Meeting

KIMSEY HELMS MOVED TO APPROVE THE AGENDA AS CORRECTED. ROB COMBS SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

### Approval/Corrections of August 2008 Minutes:

Several spelling corrections and clarifications.

LARRY JONES MOVED TO APPROVE THE MINUTES AS CORRECTED. KIMSEY HELMS SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

**Treasurer's Report:** Rick Kornmeier was absent so Debbie gave the Treasurer's Report. She reported the total deposit for August was \$7,420.00, routine operating expenses of \$5,543.48, major project expenses of \$8,943.75, checking account balance is \$1,319.37, Money Market balance is \$106,225.47 and the balance in CDs/Savings is \$52,609.16.

Debbie reported the majority of the routine expenses included mowing/road maintenance and storm cleanup. The major project expenses for August included \$6,000 for the labor incurred at the 12-pipe spillway and \$2,944 for the soil boring work done on Tallavana Trail.

Debbie mentioned that the balance of the Money Market is high because a couple of CD's became due and so to avoid penalties for early withdrawal on a new CD, the funds were rolled over into the Money Market account in anticipation of the \$75K grant match. A handout that tracks the cash balances, account transfers and expenses was available to the attending members.

LARRY JONES MOVED THAT THE TREASURER'S REPORT BE ACCEPTED AS GIVEN. ROB COMBS SECONDED. THERE WAS NO OPPOSITION, MOTION CARRIED.

### Correspondence/Phone Calls:

1. Rob Combs received a call from Chris Guignard who complained about the loud music being played during parties at the pavilion. She also complained about kids being at the pavilion late night. Rob told Chris that he would contact Scott to increase patrol. Chris said that she has been talking with her attorney concerning noise problems but will wait to see if the Association does anything to curb the noise. Neil, Debbie and other Board members have also received complaints from Chris regarding the noise level at the pavilion.
2. Neil received a phone call from Mr. & Mrs. Studley regarding a runoff problem on their property. Neil visited their property to see the situation.
3. Neil received a phone call from Marla Griffin regarding broken beer bottles at the end of her drive

during the time the gate remained opened after TS Fay.

4. Debbie read a plaque that was presented to the Association from the Jeff Butler family. Mr. Butler hosted a family reunion that was held at the pavilion. The plaque read, "A family the prays together, stays together. A certificate of Thanks awarded to Lake Tallavana Homeowners' Association. Hendley-Fullins Family Reunion given this 31<sup>st</sup> day of August in the year 2008." When delivering the plaque to Debbie, Mr. Butler expressed his appreciation for the pavilion area being mowed and the gate being opened.

5. Kimsey brought up an email that was not addressed at the last meeting from Era Singer and Paul Ringenberger regarding the tree that fell across their property recently. In their email Era and Paul felt that the fallen tree was impacting the drainage ditch between their property and the one next door; hence possibly creating a runoff situation that could flood their property.

Bill Oswald cut and removed the portion of the tree that was in the Association right-of-way. Larry said that once the tree is cut up to the property line, the Association does not have the right to trespass to finish cutting the tree. The responsibility then falls on the property owner. The tree was removed from the drainage ditch. Ultimately, trees that fall from private property onto THA property will be removed from the roads and right-of-way, but what remains of the tree is the responsibility of the homeowner.

6. Kimsey brought up the email from Kristina Holmen-Mohr requesting an update on the emergency exit from Tallavana through Reston. Kimsey met with the surveyor and discussed the possibility of three sites. All three sites in Tallavana would connect to a 60-foot easement that is currently at the end of Beaver Creek Road in Reston. There was discussion about what was found about that easement.

Linda Ritchie and Diane Sheffield volunteered to help Kimsey with the emergency exit project. Once they gather all the necessary information, Neil said that they should contact Major Sean Wood with the Gadsden County Emergency Management and he would help with the property owners in Reston.

Neil said that the first step is for Kimsey to contact the Bert Family, owners of the easement in Reston. If they are not receptive to Tallavana, then we can get the county involved. If the Bert Family is willing to work with us towards an emergency exit, then it will be time to contact the Tallavana homeowners whose property will be impacted by the emergency exit and begin surveying.

