

**MINUTES OF THE REGULAR MEETING
LAGO VISTA PROPERTY OWNERS' ASSOCIATION
BOARD OF DIRECTORS**

July 12, 2007

Recitation of Authority

The meeting of the Board of Directors of the Lago Vista Property Owners' Association was held at the K-Oaks Clubhouse, 7000 Bar-K Ranch Road on Thursday, July 12, 2007 at 7:30 pm. Directors present were President David Freeman, Vice-President Ginger Halsted, Treasurer/Secretary Richard Gibson and Directors Bill Brumley and Kurt Tessnow. Also present was General Manager Terry Martin. The Directors present are authorized Directors constituting a quorum for transacting business.

CALL TO ORDER

The meeting was called to order at 7:30 p.m. by President David Freeman. We had approximately 180 members in attendance.

ITEMS TO DISCUSS

Approve Minutes (Gibson)

The minutes to the June 2007 Regular Meeting were presented.

Motion to approve was made by Director Bill Brumley and seconded by Vice-President Ginger Halsted. All in favor; minutes were approved as presented.

Treasurer's Report (Gibson)

Treasurer Richard Gibson presented the June 2007 financials.

Motion to approve was made by Director Kurt Tessnow, seconded by Director Bill Brumley. All in favor; financials were approved as presented.

Presentation (Freeman/Halsted/Martin)

- a. LVPOA Policies (Freeman/Halsted) - Overview of Policies by Freeman. Of specific note was the LRPC Survey which indicated security and upgrades to parks and park facilities were priority for members. He noted that members overwhelmingly support funding improvements through annual dues or cost-sharing, and surveys and various other sources say clubs should pay some type of fees. Halsted reviewed Member Definitions, stressing that the POA member definition has not changed, only been further defined, reviewing privileges and liabilities point by point. Halsted went on to

- review all other member definitions, including Tenant, Social Club, and Guest Members. She made special note of the fact that proposed Social Club Member fees were kept as low as possible to minimize the impact on club memberships.
- b. Recommended Bylaw Changes (Freeman) – Advised members that proposed Bylaw changes are provided for their review (see attached), and the BOD will vote on them at the next meeting.
 - c. Controlling Emerald Boat Ramp (Martin) – Advised members that four (4) lots were recently purchased for use at the Emerald boat ramp. The cost was approximately \$120K. Expected future improvements are construction of a post & cable system in order to restrict access to members only, with ingress/egress on Falcon.
 - d. The Texas Flagship – Topic removed from agenda by Freeman prior to meeting start.

Member Comments

Member, George Pond, of Camille Court requested the BOD to allow additional time to review bylaw changes and Member Buy-in proposal. Feels member buy-in indicates that POA is “for sale”. He indicates that interested parties wish to take documentation to their attorney for feedback prior to BOD voting on any changes.

Member, Don Zschoche, posed 2 questions: 1. If a property owner turns over their rights to a Tenant, will the Owner continue to have access if more than one property is owned? Halsted and Martin responded that the Owner will continue to have rights as long as the other property is not inhabited by a Tenant. 2. At the new Emerald/ Falcon property, how many trucks and trailers will it hold? Martin responded that we don’t know exactly how many, however, it has been sufficient to accommodate current usage.

Member, Walter Wendlandt, wanted to know if BOD has reviewed possible new boat ramp and other waterfront usage at 53-acre property on Santa Monica. He stated that this property was not deeded to the POA; however, it is to be used by all property owners, with POA “looking after” the property. Martin responded that this has been addressed before, and attorney has stated that posting POA park signs on private property is not appropriate. Member disagrees with attorney’s response. Freeman suggested meeting with Mr. Wendlandt next week. **ACTION:** Set up meeting between Mr. Freeman, Mr. Martin, and Mr. Wendlandt.

