

LEPOA ANNUAL MEETING - MINUTES

SATURDAY, APRIL 24, 2021

Registration – 10:00 am

All Owners present signed the registry, turned in Proxies and were given paddles for their individual vote, as well as each Proxy they were assigned.

An additional sign-up sheet was provided to capture updates to Owner contact information.

CALL TO ORDER

The meeting was called to order at 10:45 am by Mike Crews, LEPOA President.

Mike welcomed all and thanked the Riley's for hosting the meeting under their carport and deck area where we could gather outside and easily social distance, as individuals felt comfortable.

Mike noted the meeting handouts available on the central table for all Owners present; these materials were distributed with the Meeting announcement, issued on March 23, 2021.

- 2021 Annual Meeting Agenda
- 2019 Annual Meeting Minutes
- Aug 6, 2020 Letter to Members in lieu of 2020 Annual Meeting
- Briefing paper on the Board proposal to change Restrictive Covenants, Article II Section 16, to clarify the restriction on animals and limit the number of pets allowed.
- 2019 & 2020 Treasurers Report (not previously distributed)

Quorum

Mike asked for the certification of a quorum. Current LEPOA Owners total 63 and 40% of Owners present constitutes a quorum = 26 Owners required. Peggy Riley (LEPOA Secretary) and Pam Holdrup, reported a registered count of 39 Owners represented, present and with assigned proxies, therefore Quorum was confirmed. Owners present = 25, Proxies = 14.

Introduction

Mike reviewed the Agenda and asked if there were any additions; being none, the Agenda was approved.

Mike recognized 3 LEPOA Owners that passed away since the 2019 Annual Meeting - Norman Knight, Andre Hamel, and John Rush.

Mike welcomed the newest Owners to LEPOA - Rodney & Carolyn / Joshua & Courie Anderson, John & Lee Ann Brooks, Tracy Davidson, Doug & Clair Hoffman, Stacey & Justin Ostrom, and Randall & Syliva Walker

2019 Annual Meeting Minutes

Mike summarized the 2019 Minutes. Wesley Diehl made the motion to accept the minutes, Bill Choate seconded, Minutes approved.

President's Report

Mike summarized the Board activity since the 2019 Annual Meeting. Due to COVID restrictions, the 2020 Annual Meeting was not held and Board members maintained their positions. Mike summarized the letter to Owners distributed on August 6, 2020 in lieu of the 2020 Annual Meeting, highlighting the Board's focus on expense management, Parks Committee and associated tree surgery & debris removal, and liability & risk management. Mike summarized the ongoing relationship management efforts with the Precinct 4 Commissioner (Mark Nettuno) and the Commissioner's work on improving Lakeview Estates Drive (LED) and culvert replacement. Mike also summarized the most recent grading and gravelling of Boatramp Park and Jackie Easter Park's cul-de-sac area. The Board's focus in the 2021-22 period will be to continue with Park improvements (primarily earthworks) and perform a thorough review of our governing documents and State filings, last done in 2013; a lawyer will be employed to assist with this effort.

Treasurer's Report

In Tom Patton's absence, Mike gave the financial report review for 2019 & then 2020. He explained the Income, Expenses, and Net Income in detail. Current calendar year, there are 158 billable lots with dues of \$75.00 generating 11,850 Income. The largest administrative expense is Insurance, which the Board has been able to reduce by changing providers. The largest operating expense has been associated with Parks maintenance and improvement. The LEPOA Assets as of April 22, 2021 include account balances of \$4,440.80 in the Operating and Maintenance account and \$26,018.37 in the Reserve account, there are also Accounts Receivable of 600 for unpaid dues (4 Owners); total Assets are \$31,059.17. Total Assets at the 2019 Annual Meeting were \$25,018.92.

On average, given the current dues of \$75 per lot, LEPOA will have approximately \$12,000 of Income; routine annual Expenses are approximately \$7,000 yielding about \$5,000 Net Income per year. The past two years Net Income has averaged \$3,030 per year due to higher expense for Park improvement efforts, which will continue into 2021-22. The annual Net Income contribution to the Reserve Account will help buffer LEPOA from potential unforeseen high cost events as well as future bulkhead replacements.

Bill Choate made the motion to accept the Treasurers Report and was seconded by John Lumsden. Treasurer's Report approved.

Old Business: Follow-up from 2019 Annual Meeting

Liability: The Board investigated with our insurance provider additional "swim at own risk" signage at Boatramp Park and was advised that since this is not a swimming area, it would be best to not install any signage. To dissuade unauthorized use of the boat ramp, a cable and lock was installed across the boat ramp, one of the "Owner's use only" signs was moved to a more visible position and an additional sign erected that could be seen from the water.

