

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

March 13, 2008

**Recitation of Authority**

The meeting of the Board of Directors of the Lago Vista Property Owners' Association was held at the Activity Center, 2601 American Drive in the Bluebonnet Room on Thursday, March 13, 2008 at 7:30 pm. Board members present were President David Freeman, Vice President Ginger Halsted, Treasurer Richard Gibson, Secretary Dave Shafford, and Director Gary Gates. 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 14 members in attendance.

**Member Comments**

Member, **Sylvia May** of Greenshore Circle, addressed the topic of the Greenshore Permanent Little League Fence which is on the agenda to be voted on tonight. She stated that their property was purchased in 1994 due to the beautiful surroundings, and was told the Park would never be built on due to flooding issues. She stated that she now has concerns about the request for permanent fencing due to the Little League's history in the Park. In the beginning, the use was supposed to be limited, but the usage has grown incrementally with 2-3 groups practicing at the same time. There are many children who come with their siblings during the time the field is in use and there is a lot of extra traffic which causes safety concerns. The games start at 8-8:30 in the morning. Last year, a permanent backstop was erected. The residents were told that the fence would come down in early June each year. Every year, she has called to remind the POA that the fence is still up. Last year, she called the POA office on 6/12 (spoke to Linda), 6/18 (Gregg), 7/18 (Gregg), 8/8 (Gregg) and 8/9 (Terry). On 8/17, the fence was removed. She said it is not her responsibility to ensure the fence is removed. Also, the Little League is storing items at the Park which they were not supposed to do. She is concerned that this usage will keep growing. If the Park is to be used for T-Ball only 2 months out of the year; why do they need a permanent fence? Another concern is who will maintain the fence. Also, why is Greenshore the only park being considered? **Mr. Freeman** asked which house Ms. May lives in. He said he went to the Park and could see only one house from the backstop; all other homes appear to have their views blocked by trees. He also asked who told her the Park would never be built on and where she would suggest the field be placed so that no one is affected. **Ms. May** explained where her home is located. She said she can see the field from her bedroom and when walking along the street. She responded that her realtor was the one who told her the Park property would not be built on. Ms. May also stated that she has spoken with Bill Dunham who suggested a modular fence as a solution for the Little League. It is a temporary fence which can be put up & taken down easily. She believes this is a compromise that works well for the neighborhood.

**Greg Hillhouse** of Lakefront Circle, representing the Little League who is requesting the permanent fence, said they have been working closely with the POA for a long time. He stated that the temporary fence was removed later than usual last year due to flooding. As for increased usage, there will never be a plan to put up lights due to the flooding issues, and want the fence for safety reasons. He understands there are some concerns about the yellow topper on the fence being an eyesore and may be able to obtain a green or black topper instead. He stated that T-Ball and Coach Pitch are the only games being played there. **Freeman:** How many children are from Lago Vista? **Hillhouse:** 188 kids total, more than half are POA member's children. Some are from Point Venture and Waterford, all in LVISD. Due to the size of the park, the older kids do not use the field. **Halsted:** How long does it take to put up and remove the temporary fence? **Hillhouse:** It takes a few hours if you have several people. **Halsted:** Do you know about modular fencing as mentioned by Bill Dunham? **Hillhouse:** I'm not aware of the fence he is referring to. **Freeman:** It sounds like something that you take down in pieces and stack up for storage. **Gibson:** Is traffic control needed? **Hillhouse:** We could use parking signs. **Gates:** What about the safety pad on top? **Hillhouse:** If it is removed, it could be a safety issue. We could look into getting an entirely black or green fence for aesthetics. **Freeman:** What is the cost? **Hillhouse:** Probably between \$2-3K. **Freeman:** For the current fence? **Hillhouse:** No, I don't remember what the current fence cost. **Gates:** Yellow does stand out and could be offensive. **Freeman:** What is the length of the season? **Hillhouse:** April, May, June roughly. **Gibson:** This poses a problem for all of us. The City of Lago Vista and Point Venture along with Travis County need to find a solution. **Shafford:** Why do you want to change to a permanent fence from the existing temporary fence? **Hillhouse:** The current fence is an incomplete fence, it won't last that long, and there are safety issues. We also need perimeter fencing for safety reasons. It also could become a cost issue.

