

Beau Chene Homeowners Association, Inc.
Board of Directors Meeting
March 15, 2013
8:30 a.m.
Beau Chene Country Club

Call to Order

President Gareth Reardon called the meeting to order at 8:

Roll Call

Board members present were: Susan Bonnett, Leslie Boudreaux, Jay Capouch, Kelly Commander, Marty Hennegan, Chris Inman (non-voting member), Gareth Reardon, Floyd Simeon, Chuck Turner and Bob Weaver. Doug Tate was absent. Staff members present were Bill Maier and Dave Vinson. Association Attorney Craig Robichaux was present also.

Approval of Minutes (January 8, 2013; January 25, 2013)

Mr. Capouch said he liked the redactions that had been suggested. Ms. Commander suggested a clarification on page 3 (17th line from the bottom), to state “she said yesterday Mr. McDuff would do an investigation....”. She suggested on the 5th line from the bottom “neither party gets to decide what it meant” rather than “what it means”. Mr. Maier said he would make the corrections. Mr. Capouch moved, seconded by Ms. Hennegan, to approve the minutes as redacted. Carried 6-0-2, with Ms. Boudreaux and Ms. Commander abstaining as they had not had time to read the minutes.

Committee Reports

Environmental Control Committee

Mr. Turner said since the December 2012 Board meeting the Committee had approved 26 applications, including 8 fences, 1 house plans, 1 irrigation system, 2 outdoor kitchens, 1 patio extension, 1 pergola, 2 porch additions, 2 porch entrances, 5 swimming pools, 1 solar panel, and 1 tree removal. Mr. Turner asked if there were any questions.

Mr. Capouch asked in regards to Ms. Commander’s emails about solar panels if this was not a Committee matter. Mr. Turner said Ms. Commander could certainly bring up the matter now. Mr. Capouch asked if it was approved by the Committee. Mr. Turner said it was located where it was most efficient; he said there was documentation (in a handout he passed around) showing that the efficiency went from about 90% to 21% at the alternate location; he noted 4 other solar panels had already been approved. Ms. Boudreaux asked if this was the first on the front of a house. Mr. Turner said yes. Mr. Simeon asked if there was a federal government restriction such that the Association couldn’t say where solar panels could be located. Mr. Turner

said there was no such restriction against the panels. Mr. Maier noted there was a related state law. Mr. Capouch said in reading the memo on the law said one can't be unreasonable in turning panels down. Mr. Maier said if efficiency went from 90% to 21% is that unreasonable? Ms. Commander asked Mr. Robichaux how that fit in with other regulations. She said if paint color was going to be regulated how this could be allowed as it was really ugly. Mr. Turner said the Association wasn't going to be sued over paint color. Ms. Boudreaux said the house across the street was for sale and she would be upset if she were the owner. Mr. Turner said he looked at the house 28 years ago and it took him 2 minutes to decide it didn't have the curb appeal he wanted; he said he drove by it yesterday and the solar panels are not the issue with the house. Mr. Capouch said it looked like a tear down. Ms. Commander said there were other issues, but the Board needed to decide if the ECC regulations would be amended because at this point 6 people had been approved. Mr. Robichaux said whatever the Environmental Control regulations a community had, that law can not trump the regulations; the Committee had the right to approve paint color, additions, anything structural in the community, then it has the right to approve or disapprove solar panels; it is not the reasonableness standard and doesn't have anything to do with whether it is on the front or back of the house, or with efficiency, that's irrelevant to the whole thing; what's relevant is that one can't be arbitrary and capricious – meaning there is no reason for what is done as opposed to having a good or bad reason; if one decides something for a reason, one is near arbitrary; what Ms. Commander brought up is what happens when 3 or 4 other people have been approved for solar panels installation; people will say why am I being denied when my neighbor was approved, and looks more arbitrary; in this case, if one had never been approved on the front of the house, that would be a good reason to say one on the front had never been approved and this could be a standard; it would be helpful to have standards that the Committee uses in making its decision (see Article VI of the Restrictive Covenants for the general standards); the Committee doesn't approve certain paint colors for a host of reasons – probably a lime green color for a house would not be approved; but it's not written in the By-Laws; it's a tastefulness standard, the Committee uses to say what's good for the community, in keeping with the overall aesthetics; but now 1 has been approved; once one is approved, its harder not to approve others. Ms. Boudreaux asked if it could be stopped at one, Mr. Turner said there are actually 2. Mr. Robichaux said if there have been 2 approved, in general building restriction cases if one has allowed a violation of a restriction, the law says it's deemed abandoned; if one allows impositions on restrictions that exist in a number of instances, then one has undertaken a general abandonment of that restriction for the whole community; these are all legal things that come into play whenever one starts approving things, for one, two, or three; at some point, one just says the rules are out the window. Ms. Commander noted public entities changed codes from time to time and this is a new standard; if a new Guideline were put out and notified people, 2 were done but homeowners weren't liking them in front, could the Guidelines be changed? Mr. Robichaux said one could change what has been done – the question is, is that an abandonment? 2 approvals is not an abandonment of a general prohibition. Mr. Capouch said there was no general prohibition. Mr. Robichaux said the Committee prohibition is “unless we approve it, you can't do it”, that is the basic limitation; the Committee doesn't say you can't put fences in the backyard, balconies on the front, can't put sheds, etc. – that is delegated to the Committee.

