

# Land's End Homeowner Association

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## Minutes of Board of Directors Meeting

April 27, 2003

The Board met at 3:00 p.m. on this date at the home of TJ Henshaw. In attendance were Directors TJ Henshaw, Jack Essex, Jan Hudson, Joe Munsch and Dennis Schirato; also Barb Henshaw and Bob Anderson, Input Committee chairman. Minutes of the February 23, 2003, Board meeting had been distributed for review on 2/27/03 and were approved as recorded.

TJ brought the Board up to date on the following issues:

- The Association's application for Federal Tax Exempt status has been approved by the IRS. Tax savings have already amounted to \$1300, more than offsetting the \$500 application fee. Federal returns and state Franchise Tax returns had been filed on time.
- As a follow up on the power plant issue, he informed the Board that FERC had approved a preliminary permit, but that the company receiving the permit had been called to Washington to answer concerns from FERC about the large number of preliminary permits that had never been acted on.
- There have been two additional conversations with Bill McKenzie on 3/28 & 4/21 about removing the floating dock. TJ offered to assist and to tow it away, but Bill has failed to follow up on his promise to have it removed. TJ asked Joe to follow up with Bill one last time and establish a "drop dead" date by which it must be gone, otherwise the Board would have it disassembled and removed. Joe and the Board agreed.
- A \$50 discount has been negotiated for all Land's End residents on annual aerobic inspection contracts. HOPCO in Sulphur Springs was the only company certified on all our systems and had agreed to the lowest price of \$125/year. Residents have been informed of this option.

The discussion then centered on the Association's web site. Paul Tibbits had responded to TJ's inquiry about adding on to The Links' web site by recommending the Association establish it's own site and link to theirs. He expressed concerns about the additional costs and keeping them separate; different styles and consistency of image; and access to editing privileges. TJ reviewed other options, including (a) free hosting of standard site that includes extensive advertising; (b) professional site development and hosting for about \$45-55/month; or (c) self development with monthly hosting charges of \$10. Both options (b) & (c) would permit our own domain name and would provide the most access and flexibility over design and content. Joe wanted to talk to Paul again about having The Links incorporate the Association's site into theirs. TJ distributed a list of ideas (included) for web site content and asked each Director to review and comment on his suggestions, and to e-mail their own ideas and other feedback relating to the proposed web site. Web site content, functionality, development and hosting options will be discussed further at the next Board meeting.

Bob Anderson presented the Input Committee's recommendations for changes to the CCRs. He discussed the Committee's three meetings, attendance at meetings, and their review process. He delivered minutes of Committee meetings to the Secretary for filing and a copy of their final recommendations (included). Overall, the Committee recommends a new document be written

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and adopted to replace the current Phase I, II, & III CCRs, and the Bylaws be amended to conform to the replacement document. This new document would remove all references to "Evergreen" as the developer and replace them with Joe's company name, and would update all other references to reflect the current status quo. Bob then conducted a line-by-line review of the Committee's recommendations, during which the Board asked questions. Jack asked if Brad McCampbell believed any of the proposed changes were necessary from a legal standpoint, or if there was anything in the current CCRs that Brad felt should be eliminated from a legal standpoint. Bob replied there was not and that there was very little "legal" input on anything, except that the Bylaws will need to be revised to remain consistent with new CCRs. When asked why the Committee wanted to exclude Board members from the ACC, Bob replied they felt too much power was concentrated in too few people. At the end of Bob's presentation and Q&A he departed and the Board began a discussion of the Committee's recommendations.

Each Board member was asked to identify any *significant* issues that immediately came to mind. Concerns were:

- a) Separating the Board and the ACC;
- b) Board would be responsible for enforcing ACC decisions, but have no input;
- c) Changing the developer to Joe;
- d) Allowing bright lighting, even on docks;
- e) Making changes to the CCRs that have no practical effect;
- f) Possible liability for Board to eliminate requirement for insurance; and
- g) The "all-or-none" approach to the Committee's recommendations.

There was a consensus opinion among Board members that the Committee had gotten off track from the original purpose discussed at the Annual Meeting. Their objective was to recommend *needed* changes to the CCRs, but their focus was more on reducing the Board's authority and on the actual wording of the document. The Board decided to take more time to study the impact of each proposed change. Each member will perform a line-by-line review of the recommendations and take a position *yea* or *nay* on each one. Another meeting was scheduled for June 1<sup>st</sup> at 1:00 p.m., at which the Board will adopt a position on each item and will then review their joint position with Bob at the July 6 Board meeting. Three issues were identified that require action:

1. Transfer title of common property from Joe to the Association;
2. Clarify that Joe is not the *developer*, which can be accomplished by transferring developer status to the Association; and
3. Clearly defining minimum setbacks for lake and golf lots.

In other issues, Dennis requested permission for temporary parking on the roadway and to set up tents for a family reunion on June 14<sup>th</sup>, which was approved. Jack expressed a concern about golf carts blocking the road during staging for tournaments, which Joe will address with Justin. Jack also suggested a neighborhood welcome for Chad Cada when he returns from Iraq. Carolyn Musgrave will be asked to coordinate this and Dennis offered to donate hamburgers and hot dogs. There being no further business the meeting adjourned around 6:00 p.m.

Recorded by Barb Henshaw