## **BOARD REPORTS**

**Legal:** Neil McDonald and Rick Kornmeier (Absent)

A. Lambert runoff – No update as there has been no response from Lambert's attorney. Member Diane Sheffield said that when the THA/attorney group walked the Lambert property last fall, there was a beginning of a bad washout area and given what is currently in the D-8 sediment pond since TS Fay she wonders if that washout area is larger. Most likely, Mr. Lambert did not take action to repair the washout area. Neil said that NRCS has given Mr. Lambert grants in attempts to clean up his property. According to Neil, Jason of NRCS said that a fence has been installed to keep the cows from the creek. Diane said that the creek was fenced from the cows and that the creek bed was stabilized. It's an erosion area not yet repaired that must still be running into D-8.

B. Heidenreich/Magnolia Ct. & Pine Top Ct. –No update.

**Member Relations:** Tom Scott (Absent) Reported by Debbie Robinson

There were 1267 visits to the website in August.

**Lake Management:** Tom Scott (Absent) & Bill Oswald

a. Carp report – Bill reported that they have not been able to get the boat in the water and that it would have been difficult to go out with the fluctuation in the water level. The carp team discussed that they would be able to go out Thursday. Neil said Tom Scott called just prior to tonight's meeting letting

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Neil know that he would not be able to make the meeting but wanted it clear to Neil that the lake should be returned to the legal level once the 12-pipe spillway is repaired. Tom also reported to Neil that he is seeing more carp than ever at his dock and asked Neil for the Board to consider hiring Bob Rousseau for two days for a concentrated effort to remove as many carp as possible. The cost to hire Rousseau was discussed with the determination that the last time he shocked it was \$900 for a full day.

Larry volunteered to help with the shocking. Only those specifically named on the permit are allowed to be on the boat with the shocking equipment. There was discussion about who is on the permit but no one could remember exactly. Debbie will review the permit and let the Board know who is allowed to be on the shocking boat. If there are members who wish to be added, an amendment to our permit will have to be submitted.

Bill reported that he operates the shocking boat in a safe manner with minimum voltage. Bill claimed that others that have shocked used too high of voltage even to the point where he thinks bass have been killed. Bill thinks that using a lower voltage but going out more is a better practice. Larry said that if we need to go more often then we need more people on the permit to spread out the amount of time per person. Neil asked if the Board wanted to consider Rousseau.

ROB COMBS MOVED THAT THE ASSOCIATION CONTINUE TO DO OUR OWN SHOCKING BUT WITH GREATER FREQUENCY. LARRY JONES SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

b. Aquatic weed spraying – Bill reported that he did not contact the individual to spray the weeds because of the rainfall. The herbicides need time to work on the weeds so Bill thought to wait until we get into a drier weather pattern. Bill also reported that next time we spray, we would go as far as we could on both Hurricane Creek and Beaver Creek. Since Tallavana owns lots in Reston that are along Beaver Creek, we can go up in the creek to spray. The individual who does the spraying uses an airboat so access to the creeks is possible. Bill said that as soon as the lake level returns and the rains stop, the aquatic weeds would be sprayed.

c. Legal lake level – Bill said that he had a copy of the legal description of the lake bottom and a map of the lake and surrounding lots. Bill pointed out that the water lines on the map do not go beyond the property markers. Bill said the carp have been eating around the shorelines causing the shorelines to become shallower. Bill said that the lake has gotten wider and that the water level needs to be left where it is currently and that is 6" lower than the permitted level and everything will be fine.

Neil said that when the lake is to be brought back up, that the sleeve will replace the 6" that was cut off. Bill said no, that the standpipe will be left alone and the lake is at the level it should be. Kimsey said that the elevation surveyed by Tom Skipper should be 145.23', which is higher than the current water level. Member Leonard Whatley asked if Bill meant to leave the level where is currently is because now, none of the homes have water at their docks. Member Diane Sheffield reminded that Board that if the water level were left where it is now then none of the shoreline restorations are in compliance with what was permitted by DEP. DEP permitted the shorelines at the lake level that was determined by the Water Management District at 145.23'. The current water level does not even reach the rocks along most of the restored shorelines.