Mr. Maier observed that years ago when the Association took a resident to court who built a structure in a setback and the resident would not move it, the resident argued there were

some buildings in the setback, mostly from the early days when they were hidden behind wooded lots or buildings, he (Mr. Maier) prepared a map showing an overwhelming number that were approved correctly. Mr. Robichaux said it was hard to get a general abandonment; there are some 1,500 lots, to get a general abandonment one would have to be in the 100's rather than 2 or 3; Mr. Maier said that the court agreed there had been no abandonment and there was a reasonable effort to enforce the Covenants. Mr. Robichaux observed violations might be hidden behind bamboo or whatever, and one couldn't search out every transgression.

Ms. Boudreaux asked if a motion was needed. Ms. Commander said she knew there were written Guidelines because she had seen them when she applied. Mr. Maier confirmed there were Guidelines. Mr. Simeon recommended sending this to the Committee, and having people who understand the situation come before the Committee to discuss this, to see what type of recommendations might be made back to the Board based upon a Committee discussion. Mr. Turner said that was fine with him; the material passed out was the basis of the decision that was made. Ms. Boudreaux asked if the Committee had talked to Mr. Robichaux first. Mr. Turner said no, and asked if every board member should go to Mr. Robichaux for billable hours. Ms. Bonnett said the minutes should reflect that this was brought up about 9 months ago when Mr. Weaver was President, the decision of the Board was that all action involving a lawyer went through the President, that way billable hours could be controlled; she said if Mr. Robichaux wasn't billing, that's great. Ms. Commander asked Mr. Robichaux what he was billing for that conversation. Mr. Robichaux said he did not bill for answering questions. Mr. Turner said the Committee did not go to Mr. Robichaux and there was an attorney on the Committee. Ms. Hennegan said the concern about selling the house; she had previously looked at the house, and there was a house down the street that was very nice, and one came out the door and looked at another house which has notoriously been ill-kept, currently has a blue tarp on the roof, and looks much worse than the solar panels; it's a sticky situation to get into. Ms. Commander noted it had been painted finally. Mr. Maier said he had actually given a painter's name to the owner to help get it done. Ms. Boudreaux said as Chairman of the CEC and concerned about aesthetics, she wanted to see if the Board could have a say-so in the future. Mr. Turner said if the Committee can't come up with a recommendation to the Board then it wasn't functioning as it should. Ms. Boudreaux said from the list Mr. Turner read off she didn't know what was involved in those approvals for the Board to discuss (Please note Article VI of the Covenants delineates the duties/powers of the ECC); she asked for a more detailed report and suggested an interior designer join the Committee. Mr. Reardon said what was discussed was aesthetics from the street; another issue is that is the Association giving the authority to dictate to the community how green they can go – if someone wants to be green, the Association will tell them how green it can go; if they want to save on utilities. Ms. Boudreaux said she had considered but never thought about putting it on the front, though it would be more efficient, and she didn't consider it for aesthetics. Mr. Simeon said one issue was going green; another issue, does it fall under the same consideration of whether one can paint his house purple and gold, or green and blue; he said if aesthetically it was an appealing then the Association had the right to do so; he said again all the issues should be discussed by the Committee including with people who might want to appear, and then brought back to the Board – as to whether it recommended allowing solar panels or not; the recommendation would go a long way toward determining the direction to go. Mr. Turner said that could be done; the panels have a greater impact than paint colors – there could be an economic issue for the person installing, and the guidelines of the company installing as to

location and efficiency could be considered; there is more than aesthetics to be considered. Ms. Boudreaux said what if someone said it's better on a stick in the front yard? Mr. Turner referred to the handout where Sader Power said a lot of technical things he did not understand, but he did understand about efficiency; if it would be more efficient in one area there was a better return on investment. Ms. Boudreaux said she understood, but she thought it a bad precedent. Ms. Commander said if it was not efficient on the back, then it just won't be as efficient – that if they wanted to put up a windmill – the question was where to draw the line; if that was allowed, the ECC should be disbanded and just the parish permit required; the Association should tell people one can't cut down a tree – one isn't supposed to without permission – but they do it anyway. Mr. Maier said permission was needed to cut down a healthy hardwood tree, and pines could be cut – according to the Covenants. Ms. Boudreaux said she thought it was horrible. Ms. Commander said one question was what if it was said a tree could not be cut and it fell on a house.

