

# Land's End Homeowner Association

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## Minutes of Board of Directors Meeting

June 1, 2003

The Board met at 1:00 p.m. on this date at the home of TJ Henshaw. In attendance were Directors TJ Henshaw, Jack Essex, and Dennis Schirato; also Barb Henshaw. Minutes of the April 27, 2003, Board meeting had been distributed for review on 5/4/03 and were approved as recorded.

After TJ advised the Board that Bill McKenzie had removed the floating dock from Land's End, the first order of business was to address the three issues requiring action from the 4/27 Board meeting, i.e., transferring title of Common Areas, clarifying "developer" status, and defining minimum setbacks. Since these items directly involve Joe Munsch, action was postponed until he could participate. The web site discussion was also tabled until the July 6<sup>th</sup> meeting. After some discussion, a detailed review of the Input Committee's suggestions and the scheduled vote on each recommendation was also postponed until Joe could participate.

A permit application was approved for Jack Essex (L-62) to construct a fire pit, horseshoe pit, and trash containment area. A permit application was denied for Ed Hale (L-67) because the home is too large to maintain a 50 feet spacing between the homes to be built on either side lot. A permit application was approved for Rocky Gray (L-8) for a site plan and to construct a home, mailbox and driveway.

The meeting was temporarily adjourned at 3:00 p.m. and reconvened at 6:30 p.m. on Thursday, June 5<sup>th</sup>. The above Directors and Joe Munsch participated on Thursday where action on the above permit applications was reviewed and confirmed.

A discussion was held regarding transfer of ownership of the Common Areas from Joe to the Association. TJ will ask Don Robert's Abstract & Title Company to prepare a warranty deed for the roadways as shown on all plats, for the main entrance and for the boat ramp, which will be executed upon completion. Joe said the repair of the boat ramp had not been done properly and that it still needs some work. TJ brought up the issue of extra traffic created by The Links and that there was no provision for them to share the cost of maintenance to the roads. Joe thought it was reasonable that The Links should have an ongoing responsibility, and a formal agreement will be worked out later. As a follow up to comments Joe made during the 4/27 meeting, TJ asked Joe how he wanted to clarify his status as "developer". Joe replied he would discuss this with his lawyer and get back to the Board later.

The Board unanimously adopted the following lot setback guidelines to remain consistent with those already being used: side setbacks of 25' on Lake lots and 20' on Golf lots, front setbacks of 50' from the street, and no rear setback. The objective is to achieve 50' spacing between homes, and flexibility for the Board to make appropriate adjustments. TJ will draft a Policy Resolution for approval by the Board and circulation for owner comment, with final adoption scheduled for the July 6<sup>th</sup> Board meeting.

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The Board then discussed the Input Committee's recommendations. Each Director came prepared to vote "yes" or "no" on each item and Jan Hudson sent her written comments to be considered. In votes on the individual recommendations, the Directors rejected 4-0 (with Jan's comments in agreement) proposals to:

- (a) rewrite the CCRs and update all historical references to current status (*because it's not necessary and serves no purpose*);
- (b) eliminate Directors from the ACC (*because Directors are the elected representatives of and accountable to the members and can be removed by the members at any time*);
- (c) eliminate requirements for written approval by the ACC before starting improvements and requirements for approval of site plans (*prior approval assures owners of conformity with the deed restrictions*);
- (d) permit mercury vapor lights on docks (*because most master bedrooms face the lake*);
- (e) eliminate use restrictions in Section 6.12 regarding fences, screens, awnings, etc. (*inappropriate to eliminate supervision of these improvements*);
- (f) prohibit fuel storage tanks (*currently in use by and necessary for The Links*);
- (g) eliminate owner's responsibility to maintain fire and casualty insurance on improvements, and to maintain comprehensive liability insurance (*because the act of eliminating the requirement for insurance might, in itself, make the Board liable*);
- (h) eliminate the requirement for an accounting of the assessments against each lot (*owners have a right to know who's paid and who hasn't, and standard accounting principles make this necessary*).

All Board members agreed that some of the recommendations regarding requirements for ACC approval had never been asked of any owner, and that the Board had no intention of getting involved in those areas. These suggestions were consistent with views expressed at the Annual meeting, and that eliminating the requirement for prior approval should address those concerns. Jack made the point that the CCRs are a "historical document" which should not be rewritten as though the original developer had not existed. TJ informed the Board that amending the CCRs would require the votes and signatures of 75% of all members, and the reason the hurdle is so high is to protect owners who purchased their property partly because of the restrictions. He suggested the Board could accomplish the same thing through a policy resolution, which could be adopted much easier than attempting to amend the CCRs. The Board agreed and TJ will create a draft resolution for Board's approval prior to circulation for comment by members, with final adoption scheduled for the July 6<sup>th</sup> meeting. TJ will also write a letter to all members of the committee to thank them for their participation and provide feedback on the action being taken. A draft will be circulated to Board members for review and comment.

There being no further business to conduct, the meeting adjourned at 8:00 p.m.

Recorded by Barb Henshaw