Larry reminded the Board and attendees that the Association has a letter from the Water Management District stating that the permitted level of the lake is 145.23' and that is where it should be. What ever has been removed from the standpipe should be replaced to bring the lake level exactly what is permitted. Larry suggested a mark or line to be drawn on the gate valve platform that indicates the legal, permitted level that all could see at a glance that the water level is where it should be. Larry mentioned that the letter also stated that any variance from the current permitted level would require a new permit. It was suggested that we get another survey to put the mark on the platform. Neil mentioned that when we begin work on the main spillway, that we would most likely get a survey at that time.

Member Andrena Knically asked the Board to vote so that it is on record for marking the legal level on

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the dock and returning the lake to that level when all the work is done. Member Leonard Whatley reminded that Board that if the lake level were to be left at its lower level the property values would go down and could cost the homeowners thousands of dollars. Other members were in agreement. It was also stated that everyone would have to extend their docks to reach the water.

LARRY JONES MADE A MOTION THAT ONCE THE 12-PIPE SPILLWAY IS FINISHED, THE LAKE LEVEL WOULD BE RETURNED TO 145.23' AND THERE WOULD BE A MARK ON THE GATE VALVE PLATFORM NEAR THE SPILLWAY INDICATING THE PERMITTED LEVEL. KIMSEY HELMS SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

Larry did indicate that although the lake level is to be returned to the 145.23' when the 12-pipe spillway project is done, there would be times when the level is dropped for work on the spillway and behind the dam.

Neil said that the lake would return to the 145.23' when the 12-pipe project is done.

**Lake Watch** – Pat Powell: Pat said that Lake Watch could not go out as long as the lake was lowered but Diane Sheffield and Debbie Robinson were able to take a smaller boat to collect samples.

Neil mentioned that Tom Scott keeps a close eye on the weather, monitoring the storms, and if it appears that we are going to receive substantial rainfall, he will go out and open the gate valve to drop the lake. The Water Management District has given strict instructions that we must lower the lake in the case of an upcoming storm. While some members have chastised the Board for doing so, others have thanked them.

**Security:** Rob Combs

Rob reported that Scott Ivey worked 20 hours for the Association and worked an additional 10 hours while on duty during TS Fay with the Gadsden Sheriff's Department. Scott reported 9 traffic stops and 82 house checks. Mike Fish was out of pocket during TS Fay and was unable to patrol Lake Tallavana. Rob will contact both Scott and Mike asking for some late night patrols and stepped up security in the pavilion and dock areas.

**Gate:** No report.

**Roads, Grounds & Dam:** Kimsey Helms

a. 12-Pipe Emergency Spillway update: Neil reported that NRCS is providing the grant funds for the project, Gadsden County is sponsoring the project and will be drafting the bid package. The Association's fiscal responsibility is \$75,000. The project entails a concrete flow through system beyond the 12-pipes and a correction in the drainage from the Bloomquist property to the backside of the dam. NRCS guarantees the project for 10 years and will fix anything that goes wrong during that time. The project is to be complete by March 2009. NRCS also has drawn the blueprints and plans for the overflow area.

Debbie reported that she has been in contact with the county attorney attempting to answer all his questions. She has faxed him numerous documents that prove the ownership of the Tallavana roads and properties and that the easement to work on the property behind the 12 pipes is legal. The attorney is holding up the project. It was suggested that Debbie contact Doug Croley to see if he could help get us past the attorney hurdle.

b. Spillway update – Discussion about the spillway was included in the 12-pipe spillway.

c. Emergency exit plans – covered under Correspondence #5

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d. Geo-test results of Tallavana Trail – In order to understand the issue, Kimsey stated that we received four options from the engineer. The Board decided to go with the cheaper option but that the Board is also discussing crack sealing. He questioned if the Board wants to do crack sealing and seal coat or just one or the other. Larry thought it was decided to seal the cracks and stabilize the cracks with the idea that if the cracks are filled, they will not get as big as fast. Kimsey reminded the Board that the sealing the cracks are just that but if the roadbed continues to move, the asphalt would continue to crack. Neil said that since we have been discussing sealing the cracks for the last several months he thought that was the route the Board wanted to continue.

The Board received one estimate for the cracks to be sealed. Kimsey is still trying to find a second estimate. Kimsey did speak with Peavy and got estimates for the four options outlined by the engineer. They were strictly estimates to give Kimsey a price range of each of the four repair options. Kimsey wanted to know if the Board was going to decide to have the cracks sealed or if they wanted to repair as seal coat as the fourth option suggested by Earthworks.