Mr. Robichaux said as far as he understood the documents the ECC was about aesthetics, not whether there was more or less efficiency, whether a person is trying to put one on their home – whether going green – a vegetable oil processing plant to operate a generator – it doesn't matter; the point the community has standards and if as Mr. Turner said there is only a 20% return on investment then like Ms. Commander said, one doesn't put it. Ms. Commander said move to another house. Mr. Robichaux as a precedent there have been panels on the rear of houses starting long ago; Dan Chopp had one way in advance of today's interest – on the side of his house; if there is going to be a Committee recommendation to the Board to allow panels in general, the next step is what are going to be the guidelines – are they going to be allowed on the back to impact the course or any side; what happens if it doesn't face north and south; but faces east and west, or it had to put on a pole. Mr. Maier said likely there will be a federal law soon about the matter; there is one about satellite dishes. Mr. Capouch said he felt the Committee should come back with a policy statement for the Board to consider. Mr. Reardon said to wrap up the discussion, most people disliked the fact it was facing the street, efficiency or not, and that's the idea to send to the Committee, to try to get it out of view from the street. Ms. Commander asked if satellite dishes were allowed. Mr. Maier said there was a FCC (Federal Communication Commission) law that says on private property they can't be restricted from getting service, so in a few instances they were in front yards because there was no service in the back because of trees, house, whatever. Ms. Boudreaux said there were some on the golf course near her. Mr. Maier said that was for the course to deal with. Ms. Commander asked if there were a second. Mr. Reardon asked if Mr. Turner understood what the Board wanted the Committee to do. Mr. Maier said Mr. Turner gave a summary report, but the Committee work involved a lot, such as telling people this must be changed in order for approval to be granted, etc. Mr. Reardon said again, it was being on the front that wasn't liked – let's change that policy.

Ms. Boudreaux asked about the house being put in across from the club, noting it used completely different materials for the garage and garage roof than for the home. She asked why that was approved that way. Mr. Turner said it was approved about 6 months ago and he would have to review the plans to see what was approved. Ms. Boudreaux said it was aesthetically horrible; Mr. Reardon said there was a standing seam metal roof on the garage and the house roof was shingles. Ms. Boudreaux said the material on the body of the garage was completely different than the brick of the house. Ms. Bonnett said there was standing seam metal also on the

house. Ms. Commander agreed the garage was horrible and Ms. Boudreaux agreed. Mr. Reardon said the garage roof should have been on the house. Ms. Boudreaux asked if there had been any hardwoods on the lot. Mr. Turner said it didn't matter, as to build the house the lot needed clearing. Ms. Boudreaux asked if there were hardwoods outside the building area. Mr. Maier said there were no significant hardwoods on the lot. Mr. Turner said the lots which the Committee and staff were aware of being cleared were looked at, but sometimes they were cleared before they were aware.

