

TALLAVANA HOMEOWNERS' ASSOCIATION, INC.

Minutes of the monthly Board of Directors meeting held on Tuesday, September 14th, at the meeting room of the Havana Library, Havana, Florida.

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

ABSENT: Larry Jones, Neil McDonald

The meeting was called to order at 7:02 pm by President, Linda Ritchie.

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

Approval of Agenda:

Add item 3.c. Shoreline restoration, item 3.d. Bog area at pavilion, item 3.e. Cormorant distracter.

EARL MILLS MOVED TO APPROVE THE AGENDA AS REVISED. BOBBY BOATRIGHT SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

Approval/Corrections of August 2010 Minutes:

No corrections.

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

Treasurer's Report: Bobby Boatright reported the total deposit for August was \$10,627.65, routine operating expenses of \$6,740.22, no major project expense, checking account balance is \$879.44, Money Market balance is \$60,814.93 and the balance in CDs/Savings is \$95,071.27.

There were no notable expenses in August.

EARL MILLS MOVED TO ACCEPT THE TREASURER'S REPORT. MARLA GRIFFIN SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

Correspondence/Phone Calls:

1. Bobby received a call from Marla about a suspicious vehicle towing a boat that had a motor mounted on it. The vehicle proceeded to the lake so Marla called Bobby. Bobby went to the ramp to question the trespasser. There were no THA decals on the vehicle or boat. When questioned about being a guest, the guy could not be specific. He left when asked.

2. Marla called Bobby again about a truck doing donuts at the pavilion. When Bobby arrived at the pavilion there was no truck.

3. Bobby received a report of three young guys fishing at the boat ramp; their vehicle did not have a Tallavana decal. One of the young men is a Tallavana resident. He was advised to get a decal so that he would not be bothered when fishing. Bobby was called again on a different day, same scenario. A third time Tim Dove placed a call to Larry Jones about the three young men. Larry called Debbie who then called Rob. Rob went to the dock, questioned the young men, which one is a Mason Drive resident, and suggested he get a Tallavana decal for his vehicle. Rob reminded the young men of the size and bag limits.

4. Bobby reported that there have been 4-5 questionable vehicles at the pavilion area; the occupants do not appear to be residents.

5. Bobby received a call from Butch Parrish regarding an article in the Quincy newspaper about Tallavana fireworks and a plane crash. During the brief fireworks show on Labor Day weekend, a resident near the Quincy airport mistakenly thought a plane had crashed and called rescue. There was no plane crash. Side note – there were comments about the great fireworks.
6. Bobby received a call from Leonard Whatley regarding the duckweed and Salvinia asking if there was a plan to spray for the weeds. Bobby consulted with Bob Rousseau and it was decided to let the weeds freeze out instead of spraying.
7. Earl received a call about Deer Pass East; he will cover under his report.
8. Earl received an email from a resident on Hickory asking for the vegetation to be cut back from the road to improve visibility for foot and vehicular traffic.
9. Linda received emails from Mike Soprano and Frank Murphy expressing their opposition of the lake draw-down for shoreline restoration completion. Mr. Murphy felt that a drawdown would hurt the sale of his home.
10. Linda received two phone calls regarding a sign on the bulletin board for a dog wash to help rescue “bully dogs”. The sign indicated referenced a bully dog rescue website. The website implied that the dog wash was to be in Lake Tallavana. Upon further contact with the member, the dog wash was to be in Quincy and the member was asked to clarify the location on her website.
11. A personal sign was posted on the bulletin board and allowed to remain for several days. As the sign was not really meant for the entire neighborhood, Debbie removed the sign. Within a couple of hours, Linda received a very nasty phone call from the author of the sign, and he then placed a second sign on the bulletin board with a threat if removed. Linda called Scott Ivey who paid a visit to the homeowner. The homeowner apologized for his actions.
12. Mike Soprano sent an email to Board members regarding a “bird expeller” unit that blasts distressed calls of any bird that you want to leave the area. More details will be discussed under Lake Management.

BOARD REPORTS

Legal: Linda Ritchie

a. Heidenreich – Ken Abele is not having success in getting a quit claim deed signed for a portion of Tallavana Trail, Magnolia Court and Pine Top Court. He suggested that we have Owen Title pursue getting the deed signed by a representative of Ghazzvini.

It appears that Mr. Heidenreich has lost interest in the development of Pine Top Court.

The deed with full legal descriptions for all remaining roads in Tallavana has been found. The only roads not deeded to THA are those mentioned above in the 109 acres.

b. Legal Committee report: No meetings but will try to have one middle or late October.

Linda said that the Legal Committee will be looking at the laws and our governing documents concerning possible changes to our governing documents regarding time frame for liens and filing liens when a foreclosure is imminent.

Member Relations: Marla Griffin

The website had 1,218 visits in August.

Deadline for next newsletter is November 15th.