Parks: During the 2019 Annual Meeting, Owner's voted to establish a committee to assess the Parks and make recommendations to the Board for improvement. A committee was formed, with Owners Rosemary Schempp, Mary Patton and Renee Crews participating, and Beverly Ladd as Board point of contact. The top priority items identified in the committee's report have been addressed: 1) major surgery on the hackberry tree at Jackie Easter Park to avoid power line

damage, 2) general tree trimming and debris removal and 3) drainage improvements at both the Boatramp and Jackie Easter Parks.

Additional work to backfill bulkhead erosion, address slope erosion and refurbish benches will continue into 2021-22. A community workday will be organized to support this work and perform general clean up.

New Business

Restrictive Covenants (RC): Two items were discussed involving potential changes to the RC. Changes are allowed every 5 years and the latest was related to fencing, enacted April 2013.

- 1) Short Term Rental (STR) - (VRBO, Airbnb, etc): Mike noted the letter of complaint, sent to the Board in advance of the meeting, requesting the matter be added to the Agenda. Current LEPOA governing documents contain nothing that would restrict STR. The Board's intention for this Annual Meeting was to open the floor for discussion and then distribute a survey ballot to allow Owner's to indicate if they felt LEPOA should "Allow" or "Not Allow" STRs; further, the Ballot would ask if Owners supported the Board undertaking efforts necessary to draft amendments to the RC for a subsequent vote. Mike opened the discussion by proposing two alternative perspectives on the matter: 1) Owner's right to control their property as they felt in their best interest, vs. 2) how would you feel if a STR was operating next door to you? The ensuing floor discussion was active and spirited with individual Owners expressing their views both in support of, and in opposition to, Short Term Rental. Mike emphasized that STR renters are not permitted to use the Parks due to liability concerns. The current RC state "The use of parks shall be restricted to members of the LEPOA, members of their families and guests accompanying them, and shall be used at their own risk". Mike reinforced that the Ballot was not a vote to amend the RC but a survey to gauge Owner views on the matter as well as support for the Board undertaking further work on potential RC amendments for a future Owner vote.
- 2) Article II, Section 16 regarding animals: The Board proposal for vote to amend the RC stems from a complaint received by the Board in 2019 regarding neighborhood dogs. The amendment was to have been voted upon at the 2020 Annual Meeting and a briefing paper was distributed in April 2020 and again as part of the 2021 Annual Meeting material. Mike summarized the briefing paper, describing how this issue has been discussed at Annual Meetings of 2016, 17, 19. The intent of the amendment is to clarify the current RC language with the overall objective of avoiding future animal related nuisance complaints and protecting property values. Approval will require a majority of all Owners = 32.

Lakeview Estates Drive Improvement Initiative: Mike outlined two options for ongoing LED improvements as 1) encouraging the Commissioner to continue incremental repairs and improvements or 2) community financial contribution to Precinct 4 for more substantial improvements. On the latter, many communities have adopted this approach and there is a transparent process through the Commissioner's Court to enable such contributions. Currently, the Commissioner is in process of preparing a grant application to secure FEMA funds to perform a major upgrade to LED. The grant process will likely take up to two years. Considering this ongoing grant process, the Board intends to continue engagement with the Commissioner and withhold any further discussion of community financial contributions until the grant process has completed.

Election of Board Members

Mike explained why all five board positions were on the Ballot – 3 one-year term positions because of no Annual meeting in 2020 due to Covid-19, and 2 two-year term positions as normal rotation.

The Nominating Committee (Norm Young, Betty Herndon, and Beverly Ladd) recommends the following individuals for the open positions:

One-year term: Mike Crews, Tom Patton, and Tracy Davidson

Two-year term: Kathleen Knolle, Randall Walker

Ballot Distribution and Voting

Ballots were distributed: Board Positions, Restrictive Covenants amendment regarding animals, and Short Term Leasing survey. The results were as follows: need to verify with Kathleen

All Board nominees were unanimously elected

The RC amendment did not pass: 30 In Favor, 8 Opposed, 1 Abstain (32 required to pass)

Short Term Leasing survey: 15 Allow, 24 Not Allow; 27 Yes to Board undertaking next steps

Other Business

Mike handed out and reviewed a document, prepared by Chris Clear, providing useful information on handling a personal emergency and steps to take when making calls to emergency responders.

Various alligator sightings have been reported and options for removing the animals was discussed. PLEASE DO NOT FEED ANY ALIGATORS!

Maakie Hamel motioned meeting be adjourned, John Lumsden seconded, meeting adjourned at 12:00 with brisket and potluck lunch to follow.

Respectfully submitted,

Peggy Riley

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