Finance Committee

Mr. Capouch reviewed the January 2013 financial statements as February had not been completed yet; he noted the cash figure was extremely high on the balance sheet because the bill from the road overlay was not received until February – so a \$233,000 payment was made to Barriere in February; he said the guard service expenses for January was \$59,000 versus a budgeted amount of \$37,000 as there were 3 bills from December totaling \$25,000 that were kicked into January for payment; he said he discussed the matter with the auditors, who said large items from last year that got paid this year really can be dealt with by adjustments; auditor Meghan Early said that she adjusted back the Barriere invoice, and she would look into whether the \$25,000 from Vinson was big enough for them to look at; otherwise, everything was on target. Ms. Bonnett suggested management can reflect December bills paid in January as December, so that there is no problem on the January financials as well as having to deal with auditors. Mr. Maier said he understood the bills could be shown as accrued when they came in. Mr. Capouch said in Vinson's case, one bill hadn't been received and Barriere's case the bill hadn't been received, so there was nothing to accrue, although a "dummy" accrual could be made. Mr. Maier said that had been done at times with dump tickets. Ms. Commander said it was known Barriere and Vinson were coming. Mr. Reardon said it all "comes out in the wash", as that's why there is 3 months to close out the books. Mr. Maier said the same thing happened (with Vinson) last year. Ms. Commander said (in her company) they went back and posted the bills in December. Mr. Capouch said the numbers would be adjusted back in the budget if the auditors adjust back, but it wasn't done for this presentation, because it was first received and the audit is on-going; but the budget numbers will be adjusted back to coincide with whatever the auditors do. Mr. Reardon said the expense needed to be recognized when it occurred. Ms. Bonnett agreed, or else the same problem would happen the next year. Mr. Capouch said that it was being done. Mr. Reardon said at present it was just the middle of that process. Mr. Simeon asked if the December security outlay was less than budgeted. Mr. Capouch said no, it was typically \$8,000 a week. Mr. Simeon asked what the extra money was. Mr. Reardon said Vinson didn't bill us in 2013. Ms. Bonnett said the idea was not to be under budget in 2012 and over 2013. Mr. Reardon said it all would go back to the right place. Mr. Maier said \$8,000 a week could be accrued. Mr. Capouch agreed, saying this could be done at the end of the year.

Ms. Boudreaux asked why wastewater was only \$15,000. Ms. Capouch said it just hadn't been spent. Mr. Capouch said wastewater and water (budgeted for the month) was based on the total expenditure for the year prorated by 12 months. Mr. Reardon observed intrinsically January was only 1/12 of the estimated annual expense. Mr. Simeon asked if grounds now came under Ms. Boudreaux's Committee.

Mr. Capouch said a draft audit report had been received from Silva, and like other audits it would be a clear opinion, subject to reviewing the entrees to be adjusted back. Mr. Reardon asked for any comments on the accounts receivable. Mr. Capouch said a loss revenue account had been set up for bad debts; the accounts changed little by little as payments were received; the big ones – where there was bankruptcy and the like – had been fully reviewed; the general feeling was to leave them alone with a full revenue until they have to be written off as there was sometimes other things going on.

Mr. Capouch said the Committee met as regards the reserve funds; there is around \$1.3 million in cash; and there is no formal policy as far as investing the reserves; in the past the Board had made a decision the funds needed to be kept in FDIC in insured bank accounts to insure absolutely there was no risk of loss; currently there are 2 CD accounts of \$100,000 a piece; the rest is in checking accounts; there is some interest on the cash, but fees are charged in excess of the interest, and interest earned is not keeping up with inflation; so the principle is reducing ; the original approach was to consolidate all 6 bank accounts in one back, and see if there was an interest sweep of the accounts where an operating balance would be maintained and on investment account would earn some interest. He said he had not yet discussed that with Capital One's manager, but at Mr. Tate's suggestion a meeting was set up with Merrill-Lynch to see what they could offer as it was affiliated with Bank of America and can offer a full range of investment activities; the Committee met with Davis Brister and T.C. Ford at Merrill-Lynch; Ms. Commander could not attend; Mr. Berey, Mr. Turner, and Mr. Capouch met; the objective was to find a policy or recommendation to preserve the capital, take on additional risk if necessary that was acceptable in order to earn money on balances to at least keep up with inflation and maintain liquidity necessary; basically there is \$1 million not needed unless there is a hurricane or major breakdown, some liquidity is needed to get the money on short notice. Mr. Capouch passed out related material. He noted the CD option, shows a schedule with various maturities, but none earned more than a couple of basic points and may not solve the problems; one recommendation was to put a good portion of the reserve funds in a Lord Abbot distributed fund; all are fixed income funds; none is inverted in equities; all are fixed income securities; Ford Abbott is a managed fixed income fund; actual securities are owned by the Association; Ford Abbott just manages the past portfolios; generally speaking, 40% were put in treasuries, 45% put in mortgage backed securities or federal agencies, so 95% is A-rated or higher; there are short maturities of less then 4 or 5 years; the idea of having a short duration in the maturity schedule was if there was a high spike in interest rates, the value of fixed income securities generally falls when that happens; with short maturities, there is not as big a swing when there are wide movements of interest rates; with the short duration maturities, the funds would be available within 3 days if needed, with average hypothetical return; these could be scheduled back 10 years and see how the portfolio had done; in 2012, it would earn 1 1/2 %, a lot higher than CD rates; in 2007, it earned 6%; depending on what is happening on the markets, a big portion in a fund like Ford Abbott could earn significantly higher return and at least keep in line with inflation; Merrill-Lynch also suggested an actively managed fund where Merrill-Lynch itself would invest and follow existing fixed income funds, like Calvert short duration, PIMCO, Jennie Mae funds – existing funds managed by other professionals; they would in this example put \$400,000 in 8 or 9 funds, they would have different objectives and maturities, resulting in diversification and more income; he said he was not asking for approval as more work was needed, but he wanted to understand the approach taken, in theory taking total assets of around

