

Highland Haven Property Owners' Association

Minutes of Special Meeting

March 17, 2008

Meeting opened at 6:00 with fourteen community members present and the following board members present: Christi Lundby, Jo Taylor, Ed Miner, Fred Tarbox, Dan Varick.

The meeting was called to vote on lifting the stop work order that had been issued by the city at the request of the HHPOA one week ago.

Christi Lundby opened the meeting by reading the letter presented to the HHPOA by Tommy and Laurie Melton:

To the HHPOA Board,

March 15, 2008

This letter is to confirm the agreements made by the HHPOA board and myself in the work session that took place on March 13, 2008.

I request the stop work order be lifted so the fountain and patio in question may be completed. This will then allow the contractor to be released from the job site. Once the fountain and patio are completed, I will continue to work towards an equitable resolution. I agree to have a Texas licensed surveyor survey the property on Lot 74 or 103 Dove Rd, Highland Haven, Texas.

The survey is to determine the exact property lines between my property and Highland Park East. If it is found that the fountain and patio are being built on park property, I agree to have the survey completed to replot the property line so I may donate the fountain/patio and the property it is on to the HHPOA property. I agree to absorb the costs for the survey and the filing fees required to transfer the property to HHPOA.

I agree that as long as I own the home at 103 Dove Rd, I will contract to have the fountain maintained on a regular basis. I will donate the electricity, water and landscaping required for the fountain to operate appropriately.

I request in return a charitable donation receipt for the property, fountain, and patio in an amount to be determined once the project is complete and the property has been transferred.

Thank you for your consideration in accepting this donation for the beautification and improvement of Highland Park East.

Sincerely,

The original letter provided to the HHPOA is signed by the Melton's

Floor is opened for discussion:

Pete Freehill: The stop work order was issued because there is a structure being built across property lines.

Jim Holgate, City Alderman: Concerns about accepting ownership then how will POA maintain waterfall, run electricity, etc.

Christi Lundby: Dove Park also has electricity donated by a property owner adjoining the park.

Fred Tarbox: We are asking direction from community because we have several issues that will be addressed this year.

Bill Passmore: What if Melton's sell the property who will maintain the fountain? Can they do a replat?

Pete Freehill: The Melton's have requested a replat of their adjoining vacant lot. There is plenty of property to replat within City Ordinance guidelines.

Bill Wilson: Why would we allow the building to continue if we do not have the survey completed?

James, the contractor, states the fountain is 90% complete and needs to finish the job to move to the next project.

The community rejects this as a reason to allow the stop work order to be lifted.

Christi Lundby revisits the history of Mr. Melton believing the fountain to be totally on his property. He is willing to have it surveyed and will donate fountain, patio and property it is on if any of the project in question is found to be on park property.

Discussion about always doing a survey if building is near property lines between several contractors in the room.

Kevin King states that all property owners need to be notified of issue and vote. HHPOA Board assured him once the survey was complete that this is the plan.

Laurie Melton states that the surveyor is scheduled within the next week or two.

Pete Freehill states that the concrete slab will require a permit.

Jim Holgate reiterates that no one is allowed to build across property lines.

Fred Tarbox states that replatting in 2001 was complicated and several (nine?) have not come out right according to the property owner's sketches. We will have other similar issues this summer what do you want the POA to do?

Jim Holgate states this will be a bad precedent.

Jo Taylor suggests that the letter states the Melton's will remove the fountain if the community refuses to accept the donation.

Bill Wilson states this should be handled in a business like manner cannot make decisions on assumptions, survey must be done before any work is continued.

Kris Wilson states that Melton's have made a generous offer to the community but feels lifting the stop work order is premature.

Fred Tarbox comments on the "contractor's window"

Kris Wilson replied a mistake on your part does not create an emergency on my part.

Christi Lundby discussed recusing self and no one felt it is necessary on a POA Board.

Dan Varick requested a show of hands to keep the stop work order in place. Eleven of fourteen community members raised their hands.

Board thanked the community for its support and the Board began discussion.

Ed Miner states he has had several phone calls concerned about building on park property.

Fred Tarbox made a motion to lift the stop work order.

There was no second.

The vote was not made.

The meeting was adjourned.