

**LCNS Board Meeting Minutes**  
**February 18, 2012**

**Call Meeting to Order**

Meeting was called to order at 8:12 am by Scott Weaver, Vice President.  
Directors attending: Gary Poltorak, Taras Romachuk, Scott Weaver, Jim Murphy, Mort Voller. Phil Glass was absent.

**January 28 Meeting Minutes**

Motion was made by Mort to approve the minutes from the LCNS January 28, 2012 meeting.  
Taras second, all in favor.

**Financial Report**

Jim reviewed the financial report. Mort explained to the Board that the water bill for Preserve E was wrong. A credit will be issued. The budget has a line item for water testing of the canals, but no money is allocated. Testing was discontinued years ago because the quality was acceptable. Whether new testing will be done will be a future discussion based on cost. Mort discussed Preserve maintenance costs. Mort made a motion to approve financials, second by Taras, all in favor.

**Preserves**

**Update on Preserve Maintenance**

Mort will be busy getting ready for the birding season and for Featherfest in April. Parking was an issue last year with buses and cars parked on the grass along Eckert. In the future the Board may allocate money for expanding the parking area, but for now Mort will have signs made to have over-flow parking park on Windlass Circle along the north loop where there are empty lots.

The heart of Preserve E is in need of a cleanup, Mort will work within budget using an hourly helper from Shaneyfelt, a Contractor who is hired to mow the Preserves each year, but there is also a group of volunteers from Bayou Vista who are willing to help. Signs for the Preserves and for the Wern Cemetery have been sent to a printer and will be installed when done.

A discussion about whether to elevate the outer grass path of Preserve E so it can be used during the wet season was held with a decision to leave it natural in keeping with our theme for the Preserves. Taras was concerned about liability if someone was bitten by a snake, but the Board felt anyone using the Preserves is aware already.

A suggestion was made by Taras to have an article added to the newsletter highlighting Featherfest and solicit donations to help the LCNS fund the expense of maintaining the Preserves. Mort said he has considered requesting grants since many non-residents of Laffite's Cove use the Preserves although the costs to maintain them are funded only by the residents. Mort's project team will work on applying for grants.

Preserve F&G are still deeded to LCPOA, Susan suggested transferring the deed to the LCNS or to the City.

**Canal Marsh Grass**

Public notices were sent out by the ACOE soliciting questions and concerns from the professional and private community about our project. The ACOE will contact the LCNS if any issues are raised that require additional clarification or explanation.

**PPOA ARC Proposal for a United Solution to the Permitting Process**

Gary, Taras, Marty Baker and Lee Slataper met to begin a cooperative effort to combine the application and review process for construction or modification of structures over the water. It was agreed that a single application form requiring review by the ARC for building code compliance and review by the LCNS for standards required in the ACOE permit will be created. For a full approval, both

the ARC and the LCNS will need to sign the permit once their separate standards are satisfied. The process desired is one that will honor the responsibilities of each Board, and at the same time reduce the cost and confusion that could result from having two separated procedures.

Resident Bob Dove asked if the negotiations had ended because the LCNS had withdrawn from the process. Taras explained that the process was continuing with input requested from the ARC and from the LCNS Board before an announcement is made.

### **Other Topics Discussed**

Marsh Grass Project - Irene Boudloche asked why some lot owners did not pay for the first planting of marsh grass in 2006. The Board will ask Susan if anyone still owes for their planting. She also wanted to know if this project will work, or will it be like the last. Taras explained that this method of raising the shelf with sand behind a concrete bag retaining wall has been successful in several projects led by the Galveston Bay Foundation and the TPWD. Nothing is guaranteed, but this has worked well in the past. Bob Dove said that there has never been 15' of marsh grass along the canals even after they were finished. Gary had a conversation with Bill Ross, the Laffite's Cove Project Leader for Mitchell Development, and he was told that 15' of marsh grass was planted. The requirement in the ACOE Permit was to confirm after a year that the marsh grass had succeeded. Bob Dove has looked at the pilot project at Gary's home and thinks the concrete is ugly, and if everyone is allowed to do their own type of retaining wall, it will be bad for the community. Scott said that it has been the object of the project to identify an affordable and uniform system that will meet the approval of the majority of the residents. Costs may also be reduced if grant money or a donation from Mitchell Development can be obtained.

**The regular meeting was ended at 10:15am.**

### **Yambra Hearing for Deed Restriction Non-Compliance Issue**

The hearing was begun at 10:30 am. It was attended by Mr. and Mrs. Yambra, their Attorneys, Mr. Ross and Mr. Shultz and was held for the benefit of the LCNS Board to listen to reasons why the Yambras feel the location of their jet ski lifts are not in violation of the Laffite's Cove Nature Society Canals and Preserves Deed Restrictions. The LCNS Board position is that the lifts and jet skis are encroaching on the 5' setback identified as a violation under the Deed Restrictions derived from the standards outlined in the Army Corps of Engineers Permit #17800.

The LCNS Board was represented by attorney Hulse Wagner, who along with Board Members asked questions to help understand the position taken by the Yambras. The LCNS Board thanked the Yambras and their attorneys and resolved to issue a decision as soon as the information was reviewed and the recommendations of the LCNS Attorney were discussed.

The hearing was adjourned at 11:07 am.