

**L.E.P.O.A. Lakeview Property Owners Association, Inc**  
**Annual Meeting and Elections**  
**Saturday, April 22, 2023**  
**1257 Lakeview Estates Drive**

**MEETING MINUTES**  
**Final**

The meeting was called to order by Randall Walker, President at 10:34am. Owners and guests were thanked for attending.

Three new owners were announced. They included Andy and Rita LaSalle, Ronnie and Kimberley Hennesey and Wesley Zarsky. None were present.

Kathleen Knolle, secretary, certified the Quorum (25 required). Present at that time in person or by proxy totaled 36. Additional family and friends attended.

**Approval of the 2022 Annual Meeting Minutes**

The minutes were presented with a request for discussion. There was a motion made by Paul Riley to approve. Raul Lozano seconded the motion, and the minutes were approved verbally by the owners.

**Welcome**

Randall welcomed the new constable for our area, Brian Cosmé. Brian described his responsibilities and encouraged attendees to call him or 911 in case of an emergency. He reported that the northern part of the county was safer than the southern part. While drugs are an issue for the whole county, thefts and domestic violence cases tend to take most of his time.

The secretary was asked to send his contact information to all property owners in a separate email. His information is below:

**Brian Cosmé, Constable, Pct 4, of San Jacinto County.**  
**936.377.5412 or 936.438.3083    [bcosme@san-jac.us](mailto:bcosme@san-jac.us)**

**President's Report**

- **Special Board Meeting of April 30, 2022**
  - The Board met to review the results of the recount and audit of the votes for the amendment to Restrictive Covenants regarding leasing. The recount and audit were formally approved, results of

votes certified, and amendment approved. The amendment has been recorded with the County Clerk and is now in effect.

- In addition, the amendment to the bylaws on officer term limits and election of officers were formally approved and certified.
- **Board Meeting of June:**
  - The ACC Committee was formed (per state statutes) and a new email address of [lepoa.acc@gmail.com](mailto:lepoa.acc@gmail.com) was created for all transactions going forward. Bron Clear and Anita Bell are the current committee members. Typically, the Treasurer is notified of pending real estate transactions (during the real estate closing process) and this information is forwarded to the ACC. The ACC works with residents who are remodeling or adding to their homes and buildings.
  - Alligator sightings were discussed and inquiries began about how to handle the situation.
- **Board Meeting of September:**
  - At the previous meeting the Board discussed concerns over the dry hydrant and as a result Bron Clear contacted the Cape Royale Fire Chief, who told the Board that the dry hydrant was not likely to be used in its current condition – the department has its own apparatus for pumping water from the lake. The Board decided to leave the dry hydrant piping in place until it can be removed during future bulkhead repairs.
  - One resident recommended property owners obtain a blue sign for emergency personnel to see easily. Bron said she would check on it. *(Post annual meeting, she advised the secretary that we can order one and place it next to our driveway (not our house) at the front of the property. Contact Elgean Shield at 936-653-4802 to order one. The cost is \$25.00, and the check can be made payable to Cape Area VFD. Only the street number is needed.)*
  - Also, bulkhead repairs at Jackie Easter Park and tree issues at all three parks were discussed and approved for bid taking and action. The trees are marked, and the company is waiting for a seven-day dry spell period before beginning the work in order to keep the ground from being torn up.
  - The Board decided to seek a survey of the Bramlett Park property line in order to confirm the placement of the road and protect adjacent property owners. This will be helpful when a new road is installed.
- **Board Meeting of November:**
  - Tree removals have been scheduled (weather dependent) and a contractor was selected for bulkhead repairs.

- Also, as documented on the Facebook page, the alligator was taken care of. Tom Patton and Paul Herndon described the Texas Parks and Wildlife regulated process that includes a specific hunting season, license, tags and other requirements. One large alligator was harvested in 2022 in the cove.
- **Board Meeting of February:**
  - The Bramlett Park survey was completed and no problems were found. Iron rods now delineate the proper boundaries.
  - The President attended a meeting of the local group of POAs that focused on a preliminary review of legislative bills, none of which appear to adversely affect our POA.
- **Board Meeting of March:** Most of the meeting was spent preparing for this Annual Meeting. Also, the final language for the Vertical Height Restriction Discussion Document was reviewed and will be further discussed shortly.