At this time, another member weighed in on the topic of Greenshore Park. **Eddy Trevino**, who owns a lot on Greenshore Circle, stated that the ball field is in direct line of sight for their property. He and his wife oppose the placement of a permanent fence. He said the issue is "incrementalism". First, the field was to be used only for T-Ball, then they added Coach Pitch; first only on weekends, then weekdays; then a fence was erected, now parking has become an issue. The next step appears to be signs and then placards for advertising. **Freeman:** The number of people living in Lago Vista is going to increase over time. Parks are where kids play. If you buy a house near a park, you should expect the park to be used. **Trevino:** But it shouldn't be dedicated to only one use, it should be available for multiple uses. **Freeman:** Where do you recommend we put the kids and the ball field? In other parks? **Trevino:** Not all parks have homes backing up to them. **Gates:** In our survey, members respond they want restrooms, gates, gazebos, etc. If we put up those things, it may block someone else's view. **Trevino:** Greenshore Park, in its entirety, should be used for multiple purposes. Other parks have multiple purposes. We agree with having a modular fence for the season. We should get the highest and best use for the park. **Hillhouse:** Many of us would like to see a ball field available for year-round use. **Freeman:** The problem here is that there are currently no City or County facilities. However, we are working with the City to develop a Memo of Agreement; with the POA representing the interests of the membership. **Halsted:** We are all concerned about what we can offer to the children. There is a huge deficit for kids in the area. We need to look for compromises. **Mays:** We were teachers so we obviously have no problem with children. Please

refer to the first sentence in our letter: “First, we want to make it clear that we do NOT have a problem with the children using the park for baseball “practice”.”

Member, **Dan Hernandez** of Little Lane, then addressed the Board to speak on behalf of opening up the Bar-K gates on Saturday from 8 a.m.-5 p.m. for soccer games. He represents the Lake Country Youth Soccer Association. Mr. Hernandez stated that they currently serve 120-130 kids per season, with 95% of them being POA members. He stated they are adding more volunteers which will also include more POA member involvement. The season is from March through May and September through November each year. He stated that they have made an agreement with CPI to exchange hosting duties between two fields and have guests attend. In the past, they stationed parents at the gates between 8:30 and 4:30 and escorted visitors out after the games. Now, they are facing the prospect of having grandparents walking several hundred yards or be unable to get in to see the games. They want to be hospitable and welcome the soccer families to the area. **Martin:** After the survey results were in, it was obvious that security needs to be done by POA staff. The member-handled security has not worked in the past. Non-members will be asked to park on the side. We have a policy in place to ensure that those with special needs can be accommodated. **Gibson:** There is a problem with parking on the east side of the field, also with soccer balls going into the lake. Parking in general, and kids running in and out is a potential safety issue. **Martin:** We will be installing post and cables to delineate appropriate parking areas. **Mary Feagin-Phillips** of Country Club Drive, stated that they knew that balls going into the lake was a problem and had asked permission to hang netting last year but were refused. **Gibson:** I am concerned that a child will get run over. **Phillips:** We now post a parent to retrieve the balls.

Member, **Brad Carter**, asked what happened to the gate at Cody Park. **Gibson:** It was torn up again and we got tired of fixing it. **Carter:** Also, I understand one of the attenuators was sold; did we make any money on it? **Gibson:** No, we lost money. However, we sold it for \$55,000 and put that money directly towards the marina debt.

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

## ITEMS TO DISCUSS

### Approve Minutes (Shafford)

Secretary Shafford presented the Minutes from February 2008 Regular Meetings for review.

Motion to approve was made by Mr. Gates and seconded by Ms. Halsted. All in favor; minutes approved as presented.

### Treasurer's Report (Gibson)

Treasurer Gibson presented the February 2008 financials. Mr. Gibson reviewed the finances and summarized 2008 income to date. He stated that we are in a good financial position. Although March is a big hit for POA expenses, such as insurance at approx. \$64,000, etc.; we expect to finish 2008 with \$500-600K to start next year. We have had \$334K in total expenses to date. The K-Oaks loan is due to be paid off in September 2008. The ability to make more improvements while maintaining financial stability is partially due to the increase in annual assessments. Mr. Freeman asked when the audit will begin. Mr. Martin responded that it will be the end of April/early May timeframe.

Motion to approve was made by Mr. Gates and seconded by Mr. Shafford. All in favor; financials were approved as presented.

