



Land's End Homeowner Association

Minutes of Board of Directors Meeting

April 4, 2009

The Board met on this date at 3:00 p.m. in the Community Room of the LEVFD. In attendance were HOA Directors TJ Henshaw, Joe Munsch, Jim Tucker and Brad McCampbell. Tony Brill was absent. Barb Henshaw secretary was also present.

The board reviewed and approved the ACC application for a new Pavilion to be built next to the pool. The facility will be around 5,000 sq. ft. and will include a food prep area, storeroom, large deck and nearby gazebo, all to enable the Club to host weddings and larger events. They also approved the enlargement of both parking areas.

TJ informed the board that Kory Banning (L-73) was delinquent on the Annual Assessment and lot clean-up. TJ had tried to contact the owner at his last known address via certified mail (returned undelivered), by telephone (disconnected) and by e-mail (no response). TJ will continue to try and contact this owner, but meanwhile late fees will continue to accrue and at some future point we may have to take additional steps to collect.

TJ said Dale Mason had contacted him for clarification on whether any fencing was allowed for protecting trees and flowers from deer. Our CCRs and Policies currently do not provide for such fencing, however, a great many people are putting up different things to protect from the deer. TJ showed photographs of both good and bad attempts to protect plants and asked the board if we should adopt a standard to permit them, or should we have them all removed. The board agreed we needed this protection and should adopt a uniform standard for the neighborhood. TJ had consulted with Dale and Vanetta Plumlee about what would/would not work and what might be appropriate and presented a draft policy resolution they felt would work and be acceptable. The board adopted a draft of Revised Policy Resolution # 5 (attached) for circulation and comment after adding a sunset provision at which time the board would revisit the policy to determine if it should continue.

At this point in the meeting, Joe requested the board discuss and try to find a solution to a major problem that Merion Reynolds is causing for Lee & Missy Knight that was beginning to spill over into the neighborhood and the Club and has the potential to cause great harm to the entire community and



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to the Club. Joe read the CCRs Section 6.8 Offensive Conduct; Nuisance, and cited the great distress that the Knights are under because of the actions of Mr. Reynolds. At this point, TJ said he had received an official complaint about this very subject from Missy Knight and shared that complaint with the board. Brad McCampbell told the board that someone in his law firm represented the Knights in an ongoing legal action between the two and that he would not participate in any discussion nor vote on any action in the matter. The remainder of the board understood and agreed with Brad.

After much discussion regarding both sides of this dispute, all the remaining board members agreed that, if true, the allegations made by Missy Knight about the conduct of Merion Reynolds would constitute a violation of Section 6.8 and board is obligated to follow up, the same way they followed up on the original allegations made by Reynolds against Knight. They all agreed that the dispute between these two owners is getting out of hand and has the potential to erupt into a full scale "war" that could become extremely divisive and mean spirited. Should Land's End develop a negative reputation it would become a less desirable place to live and both property values and the quality of life would suffer as a result. The remaining board members agreed to send a letter to Mr. Reynolds in an attempt to (a) determine if the actions alleged were true; (b) if so to insist they immediately stop; and (c) make an appeal for ending the dispute before it causes harm to the Land's End community. The remaining board members agreed that, out of respect, all three of them would personally deliver and discuss the letter with the Reynolds in an attempt to reach a solution to this matter.

Regarding the original complaint, the board concluded that Lee Knight is complying with the CCRs Section 6.2 and with the board's request to end the public commercial activity at the Knight residence; and that Reynolds is using a very narrow interpretation well beyond the intent of this provision to punish Knight. TJ was aware of at least a half-dozen owners whose hobbies or other activities could easily be viewed as "commercial activity" under such a narrow interpretation and they could also become targets. TJ told the board he had researched many other Texas HOA's and found one near Austin (with homes starting at 2 million) whose CCR provision regarding residential use was written in such a manner that it provided a detailed description of exactly what would and would not be permitted. He recommended the board adopt a new policy resolution that would provide clear guidance on the intent of Section 6.2 and how it would be enforced, and suggested we incorporate the standards defined in those CCRs into our policy. The remaining board members agreed and adopted draft Policy Resolution #11 for circulation and a seven day comment period.



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Based upon the comments received and after any needed revisions, the board would vote on the final versions of both policy resolutions via e-mail.

Meeting adjourned at 5:00p.m. to the Reynolds residence.

6:45p.m. Addendum: The three board members met with Mr. Reynolds for a short period of time and shortly Shirley Reynolds joined the group and a very heated discussion ensued. The HOA was threatened with a lawsuit and ordered out of the house.