

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

September 10, 2009

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, September 10, 2009 at 7:30 pm. Board members present were President David Freeman, Vice President Gary Gates, Treasurer Richard Gibson, Secretary Dave Shafford and Director Ginger Halsted. The Directors present are authorized Directors constituting a quorum for transacting business. General Manager Deborah Sorchevich was also in attendance.

CALL TO ORDER

The meeting was called to order at 7:30 p.m. by President David Freeman. Twelve (12) members were in attendance.

OPEN FORUM

Mr. Freeman opened the Member Comments portion of meeting.

Jamileh Noshari introduces herself and states that she is here to discuss the lots which she had purchased on the Courthouse steps. She was shocked about the amount of transfer fees being charged and states that she was not aware that the POA existed. It is her belief that payment of the transfer fee is the responsibility of the seller and not the buyer, and, therefore, since her properties were purchased at the Courthouse, she should be exempt from paying the transfer fee. Ms. Noshari also believes that the POA should have prorated the lots she purchased in the month of December. **Mr. Gibson** stated that the Board had reviewed her account at the September Work Session and, based on the information reviewed, the Board had reached a decision not to reduce the fees. **Ms. Noshari** states that she feels the Board is not being fair.

Frank Noshari introduces himself and states that his research shows that transfer fees are paid by the seller. **Mr. Noshari** also asks for an explanation on the increase of transfer fees from 2008 @ \$25.00 to 2009 @ \$300.00. **Mr. Freeman** and **Mr. Gates** both explain that the Board believes the transfer fee increase is warranted due to time spent by the Admin. Research staff and also the belief that the new member is purchasing more than a lot, namely into the assets of the LVPOA as a shareholder. Mr. Gates also explains that some responsibility is on the part of the buyer to gather information about the lot(s) they are about to purchase. **Mr. Noshari** states that he feels the Board is making a mistake and that sales are being lost because of the amount of the transfer fee. **Mr. Freeman** states that the Board's decision about the transfer fees is final. **Ms. Halsted** states that it would be unfair to make an exception for these accounts, while other members purchasing property are required to pay, and do pay, the transfer fee.

Don Zschoche introduces himself, on behalf of the Lion's Club, and asks the Board for its continued support in supplying ice from the K-Oaks for use at their fundraisers, as stated in a

letter received at the Admin office earlier in the week. **Mr. Freeman** states that a response letter is in the mail regarding the denial of their request. **JoAnne Molloy** introduces herself and states that it was her understanding that the Lions would take no more than 1/3 of the available ice at one time. **Ms. Halsted** explains that the Board had concerns of unfair treatment to other clubs if the same was not allowed for their fundraisers. The other concern is the members who have the clubhouse reserved on the weekends and the effect it could have on their functions. Ice would need to be available to those members, without the risk of running low or completely out, especially, if more than one club was taking ice out at one time. Overall, the Board felt it would not be setting a good precedent and, therefore, stands on its decision to deny the request. **Mr. Zschoche** thanks the Board for its previous support.

Lucia Stan introduces herself and states that she is also here to discuss the amount charged for transfer fees and the fact that non-resident members pay the same amount of assessments as resident members. Ms. Stan feels that both fees should be reduced. Ms. Stan also believes user fees should be implemented. **Mr. Gates** states to Ms. Stan that she purchased the properties as an investment. The POA is not out to make money. The POA is a non-profit organization that is just trying to provide services to its members. **Ms. Halsted** states that there should not be exceptions made in these cases because all other property owners are subject to these fees. **Mr. Freeman** states that the Board also reviewed Ms. Stan's account at the September Work Session and reached the decision not to waive fees.

Kevin Lord introduces himself and states he is here to bring awareness to the ball moss issues at Bar-K Park. His concern is that we will lose the trees, which are irreplaceable. **Mr. Freeman** states that discussions are taking place about how to best take care of the situation. **Ms. Sorchevich** states that a couple of the options on the table, at this time, are rather expensive, but assures Mr. Lord it is going to be an item in next year's budget. **Mr. Lord** also wanted to bring it to the General Manager's attention that he has witnessed POA employees not observing the 20mph speed limit on Bar-K Ranch Road, prior to the entrance to the park. **Ms. Sorchevich** thanked Mr. Lord, stating that she will look into it. Mr. Lord also talks about additional cleanup along the shoreline of the Bar-K Park that is needed, particularly, the rusted cables lying on the ground. **Mr. Freeman** thanks Mr. Lord for his comments.

With no additional member comments, this portion of the meeting was closed.