### General Managers Report (Martin)

- 1. K-Oaks Upgrades (\$16.2K):** The building at K-Oaks has undergone several improvements recently, including new furniture, new flooring and an upgrade to the sound system.
- 2. Activity Center Upgrade (\$14.6K):** The floor has been replaced and new tables will be purchased. The painting is in process and is being done by staff as a cost-savings to the members. (Painting at K-Oaks was also done by staff.)
- 3. Emerald Park Progress:** The survey is done. We found that we have more property than we thought we were buying with the total acreage being 3.44 acres. Documents have been provided to the City for Release of Easement, Re-Zoning, and Lot Consolidation. Requests for (3) Utility Release of Easements is also underway. Once all requests have been granted and the park has been established, gates along with post and cable systems will be installed. Street parking will be prohibited by the City of Lago Vista.
- 4. Easter Sunrise Service:** This yearly event has been approved.
- 5. Turnback Regatta:** The BOD is willing to host the event if a POA sponsor can be found.

6. **Vehicle Stickers:** The primary response from the member survey was to have members only in our parks so we are asking everyone to display a window sticker on their vehicle. This quickly tells not only the POA staff but also other members that you have a right to be there. If you are not displaying a window sticker, the Park Rangers will challenge you.
7. **Barge:** For the first time in its history, the POA working barge has now been brought up to code with Texas Parks and Wildlife Department. TX numbers have been issued and insurance is currently being written for adequate coverage.

### **ITEMS TO BE VOTED ON (Freeman)**

**1. Phase One of Two Phases for the Bar-K Clubhouse:** Ms. Halsted explained that the Clubhouse has flooded 3 times and will not be re-built in the same form. In order to get part of the building back in service, it is recommended that the Johnson Room be given priority. The building has already been gutted to some degree. The plan is to eliminate any water-soluble products in the building and install energy-efficient windows. Since a portion of the \$45K insurance money has been spent already, she requests the BOD consider using part of the year-end projected excess funds for renovation of this building. She hopes to have the Johnson Room ready for use by the time the swimming pool opens. **Mr. Gibson** requested the scope of the Johnson Room project be detailed for the BOD and not involve any additional monies. With that caveat, a motion was made by Mr. Gates and seconded by Mr. Gibson to proceed with work on Phase One of the Clubhouse. All approved, motion carried.

**2. Employee Health Benefits Change from Conventional to Health Savings Account & include Limited Family Benefit:** Mr. Martin provided some background on the recommendation to change the Health Care Benefit for employees. The existing plan is a traditional plan and the costs as well as the deductible are going up. The cost to continue on traditional insurance is projected to be \$63K for the year. Due to the increasing costs, Mr. Martin and Mr. Gates investigated various plans. They found that a Health Savings Account (HSA) appears to be a much better option at \$50K per year. Mr. Martin provided the BOD with a handout outlining the costs (see attached) and reviewed the estimates for each option. A recommendation has also been made to use the savings between the traditional plan and the HSA to partially fund a family insurance benefit. This would be paid directly to an insurance company of the employee's choice and not to the employee. **Freeman:** It makes sense to provide better coverage. In looking at the City's benefits, there is no waiting period. The POA used to require a minimum of 2 years service, now it requires 6 months. **Gates:** The out-of-pocket expense is the same. If we stayed with the traditional plan, it would be more money. This way, the POA has no more exposure and the employee has money available for medically-related expenses. **Gibson:** What is the definition of seasonal employee coverage? **Martin:** I went to the insurance company and a Human Resources Specialist (who has worked for Parks Services for 30+ years) for advice. They both stated that seasonal employees are eligible for benefits. The City has regular part-time employees and 90-day swimming pool employees. These are considered part-time status. Seasonal status is more than a