Rick Kornmeier received an estimate from All American Asphalt to clean the cracks and fill with hot asphalt filler for \$7,800. Kimsey has contacted a second contractor and is waiting to hear from him.

Member Lance Ortiz asked about the report that was being discussed. Kimsey replied by explaining that we had 26 boring tests done on the last .6 mile of the paved portion of Tallavana Trail. The engineering firm, in wanting to do a more thorough job, went beyond the pavement for 2 more borings. The last boring cut through the underground telephone line. Kimsey explained that the last 2 borings were not included in the original contract.

The report gave four recommendations - the least expensive would buy us about 2 years of the road using a seal coat over the existing surface. Sealing just the cracks was not one of their options. The next less expensive option was to add an overlay and the most expensive option was to mill the existing asphalt and re-compact the subgrade. The last option is cost prohibitive and would cause a huge inconvenience, as the road would have to be closed. Lance asked what were the findings of the borings. Kimsey replied that the borings confirmed pipe clay as suspected.

Member Gordon Patton asked for more specifics of the other options. The third option is to mill three inches of the asphalt, seal the remaining surface and replace the asphalt to give 6 inches of base with the expected life of 7 ½ - 10 years. Kimsey received an estimate of \$100,000 plus for that option. The question of how much each option would cost came up again. Kimsey ran down the options and estimates. The most expensive option is to mill the existing asphalt, re-compact the subgrade, remove any unacceptable materials, replace the asphalt for an expected life of 15-20 years; estimate in the \$300,000 plus range. The next option is to mill three inches, seal the remaining surface, replace the asphalt to give a 6-inch base, expected life 7 ½ - 10 years; cost estimate is a little less than \$100,000. The next option is to spot repair the worst locations, add an overlay of 1 ½" to the existing road; there would be some reflective cracking within 3-5 years. And the least expensive option is to spot repair and seal coat the entire .6 mile for an estimate of \$10-\$20K with a life expected of 2 years.

There was discussion about the costs, options, and budget. Neil and Larry said that the Board is trying to spend as little as possible so that we stay close to the 2008 Budget. That is the reason they feel the crack sealing is the way to repair Tallavana Trail, temporary as it may be. Discussion about other things continued between Board and members so Debbie called a point of order. She reviewed that the Board already had one bid for crack sealing and Kimsey was waiting to hear from another source. Once the Board received the second estimate, they should decide on the contractor and get the project done. The 2008 Approved Budget had provisions for crack sealing so the Board would not need to bring the estimates to the next meeting. They could decide and get the project done prior to the next meeting.

On another item about the contractor who conducted the soil borings – Debbie said that they did their work; they sent us their report. Earthworks has admitted that they accidentally cut the phone line and accepted responsibility to reimburse AT&T for the repairs. THA was holding payment to Earthworks until the AT&T issue was solved however; the issue is now between AT&T and Earthworks and THA should release their check to Earthworks.

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KIMSEY HELMS MOVED TO RELEASE THE CHECK IN PAYMENT TO EARTHWORKS. LARRY JONES SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

e. D-8 Clean-out – Neil received an estimate of \$1,000 for a complete clean-out. A partial clean-out would cost at least \$600. Anyone wanting dirt from the D-8 should let Neil know. Neil will contact 3 North 3 West to begin the project immediately.

f. .6 Mi. Tallavana Trail seal coat – covered under d.

## COMMITTEE REPORTS

### 1. ACC:

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

Approved Submittals:

James & Roxann Campbell, 180 Mason Drive, submittal for fencing and gate.

Fred & Vicki Yocher, 101 Tallavana Trail, submittal for tree removal.

Greg & Melanie Shields, 1995 Tallavana Trail, submittal for tree removal.

Gary & Debbie Robinson, 145 Honeysuckle Dr., submittal for camper carport.

Other ACC Issues: Linda Ortiz volunteered to draft a submittal form for the members to use and have it available on the web site.