MINUTES (SHAFFORD)

Secretary Shafford presented the August 2009 Minutes 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)

Mr. Gibson reviewed the Treasurer's Report which was also provided in the handouts for all attendees. He states the 2009 total year-to-date expenses exceed 2008 by \$208K. The 2009 income slightly exceeds 2008, stating the major sources of income continue to be member dues, marina dues, and transfer fees. He gave the current status of the Certificates of Deposit, Income and Expenses. He ranked the Expenses YTD with Corporate, Administration and Parks at the

top. The original 2009 Budget was \$360K and has been amended to \$395K due to substantial Capital Projects. He noted the substantial projects recently completed as Bylaw revisions, gate-installation upgrades, marina moves and the extension of the low-water boat ramp @ Marina Park. Bar-K reconstruction is nearing completion. Total checking/savings is currently at \$493,913 with a Year-End Cash Projection estimated at over \$241K. He concluded the POA is in a “good” financial position. His recommendation is to delay the additional Marina principal payment until 1st quarter of 2010 in the amount of \$175,000. In addition, Mr. Gibson recommended that the cash reserves for next year, be increased from 200K to 500K.

No questions or comments arose from the BOD. Mr. Gates made a motion to approve the August 2009 Financials and was seconded by Mr. Shafford. All in favor; financials were approved as presented.

GENERAL MANAGER’S REPORT (SORCHEVICH)

- 1. Marina Update:** Currently, there are no plans to move the marina again. Placing it further out into the main river channel will make it vulnerable to damage when moving should the river rise quickly.
- 2. Boat Ramps Update:** The low-water ramp at Marina Park has been extended an additional 8-9 ½ feet. Emerald boat ramp continues to remain open, but 4-wheel drive and caution is recommended. Additional caution signs will soon be posted.
- 3. Vista Villas:** Vista Villas is a subdivision that was not within the original platted area of the POA. Within the past three years, approximately, \$6,879.00 has been spent by the LVPOA in researching the correct avenues to take to bring Vista Villas into the POA. There are two options left to discuss, concerning the legal implementations and the Board would like to schedule a meeting with Vista Villas to discuss these options.
- 4. Ice from K-Oaks:** This item was discussed during open forum.
- 5. Ranger Program:** A new Ranger Program is continuing to be developed and the POA invites suggestions and/or concerns from the membership. Our goal is to have more Ranger visibility in our Parks.

OTHER BUSINESS (SORCHEVICH)

- 1. Storage Shed @ K-Oaks:** It has been suggested to Board that we should review the existing lease agreements with LV Players and HC Singers. One of the leases is due to expire in October. Discussion should take place on whether to renew or renegotiate these contracts. **Ms. Halsted** is concerned that the HC Singers is paying rent on the shed that is mostly occupied by the LVPOA. **Mr. Freeman** notes that the contract states that the HC Singers would have the shed in totality. **Ms. Sorchevich** reiterates that the LV Players’ contract expires in October and now is the time to discuss renegotiations, renewal or non-renewal. **Mr. Freeman** states that the Board would like to table this for now and discuss this at a later meeting.
- 2. Executive Session:** At this time, Mr. Gibson makes a request for an Executive Meeting Session immediately following this Regular Meeting. **Mr. Freeman** agrees to the Executive Meeting.

3. **LCRA Boat Slip:** The Board had agreed to allow the LCRA use of a boat slip in our marina, at no cost. Today, we received a message from LCRA stating that, according to their Bylaws, they are required to pay for the slip and would like to pay their full-year's lease in one payment.

ITEMS TO BE VOTED ON (FREEMAN)

Event Approval – Fundraiser for Josh Tarvin: Mr. Freeman states that Mr. Tarvin is a LVISD graduate who is in need of a kidney transplant. Community organizers have asked the LVPOA Board for permission to use the Bar-K Park for this fundraiser. Mr. Gates makes a motion to approve the use of the Bar-K Park. Mr. Shafford seconds the motion. All in favor, the motion is passed.

OTHER BUSINESS (GATES)

Mr. Gates asks that the Board consider looking at some of our other Parks as venues for some of these future events, stating that too much pressure is being placed on one location.

ANNOUNCEMENTS

The next meeting will be Thursday, October 8, 2009 at 7:30 p.m. at the Activity Center Bluebonnet Room located at 2601 American Drive.

Also, Candidates' Night will be September 21, 2009 @ 7:00pm at the K-Oaks Clubhouse at 7000 Bar-K Ranch Rd. There are questionnaire boxes located at LVPOA Administrative Office and the Library for members to submit their questions for the Candidates.

ADJOURNMENT

The motion to adjourn was made by Dave Shafford and seconded by Gary Gates. All in favor and the meeting was adjourned.

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