Pat Powell and Marla made several visits for the Welcome Committee. Welcome Bags were left at the home whether the homeowner was home or not. Marla reported that three of the houses on the new member list were empty.

Lake Management: Bobby Boatright & Rob Combs

a. Carp Management – no report

b. **Lake Watch** – Pat Powell: If she can arrange for a boat, Pat would like to have LakeWatch on Saturday, September 18th.

c. Shoreline Restoration – Letters will be sent to the remaining members on the shoreline restoration permit that have yet to complete their project. The members will be asked to respond whether or not they plan to restore their shoreline before the permit expires in May of 2011. Based on the results of the inquiry, the Board will then make the decision whether or not the lake is to be lowered, and if so, how much and when. Our lake biologist recommended a drawdown in October if we were to drop the lake level.

d. Bog area at pavilion – There is an area between the pavilion and lake that is fairly wet most of the time and is boggy. It is an area that has been left un-mowed because of the boggy conditions. Linda discussed the area with Diane Sheffield asking Diane what should be planned for the area. Plant varieties that do well, such as the pitcher plant, are currently planted in the bog area. The bog area will be monitored and plans revisited next spring.

BOBBY BOATRIGHT MADE A MOTION FOR THE BOARD TO ALLOW THE BOG AREA TO BE LEFT UN-MOWED AND CONTINUED AS A BOG. ROB COMBS SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

e. Cormorant distracter – Based on the information from Mike Soprano, Earl researched the website for the device that detracts birds by noise. The total cost for the number of devices needed to cover Lake Tallavana is prohibitive. Also, the noise emitted from the device could be more offensive than the occasional gunshot and or noise maker. One bird expeller covers approximately 1-6 acres at the cost of \$399-\$600 each. To cover Lake Tallavana would require 50 devices. Bobby added that in his research, he saw that this device might work on cormorants but it was not definite. The constant noise from the devices may also drive away the desirable birds.

Security & Gate: Rob Combs

Scott Ivey worked 20 hours for the Association in August and 18 hours on duty. He conducted 75 house checks and 4 traffic stops. No report from Mike Fish.

Rob attempted to contact Mike Fish but his call was not returned. Rob suggested that we begin the search for a replacement beginning with the member residents who are officers with the Fish & Wildlife Commission. Rob also suggested we send a letter to Mike thanking him for his efforts.

Linda Ritchie reminded Rob that if he felt more funds were needed for security, he should inform the Budget Committee for the 2011 Budget.

Bobby and Rob still want a meeting on law enforcement issues in Tallavana but have not yet set a date and time.

a. Speeding – Scott Ivey reported that the radar trailer is out for repair. He said that he would ask a Gadsden County Traffic Office to run radar in Tallavana with all intentions of giving citations to the offenders.

Gate – No report.

Roads, Grounds & Dam: Earl Mills (from his written report)

Magnolia Court – The ditches and shoulders are in need of repair. Earl is working on budget figures for the project.

Culvert across Honeysuckle at Tallavana - It was determined that the ditch needed cleaning further up the inflow side before we get the culvert cleaned out. Marc has already done this but the inflow ditch area is not stable enough to keep the sand from washing back in front of and into the culvert.

Large Culvert replacement across Tallavana Trail near Don Jones house – Marc has cut and cleared the weeds at the head of the culvert and the area looks stable. Bobby asked if it would be possible to sleeve and grout the existing culvert to keep from tearing up Tallavana Trail. An engineer should be consulted to see if the 30 inch culvert could be reduced to 24 inches without adverse effects.

Deer Pass East – Six bags of cold patch were put down on the portion of the hill that is partially paved. The area is still bumpy but should hold for awhile.

Weeds and saplings in 12 pipes overflow – Marc purchased a backpack sprayer and should have accomplished spraying the weeds by 9/14.

b. Dam inspection proposals – Three proposals were received and forwarded to the Board members in their packets. The proposals were from DEC Engineering, Ardaman & Associates, and Moore Bass Consulting. Scott Matteo did the last inspection in 2006 and now is with DEC. The dam inspection is to be done periodically and there is \$2,000 in the 2010 Budget for the inspection.

The proposal amounts are as follows: DEC Engineering, \$1,500; Ardaman not to exceed \$2,100; Moore Bass, \$4,500.

BOBBY BOATRIGHT MADE A MOTION TO ACCEPT THE PROPOSAL FROM DEC ENGINEERING FOR THE 2010 DAM INSPECTION. MARLA GRIFFIN SECONDED THE MOTION. IN FAVOR: ROB COMBS, MARLA GRIFFIN, BOBBY BOATRIGHT AND LINDA RITCHIE. ABSTAINED: EARL MILLS.

Earl did not wish to vote as he was the one who obtained the bid proposals.

COMMITTEE REPORTS

1. ACC:

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

Approved Submittals:

Hilton & Peggy Parrish, submittal for 10' X 16' storage building.

Gary & Debbie Robinson, submittal for removal of 2 trees.

John & Lynn Stuhl, submittal for removal of 3 dead trees and submittal for aluminum carport.

