

**Minutes from Board Meeting
Sand 'n Sea Realty Office**

Saturday, May 19, 2012

Call to Order: 9:00 AM

Present: Mort, Gary, Scott, Jim

Motion to approve minutes from April 21, 2012 meeting by Scott, Seconded by Mort. All in favor.

Financials were reviewed. No changes were suggested. Jim motion to approve. Scott seconded. All in favor.

Project leader reports:

Preserves Report - Mort reported that the signs are in progress and that the bird migration is nearing its end. Drips will be cut back to save water because rainfall has been sufficient, but the elms need water. Gary asked if Heric is still mowing the Wern Cemetery because it wasn't done and Gary mowed it. Mort will contact Heric to ask if he can increase the number of times he is mowing. Marty Baker reported that there are vines pulling down small trees in Preserve E behind his home. Mort will investigate and hire day labor to cut the vines down.

Deed Restrictions – No report given.

Wern Cemetery – Report noted above.

Communication – Gary reported that a letter about the upcoming June 30th meeting on the March Grass Project has been drafted and will be sent to the Board for review before it is mailed.

Old Business –

CKM Costs for Administering the Application and Review Process for LCNS – Discussion was held to allocate \$250 of the \$500 fee to be used to cover CKM costs. Mort made a motion, seconded by Jim – All in favor.

Marty Baker suggested using Ted Shook as an inspector, but another resident, Lee Henkel objected saying that LC should be separate from using anyone the PPOA ARC uses. The Board agreed that Gary and Scott will continue to do inspections and review applications for any over the water modifications to existing boat docks or new construction.

Nominees for Vacant LCNS Board Positions – Gary reported that he will have a confirmed applicant for a vacant position at the next LCNS Board meeting.

June 30 Marsh Grass Project Community Meeting - Discussion was held concerning the best method for building the retaining wall for the restored shelves. The approved method is concrete bags stacked like bricks, but some residents object to the appearance. Marty Baker asked if the ACOE was invited to the meeting and Gary said "No" because they will not get involved in HOA deed restriction requirements unless they violate a Nationwide Permit. Gary will invite the Engineer who handled the permitting for our project. A question was asked about

how billing will be handled, and Gary said that the contractors he spoke to want to bill the LCNS, not individual homeowners. Scott said this is how it was done before so it makes sense to do it the same way again. When work is completed, the homeowner will send their payment to CKM who will pay the contractor's bill once the work is inspected and approved by the LCNS. We were asked to find out if the payments will be tax-deductible. We need to ask Susan at our June meeting if she knows or if she can find out.

Gary has contacted the GLO for grant money and some is available. There is a form that needs to be completed and sent to them for review and approval. Gary will work with Susan to submit the necessary paperwork.

Marty Baker wanted to know if there are pictures of the canals when they were finished to see how much grass was planted. No one on the Board knows of any pictures or if they are available.

Lee Henkel suggested that we should solicit donations from non-canal owners to assist with the cost of the project.

New Business –

PPOA Threatened Lawsuit Against the LCNS - Gary reported that he has been in contact with the LCNS insurance company who will cover the cost of any litigation filed against the LCNS which we need to defend. He also has been in contact with the Roberts/Merkel Law Firm in Houston who are specialists in HOA litigation matters. Our insurance company will support our choice of Roberts/Merkel with a negotiated fee schedule, which they are familiar with and have no problem with using. A motion was made by Gary to hire Roberts/Merkel, but there was no second. Scott wants to meet with them first, then decide. The Board agreed, and Scott made a motion to meet with them and for the Board to allocate \$5000 to cover any costs not covered by the insurance company. Second by Mort - All in favor.

Open Forum –

Mr. Yambra said that the letter the LCNS sent to the community addressing the PPOA threatened lawsuit was inaccurate because of the statement that the lawsuit filed by the Yambras was un-necessary since the LCNS Board had decided in the Yambra's favor prior to his filing the suit. Scott explained that he was traveling and other members had personal business to take care of, so the Board could not meet to vote as soon as Mr. Yambra wanted. Mr. Yambra said the delay cost him the sale of his home so he filed the suit to try and get a resolution before the potential buyer backed out.

Lee Henkel said that there is a need for more "No Wake" buoys in the canals. Scott said he would look into good locations to place them.

The next Board meeting will be in conjunction with the community meeting on June 30.

The meeting adjourned at 10:28 am.