

LCNS Board Meeting Minutes
May 28, 2011

Call Meeting to Order Meeting was called to order by Chris Cahill, President.
Directors attending: Jim Murphy, Chris Cahill, Gary Poltorak, Mort Voller, Taras Romachuk and Hulse Wagner, LCNS Attorney. Scott Weaver, Phil Glass and were unable to attend.

Annual Meeting Minutes Motion to approve minutes from the LCNS Annual Meeting. Mort Voller motion, Jim Murphy second. Chris Cahill abstains. All others in favor.

Conference Call Meeting Minutes Motion to approve minutes from the LCNS Conference Call meeting held May 13, 2011. Jim Murphy motion, Taras Romachuk second. All in favor.

Financials Discussion about assigning a budget item for the recording of LCNS permit monies collected resulting from applications for permits relating to the ACOE permit standards for the canals. Susan will add a separate line item so we can track the funds.

Preserves The water drips are done and some tree trimming, but more trimming is needed. The drought is causing leaves to turn brown even with Mort watering extra.

Heric Landscaping has again won the contract for the maintenance of our Preserves, reducing his fee and adding the Wern Cemetery to his work list.

Maintenance mowing of Preserve E and D will begin in June before the rains come. Shaneyfelt will mow again this year.

Preserve F needs new rope and some new posts for the fence-line. Also F needs new signs to notify people that it is a Preserve. Also the section north of F needs to be re-deeded to LCNS.

Future work: Gazebo needs repairs to the roof and railings. Shaneyfelt will submit an estimate. A storyboard needs to be composed for the Wern Cemetery with a note that includes a link to the LCNS website outlining the history of our area. Taras suggested we contact the Galveston Historical Society to see if they would be interested in also recognizing the site. Kirk Clark has registered the Wern Cemetery with the Texas Historical Commission also. The Board also needs to identify the correct site for the Egert House now that Kirk Clark has the GPS coordinates showing the location to be about 50 yards to the SW of the site designated on the walking path in Preserve E.

Issues: Taras informed the Board of the parking problems along Eckert Drive during FeatherFest. Mort suggested the LCNS purchase lot #1 alongside the pumping station on Eckert that we could use for expanded parking needs, but also to give our maintenance crew easy access to Preserve E. Action items – Chris and Hulse will review the PPOA deed restrictions to see if a purchase of a lot is allowed by a Board. Mort will contact the owner of lot #1 to see if a discount on the price would be offered to LCNS. Mort will also talk to the homeowner on Eckert two lots north to see if they would object to parking on the lots during the next FeatherFest.

Channel Dredging Project Homeowners on Cartagena facing the proposed spoils disposal site object to the project because of the geo-tubes lowering their property values and destroying their view. Motion by Chris, second by Taras to send a letter to the TPW in support of the project. All in favor.

Canal Marsh Grass Homeowners on Eckert Bayou want to know if they are exempt from marsh grass along the bulkheads of their homes because they only have rocks to act as a breakwater from the constant wave action they see. The permit does not require marsh grass along the bulkheads along Eckert Bayou. Taras has a concern that the bags of cement used for a containment wall in the proposed marsh grass shelf project will be unsightly. Gary explained that they will be under water most of the time and will eventually be covered with barnacles, oysters, and algae and will be very natural in appearance. Also, the method used by the TPW for containment is cement bags.

Jet Skis and the ACOE Permit Discussion on how to remind homeowners of the ACOE permit requirements. A letter to the community explaining that the first step is to comply with the permit standards by removing violations of lifts in the setbacks, and second is to begin the re-building of the 15' shelves in order to begin planting new stands of marsh grass.

Surveys are being done by Gary on a monthly basis to keep the Board aware of the status of compliance issues.

Hulse was given three new violations and he will send letters to the homeowners notifying them of their non-compliance. He was also asked to send applications with all his letters.

Chris suggested establishing a format for Due Process Hearings where homeowners can be heard on their issues. The panel would have 3 members and the hearings will be recorded so any information discovered could be used if needed in court proceedings. Chris will compose a format and report back to the Board at the next meeting.

Discussion on requesting a meeting with the ACOE to ask for their partnership with LCNS on the marsh grass restoration project. It was discussed that we should be in compliance by having all violations corrected before we solicit help from the ACOE, but we may not have time. It was decided to send letters to all violators, not just the ones who have lifts in the 20' restricted zone.

Discussion was held on the ability of the LCNS Board to defend the 5' setbacks when they have no relevance to the marsh grass. The purpose was to give room between boat houses in order to get boats into the slips, without the 5' setback boathouses could be build on the property lines giving no room between them.

Discussion was held whether or not to send letters to vendors, realtors, and the title companies informing them of the ACOE permit requirements and asking for their help by informing their clients of the situation in Laffite's Cove. A motion was made by Mort with no second. Chris and Taras changed the wording of the motion to lift installers, Galveston Realtors, Laffite's residents, and surveyors. Mort made the second motion and second by Chris. All in favor.

Pending Lawsuit A motion was made by Chris to assert a conflict on Steve Shultz for compliance issues relating to his past involvement with a negotiated settlement in favor of the ACOE permit on behalf of the PPOA, but he is currently representing a client who is in violation of the ACOE permit while he is retained by the PPOA as its attorney. Second by Jim. All in favor.

The meeting was adjourned at 1:30.