See full report attached to the minutes

b. Other ACC business: None

2. Lake Management Planning Committee: No report.

3. Budget Committee: The committee met on Tuesday, August 17th to discuss project updates. Earl had a quote from Scott Matteo on the dam inspection but will get two other bids before presenting to the

Board. The Emergency Exit is postponed until 2011. The lower portion of Magnolia Court is in need of an overlayment of blacktop. This will be done at the same time Section 3 of Tallavana Trail is paved. The Budget Committee is looking at the cost vs. effectiveness of the carp shock boat. It has been decided to wait for one more fish survey before any determination. Repairs to the D-8 pond are on hold due to the economics but there should be an increase in the budget for clean-outs. The 2011 Budget may be increased for Security to fund outside help for law enforcement and security.

The next Budget Committee meeting is September 28th.

OLD BUSINESS

No old business.

NEW BUSINESS

1. Delinquent assessments – Linda had previously asked Debbie for a report of delinquent members, bankruptcies and foreclosures. The report, in the form of a spreadsheet, was provided to each Board member in their packets.

Linda read a summary of some of the report results. As of September 7th, 38 out of 304 members owe for 3 quarters or more, which totals \$43,835.00. Of the 38 members past due, 12 members are from Mason Drive. Mason Drive residents make up 8.88% of total membership but owe 29.2% of the total delinquent amount.

The current amount of delinquency will cause the Budget committee to adjust the 10-year model accordingly for delinquent or uncollectible assessments.

Earl stated that it is the Board's duty to all other members to collect the past due assessments. Earl repeated a comment made by Larry Jones that the Board should go quickly to small claims and collect what is due. Linda read from *The Law of Florida Homeowners Associations*, which states, "When an owner is delinquent in his or her financial obligation to the homeowners association, the remaining association members assume an unfair share of the community's financial responsibilities. As a result, the board of directors should not be reluctant to use the collection sanctions which the community documents allow."

There was discussion concerning what Tallavana's governing documents allow. The Articles of Incorporation outline the collection of assessments and if unpaid for a period of 12 months, a lien is filed against the property. In keeping with the FL state statutes for HOAs, a 45-day notice is sent to the member prior to the filing of the lien.

Linda stated that she and Debbie would be meeting with Ken Abele and asked the other Board members to attend if they so desired. Linda and Debbie wanted to be perfectly clear what could be done within the state statutes and THA governing documents to affectively collect the unpaid assessments. They will turn some of the more difficult accounts to Ken for collection.

EARL MILLS MADE A MOTION FOR A RESOLUTION FOR THE BOARD TO VIGOROUSLY COLLECT PAST DUE ASSESSMENTS INCLUDING THE FILING IN SMALL CLAIMS COURT AS THE LAW ALLOWS. MARLA GRIFFIN SECONDED THE MOTION. THERE WAS NO OPPOSITION, MOTION CARRIED.

Linda hopes to have a plan of action in place by the next Board meeting.

2. Mason Drive – Earl stated that it is known that some of the members on Mason Drive are very unhappy and feels the issues need to be brought forward and discussed. He would like to propose a special meeting, moderated by a third party, to discuss problems and solutions. Earl said there are some areas that need to be addressed.

There was discussion regarding the contents of the special meeting and what could possibly be resolved with the current Restrictive Covenants recorded on the properties and a court order in place enforcing the Restrictive Covenants. Linda stated that she read the court order and discussed the contents with Ken Abele. She pointed out the court order states that any changes regarding Mason Drive must be

brought before the court. Given the statement in the court order and the Restrictive Covenants, the majority of the Board members did not think a special meeting would be productive at this time.

With no further business, meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Debra Robinson
Corporate Secretary

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

September 02, 2010

Minutes/Report

Meeting of the monthly Architectural Control Committee (ACC) was held on September 02, 2010 at the pavilion of Lake Tallavana.

PRESENT: ACC Members –Pat Powell, Kimsey Helms, Linda Ortiz, and Dorothy Ross.
THA Members –Butch Parrish, Bobby Boatright and Linda Ritchie

Approvals:

Hilton & Peggy Parrish, 2211 Tallavana Trail, submittal for 10' X 16' storage building, painted to match house colors. Location of storage building to be in side yard.

Gary & Debbie Robinson, 145 Honeysuckle Dr., submittal for removal of two trees, neither in buffer. One tree is an oak that forks less than 3feet from the ground with one section leaning over house. The second tree is a pine.

John & Lynn Stuhl, 2171 Tallavana Trail, submittal for removal of 3dead or dying trees, one endangering the house, one endangering the garage roof and the third in danger of hitting power lines. Also, a submittal for aluminum carport with green roof to match house. ACC member conducted a pre-inspection.

Pending:

Other ACC Issues: None

Respectfully submitted,

Pat Powell, ACC member
Typed by Debbie Robinson
Corporate Secretary for Tallavana Homeowners' Association