*See full report attached to the minutes.*

2. Lake Management Committee: Diane Sheffield reported that it has been difficult to schedule everyone to complete the hike up Hurricane Creek. Sean contacted Diane earlier today to see if Wednesday would be available. Diane contacted those who might be interested in going. There is no news on the 319 Grant. The DO meter has been repaired and Sean will give it to Diane tomorrow. There were questions about the 319 Grant. Diane explained that the amount applied for is to do the studies and research to determine what projects are needed to improve our water quality and plan our Best Management Practices.

3. Budget Committee: Debbie Robinson reported that the Board and Committee met on Sunday, August 26<sup>th</sup> to finalize some numbers prior to the Special Meeting. Items discussed focused on the anticipated expenses for the remaining 2008 Budget. Amounts were plugged into the 10-year model and the results showed spending exceeded the Approved Budget by less than \$3,000. The \$75K was included in the model. The model understates the income to keep from counting on money that is anticipated but may not be received. The next meeting had not been scheduled.

4. ESO (Neighborhood Emergency Preparedness Planning): Cheryl Roberts reported that Captain Brown of the Gadsden County Sheriff's Department is currently checking the radio equipment. He will let us know the condition of the radios. Cheryl has been in contact with Talquin in attempts to get 6" water lines installed from the gate to the dam for the support of fire hydrants. Currently the water lines servicing all homeowners from the gate to the dam are 4" pipes and will not support fire hydrants. Cheryl hopes that once the newsletter comes out, there will be more support for NEPP (ESO). Cheryl and Debbie hope to target preparedness in the home first. Members need to be more prepared in their homes to

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decrease the workload on the neighborhood during a time of emergency. Cheryl had hoped to hold a CPR class for those interested but could not get in touch with Tommy Baker who could instruct the class.

**OLD BUSINESS**

No old business.

**NEW BUSINESS**

1. Date for November Board Meeting – The date for the November Board meeting falls on Veterans' Day, a holiday. The Board decided to postpone the meeting by one day and hold it on Wednesday, November 12<sup>th</sup>, at the Havana Library.

2. Review Notice & Proxy for Special Meeting – The Board was given a draft copy of the Special Members Meeting Notice and Proxy that need to be mailed by the end of this week. After minor changes, it was the consensus of the Board to approve the notice and proxy. The Special Meeting is on Saturday, September 27<sup>th</sup> and the notices will be mailed by September 12<sup>th</sup>.

Member Earl Mills mentioned that with all the fallen limbs and trees from Fay members should take caution with burning.

Member Mark Palmquist complimented the Board for saving money but if the infrastructures degrade, so will our property values. He cautioned the Board to pay attention to the infrastructures, to keep them in good repair even if it meant higher assessments in order to maintain the neighborhood and our property values.

With no further business, meeting was adjourned at 9:35 p.m.

Respectfully submitted,

Debra Robinson  
Corporate Secretary

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

**September 2, 2008**

**Minutes/Report**

Meeting of the monthly Architectural Control Committee (ACC) was held on September 2<sup>nd</sup>, 2008 at the pavilion of Lake Tallavana.

PRESENT: ACC Members –Earl Mills, Pat Powell, Virginia Everett, Jim Grantham, Linda Ritchie and Linda Ortiz  
THA Members –Bobby Boatright, Rod Pigott, Corporate Secretary, Debbie Robinson.

**Approvals:**

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James & Roxann Campbell, 180 Mason Drive, submittal for a plantation style fence and gate for a portion of the property, Lot AAA-22. Street front materials will be painted, pressure treated wood constructed, post and rail. Non-street front materials will be galvanized steel mesh, metal posts and pressure treated wood. Fencing is for a dog. ACC conducted a site visit for clarification of fence location.

Fred & Vicki Yocher, 101 Tallavana Trail, submittal for tree removal that is endangering the house. Tree is diseased.

Greg & Melanie Shields, 1995 Tallavana Trail, submittal for removal of dead tree in back yard. Prior approval was given upon a site visit. Now it is on record.

Gary & Debbie Robinson, 145 Honeysuckle Drive, submittal for 12' X 26' Carolina Carport located next to garage for storage of camping trailer. Color is to be dark green. Does not come close to side buffer. ACC conducted a site visit on 9/4 and approved the submittal at that time.

***Pending:***

***Other ACC Issues:*** Linda Ortiz volunteered to draft a form for the members to use to submit their projects to the ACC. After the ACC approves the form, the form will be available on the website.

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