six-month period. As long as the employee works 30 hours or more, per week, then it appears that we have regular full-time employees, plus one seasonal employee, who are eligible. (See attached for legal explanation.) The POA's seasonal employee in question has already been covered by health benefits and offered other benefits, as have all full-time employees. **Freeman:** Can benefits be paid to a family outside the U.S.? **Martin:** The money is paid to the insurance company. **Gates:** The insurance coverage is only good within the confines of the U.S. Medical care outside the U.S. is not covered. This is the case for everyone. If you are traveling in the U.K., Canada, etc., your insurance doesn't cover you, you pay cash. Additional medical insurance coverage can be purchased, independently, by persons traveling outside the U.S. **Freeman:** The person in question has been a dedicated employee for 15 years. We want to be sure that we do the right thing. **Gibson:** To include coverage for seasonal employees? **Freeman:** Yes. **Martin:** The insurance benefit is only offered to employees who work 30 hours or more per week. **Gates:** We need to move ahead due to the deadline. I move to approve, after an evaluation of the Scott & White HSA plan versus the Blue Cross/Blue Shield HSA. **Gibson:** When will the decision between the two be made? **Martin:** Quickly. If it looks like the Scott & White program is better and costs less, we'll move ahead. **Gibson:** When will it be back before the BOD? **Martin:** It won't, if the decision here is to approve an HSA plan. The motion to approve an HSA was seconded by Ms. Halsted. All approved, motion carried.

**3. Greenshore Permanent Little League Fence:** Based on member comments, Mr. Freeman tabled the vote until Greg Hillhouse can explore the option of modular fencing for use during the season only.

**4. Leash Policy with Fines:** Mr. Martin explained that City ordinances state that a dog must be on a leash unless it is in the lake (which is an LCRA policy). Last year, it was determined that this ordinance needs to be strictly enforced. The POA staff has exhausted ways to let members know of the ordinance (in addition to cleaning up after the dogs). At this time, it appears that fines are in order to enforce the law. The issue is not to hand out fines but, to get people to comply with the ordinance in place. The first step will be an information blitz, with Park Rangers handing out information, putting a notice into the newspaper, etc. The second step will be POA staff issuing a \$25 fine. The third step will be to turn it over to the City who will write a misdemeanor ticket (with a much higher fine). In the future, we may be able to have a "Bark Park" or a place to let dogs run without a leash but a park is not available at this time. The motion to approve the enforcement of the Lease Policy with fines was made by Mr. Gibson and seconded by Mr. Gates. All approved, motion carried.

**5. Soccer Request to Leave Gates Open on Saturdays:** This request was partially addressed during the Member Comments portion of the meeting. In addition, the following concerns were expressed by members of the BOD: Members have indicated they are not in favor of open parks; based on past experience, non-POA members are aware of open gates and we have an access situation with potential liability. There remains an issue with getting people with special needs to the field.

**Mr. Martin** states that we have procedures to accommodate these special needs. A motion to reject the request for gates being open from 8 a.m. to 5 p.m. on Saturdays was made by Mr. Gibson and seconded by Mr. Shafford. All in agreement, motion denied.

**6. Soccer Camp Proposal:** Mr. Martin presented the Soccer Camp request (see attached). Mr. Freeman added that the BOD was considering allowing the request with the stipulations that the attendees be at least 50% POA member children, and a \$500 fee be incurred for the use of the park and the pool. A request to limit the hours for the pool use to 9-12 instead of 10-1 was also under consideration. Mr. Martin stated that he had spoken with the Camp organizer who said that he guaranteed 100% would be POA member children, and the \$500 fee was acceptable, as is the change in pool hours. The organizer also noted that it is the best field in the area and others are asking for \$1000 fee. Mr. Shafford stated that as long as the organizer will make repairs to any damage caused to the field, and if the children are all POA members, there should be no fee. Ms. Halsted made a motion to approve with no fee, contingent to 100% member participation and damage repairs to field, if any. The motion was seconded by Mr. Shafford. All approved; motion carried.

**7. Delinquent Member Card:** Mr. Martin explained that there are some POA members who have not paid their annual assessments for years. The POA staff has used various ways to collect, and the attorney recommended in the past that we publish the names of people who do not pay. However, the first step is to notify them of what will happen if they continue to be delinquent. The proposal before the BOD is to send a postcard (see attached) which states that a publication of names will be a possible consequence in addition to other methods of collection. A motion to approve the postcard was made by Mr. Gates and seconded by Mr. Gibson. All approved, motion carried.

### **OTHER BUSINESS**

No other business was discussed.

### **ANNOUNCEMENTS**

The next meeting will be Thursday, April 10, 2008 at 7:30 p.m. in the Bluebonnet Room of the Activity Center.

### **ADJOURNMENT**

The motion to adjourn was made by Mr. Gibson and seconded by Mr. Gates. All in favor and the meeting was adjourned.

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Dave Shafford, Secretary  
Lago Vista Property Owners' Association, Inc.