#### **Treasurer's Report-Tom Patton**

- Profit and Loss Statement for January 1-December 31, 2022, showed total income of \$13,372.50. Expenses totaled \$6,344.02 leaving a net operating income of \$7,028.48. Total net income was \$7,057.96.
- Profit and Loss Statement for January 1- April 20, 2023, showed total income of \$12,225. Expenses totaled \$2,686.73 leaving a net operating income of \$9,538.27. Total net income was \$9,545.67.
- Balance Sheet as of April 20, 2023, showed \$8,933.25 in the Operating Account and \$31,021.53 in the Reserve Account. Total Accounts Receivable was \$2,400. Total Assets were \$42,354.78. Liabilities totaled \$0.00 and Equity totaled \$42,365.78.

Tom reported that seven property owners still owe for 2023. He also reported that tree removal will cost \$4,050 and the dirt work at the steel bulkheads will be \$1550.

Tom called for a motion to approve the Treasurer's Report. Betty Herndon made the motion, Tipp French seconded it and majority approved verbally.

#### **Old Business: Follow-up to 2022 Annual Meeting**

- **Community Maintenance Projects**
  - Tom reported that D&D Tree Service is lined up to remove the dead trees in the parks and ACP Construction will spread fill dirt behind the needed spots along the steel bulkheads.
- **Lakeview Estates Drive Replacement**
  - Tom reported that he, Norm Young and Paul Herndon attended Commissioners Court to learn more about the road replacement. Taxes alone will not be enough to redo the road and the county has two grant applications pending.

The 2.7-mile road will cost approximately \$2.4M. One grant application is with the General Land Office of Texas (GLO) and the other is with Texas Division of Emergency Management (TDEM) using FEMA funds.

Each is in different stages of review and if all goes well, construction could begin summer/fall of 2024.

Norm Young shared some history about the road including the developer's desire to have the county adopt the road. That did occur in the 1980's.

- **Architectural Control Committee**

- Bron Clear reported that new ACC Process forms with more details and refinements were approved for use. She also reminded the audience that State statutes require an ACC to be chaired by non-board member.

**New Business:**

- **LEPOA Website**

- Randall reported that he has been working on the site's structure. The platform adopted is WordPress and he said it is more difficult than expected.
- He outlined the structure noting that there will be a public page and a private page for owners. Eventually, owners will be able to pay online. Other amenities will include links to public agencies and a contractor referral list.

- **Discussion of Height Restrictions**

- Bron Clear shared some background on building height restrictions. She made inquiries to owners and responses were mixed. Based on the feedback, the Board decided to prepare a Discussion Document for owners to read and discuss at the annual meeting.

The discussion among the audience was about the uniqueness of the homes and the flexibility owners have to build. One comment was that some of these homes will be replaced over time and new owners will want to design something for themselves. Another was a suggestion to review other POAs' restrictions. Bron said she tried to gain access to Cape Royale's deed restrictions but was told "no". There was also discussion about TRA's restrictions. Bron described that The Conservation Level the TRA tries to maintain for our lake is 131' above MSL (mean sea level), but it often fluctuates a foot or 2 up or down depending on rains or droughts.

The Flowage Easement level that the TRA requires for the South side of the lake is 135' above MSL(mean sea level). Most of our current lot surveys show this 135' line. The TRA approved our entire POA at 135' above MSL. This means that to avoid structural flooding

our builders are not supposed to build any livable floor height any lower than 135' above MSL. However, stairways outside leading from a house to the lake can be built below 135' above MSL.

Bron asked if there was interest in forming a committee to study this restriction. There was no show of interest. The topic was closed.

- **Legislative Update**

- Randall said the local group of POA members met and much of the pending legislation will not have any impact on small organizations such as ours.

### **Election of New Board Member**

After describing the slate of officer(s) the floor was open for other nominations. There were none. The secretary and helpers collected the ballots. With no other contestants, the votes tallied 31 for Rick Brock.

### **Other News**

Norm Young shared that our former long-time resident, Ralph Lewis, passed away earlier this year. He and his wife, Claire, moved to senior living and Raul Lozano and Rosemary Schemp purchased their home. Raph and Norm were friends and co-workers for over 60 years.

Tom Patton announced "Casino Night" May 6<sup>th</sup> sponsored by the Coldspring-Oakhurst CISD. The event will raise money for the schools.

### **Adjournment**

Paul Herndon moved to adjourn. Raul Lozano seconded the motion. The majority approved verbally .

The meeting was adjourned at approximately 11:45am

Submitted by



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Kathleen Knolle  
LEPOA Secretary

Date: May 8, 2023

### **Attachments**

2022 Profit & Loss

2023 YTD Profit and Loss

Balance Sheet as of April 20, 2023