Member, Maureen Raymond, representing Lago Vista Citizens for Responsible Growth wanted to congratulate BOD on efforts. Requests that BOD table the voting on buy-ins; they have concerns relating to commercial properties and how to handle the number of daily/weekly/monthly rentals using POA facilities. Martin responded that timeshares, for example, have *owners*. Hotel/other rentals will not be granted access to POA facilities. Member stated that the Island is a daily/weekly rental using POA facilities. Martin reiterated that the Island *owners* have rights as *members*. Member expressed thanks to Halsted for explaining member differences in detail. Also questioned if Travis Plaza becomes PDD & goes to condo usage, how does that relate to membership? Freeman explained that no decisions were being made at the meeting, they are “only voting on policy to put in a process for a chain of decision-making”. The bylaw changes only effect allowing future decisions on *policy* to be made. Member requested that BOD do a survey with members for every development and suggested

\$3000-5000 minimum buy-in, if allowed. Also, she asked BOD to keep in mind the impact on our facilities, i.e. she stated that the pool is overcrowded with existing members. However, she encouraged BOD not to sell membership under any circumstances, to “keep our private parks private”, which was met with a round of applause. Freeman responded that the BOD will keep member’s comments in mind.

Member, John Buntz, president of one of the social clubs, wanted to know if each social club member would have to be approved by BOD as clubs do not know who is/is not a POA member in good standing. Martin responded with process for social club members which includes going into the POA office, where staff will verify status. Freeman stated that clubs provide roster for office to verify members initially.

Member, Shirley Davis, of the North Shore Heritage and Cultural Service, said they have been encouraging people from all over the north shore to become members of their organization, not just Lago Vista residents. They meet 4 times per year, with one big activity per year, and feel they are making a contribution to the community. They were told they could not reserve any dates until August 16th yet other clubs already have reservations. Martin responded that the Facilities Request Form has an early reservation paragraph noting “1st choice” for Monday through Thursday meetings times to ensure other members have access. A letter was sent to clubs and organizations that reserved any of the facilities in 2007; however, if they recently moved or were not an existing clubs in our database, they may not have received the letter. Freeman noted that this is the Lago Vista POA, not the community POA. Martin added that August 15th is the date to reserve.

Member, Betty Buntz, of the Country Western Dance Club, wanted to reserve dates. Martin responded that her date to schedule is coming up.

Member, Carla Williams, of Camille Court asked about deed restrictions and whether the City of Lago Vista supercedes the POA. Martin clarified that deed restrictions are enforceable, and if the city re-zones an area, the property owners themselves have the right to “cry foul”. It has not been the practice of the POA to enforce deed restrictions, to date, however, the POA has not given up the right to do so. As an example, he noted that with the construction of Super S, the BOD signed an agreement not to enforce the restrictions although that did not waive the rights of the residents. Member asked if Jeff Dolen has made any similar requests. Martin responded that he has not. Member requested that POA BOD help by supporting the neighborhood and enforcing deed restrictions. Freeman advised member that the BOD will take as an action item to discuss. **ACTION:** BOD to discuss support of neighborhood groups.

Member, Jim Moss, asked if the social club member can reserve rooms. Halsted responded that only property owners can reserve facilities.

Member, Glenn Overton, said fees are based on lots but condos are not on lots. Freeman responded that it’s by individual family. Response clarified when Tessnow provided Freeman copy of Article 4 of Bylaws stating “...each Lot or Tract or dwelling unit thereon...”.

Member, Sally Thompson, President of the Lago Vista Garden Club, and member of the Women's Club, stated that they have already collected dues for the following year. How to administer new policy? Halsted responded that the Social Club Member designation would not take effect until January 2008. It will be up to the Social Club Member to apply at POA office. The fee allows them to attend multiple clubs for a single fee. Member asked what to do about members who are already part of their club. Freeman stated the BOD will take under advisement.

Member, Peggy Gibson, asked who will notify the club members. Martin said a letter from the POA could be generated explaining the changes. **ACTION:** Determine need for letter, and compose, if required. Member asked which survey the BOD was alluding to in their comments. Freeman stated the LRPC survey, the two other surveys were customer satisfaction which asked basic questions about how POA is doing and has not been referred to during this meeting.

Member, Dale Mitchell, who was involved in producing LRPC survey, noted considerable effort in producing survey and tabulating results. However, he said there was nothing specifically addressing member concerns about non-members being part of the clubs. Freeman and Halsted said possible misquote or misinformation, however, every indication by members indicates that non-members using the facilities on a regular basis deserve a nominal fee paid to POA.

With no additional members waiting to speak, Freeman closed comments portion of meeting.

General Managers Report (Martin)

- a. **Painting the Fitness Center:** Fitness Center will be closed on Monday for painting.
- b. **Web Site:** Web site is down due to script used to logon, working on solution.
- c. **Facility Survey:** The facility satisfaction survey elicited approximately 26 responses from clubs.
- d. **Jet Ski Exception:** Reported that Cody Park , which is not gated, is allowing access to non-POA members. Will discontinue launching until Cody is gated, probably next year.
- e. **Flood/Restoration Plan:** Claims adjuster came out today, however, nothing has been determined yet. In addition, we estimate it will take approximately 3 weeks after water recedes to re-open parks. Freeman noted that cleanup is an overwhelming task for a small staff, and POA may request community assistance. He also mentioned talking to EMS about tetanus shots, as needed.
- f. **Bar-K Building:** If Bar-K is considered totaled, we probably cannot rebuild. Checking on restrictions.

ITEMS TO BE VOTED ON (Freeman)

- a. **Guest Policy:** See attached definition. Motion to approve made by Director Kurt Tessnow and seconded by Vice President Ginger Halsted, no further discussion. All in favor. Motion carried.
- b. **Membership Buy-In:** See attached definition. Motion to approve made by Director Bill Brumley and seconded by Director Kurt Tessnow. Treasurer Richard Gibson voted against. 4 – Yes, 1 - No. Motion carried.

- c. **Associate Member Policy:** See attached definition. Motion to approve made by Vice President Ginger Halsted and seconded by Treasurer Richard Gibson. Motion carried.
- d. **Weekend requests for Groups in 2008** (see attached document for dates):
 - 1. Seton: Motion to approve made by Director Bill Brumley and seconded by Vice President Ginger Halsted. All approved. Motion carried.
 - 2. LV Women's Club: Motion to approve made by Vice President Ginger Halsted and seconded by Director Bill Brumley. All approved. Motion carried.
 - 3. LV Artist Association: Motion to approve made by Treasurer Richard Gibson and seconded by Vice President Ginger Halsted. All approved. Motion carried.
 - 4. Hill Country Singers: Motion to approve made by Vice President Ginger Halsted and seconded by Director Bill Brumley. All approved. Motion carried.
 - 5. Lions: Motion to approve made by Director Kurt Tessnow and seconded by Director Bill Brumley. All approved. Motion carried.
 - 6. Chamber of Commerce: Motion to approve made by Vice President Ginger Halsted and seconded by Director Kurt Tessnow. All approved. Motion carried.
 - 7. LV Players: Director Bill Brumley proposed that the time be amended to include only 2 events, with an additional one scheduled after October 1st, if facility is available. Motion to approve made by Treasurer Richard Gibson and seconded by Director Kurt Tessnow. All approved, with amendment. Motion carried.
- e. **Associate Members Application:** One application submitted for approval (see attached). Motion to approve made by Vice President Ginger Halsted and seconded by Treasurer Richard Gibson. Director Bill Brumley abstained. 4 - Yes, 1 - No. Motion carried.
- f. 2006 Audit: See attached. Motion to approve made by Treasurer Richard Gibson and seconded by Director Bill Brumley.

ANNOUNCEMENTS

The next meeting will be Thursday, August 9, 2007 in the K-Oaks, at 7:30 P.M.

ADJOURNMENT

The motion to adjourn was made by Director Kurt Tessnow and seconded by Vice-President Ginger Halsted. All in favor and the meeting was adjourned.

Richard Gibson, Secretary
Lago Vista Property Owners' Association