\$1.3 million, keeping \$250,000 in an operating account - \$250,000 came in every month; and was spent every month; remaining assets would not be touched unless there was a need; so \$1 million or so would be invested to earn more; there was still work to do, including discussions with Capital One; in most cases, the returns on fixed income funds are net of expenses to manage them; the only fees were on the operating account; there is some cost to set up the scanners to scan items in, though this might not be necessary; he said he wanted to look at the monthly scanner fee and the annual account fee to see how they compared to those of Capital One. Ms. Boudreaux asked how many more quotes he would get. Mr. Capouch said he wasn't sure if he could get more; the quotes are more in line with the operating account; one may say earnings will be 10%, but that is a guess; one has to look at whether there is professional management and what the objectives; in this case, one objective is to keep the principal safe and not take wide risks; another is to get money quickly without paying a penalty; and another is consolidate in 1 spot so it was not spread out, he referred to the policy statement the Board could read; he said his concern was more for the operating account; and then to decide what risks would be taken and where to invest; he said this is just a couple; the Board might say some mutual funds are too high a risk; more should go in fixed income funds.

Ms. Boudreaux said she didn't want someone to say Doug Tate was a Merrill-Lynch employee and another brokerage house should be considered. Mr. Capouch said Mr. Tate did not take part in discussions. Ms. Boudreaux said she understood, but someone else may want a shot at this. Ms. Bonnett said her organization managed funds for non-profit organizations, with a investment pool of about \$180 million; it started with a policy statement, and the Board needed to adopt the Committee recommendation policy or whatever is decided; as a fiduciary responsibility a policy should be adopted; she agreed a second responsible move is to do an RFP – which did not need to be detailed – there was an obligation to put an RFP out and the Committee could decided which 3 it wanted to talk to, but to singularly pick a company represented by a Board member – noting Mr. Brister lived here also – she felt was not good; from a fiduciary responsibility standpoint, the process needed to be shown; she thanked the Committee for their work, and said the policy needed to be adopted and the Committee solicit proposals. Mr. Capouch said he agreed; the portfolio was a sample of where they needed to go; breaking down into an operating account and 1 or 2 investment accounts was where things were headed; he recommended reading the policy statement on their own; he noted the Board had no policy and procedure manual; this would be a start from the finance committee for an investment policy, which would be in a policy book, as to how often this is done and who does it; he recommended whoever was hired as investment manager would be given monthly or quarterly or whatever a report about how they portfolio was doing; the policy statement said the Board will have the authority to manage the portfolio and make changes and make recommendations to the manager as things came up; he noted there are parts he may not agree to – like no more than 10% investments would be below the investment grade, whereas a higher standard would be to say nothing would be lower than investment grade; one may want to take a higher risk in a small portion of assets to get the return to maintain the value of the portfolio; the question was how big a risk and how much; he asked the Board to read it and respond at the next meeting.

Mr. Simeon said the Committee had done well; what had troubled him about finances was looking to raise dues to keep up with the \$1 million goal, but if funds were managed properly the Board could grow the money, and dues would seldom be needed to be raised; he

said he preferred a more aggressive approach but it should be closely managed. Mr. Capouch said Mr. Turner pointed out Board tenures were relatively brief and there needed to be a policy in place, and funds can't just be turned over to an investment manager as there was responsibility to maintain the funds.

Mr. Reardon thanked Mr. Capouch, and said the Board would wait for further comments. Ms. Commander thanked the committee; she noted the operating account would move from Capital One to Bank of America; she asked when – if a \$25,000 balance were exceeded – who would manage moving the funds. Mr. Capouch said the Board would decide. Ms. Bonnett said the CAO would be given a management policy. Mr. Reardon asked if there would be 2 operating accounts. Mr. Capouch said there would be 1, the dues would go in, checks written against it, it would be kept under \$250,000; if there was a catastrophe and Association had to go in the other accounts, and the market was not conducive to do so as the portfolio dropped in value temporarily, and the market would come back later, there is a vehicle in place to borrow funds against the portfolio. Ms. Commander said there was really not a monthly financial since October (the budget adopted at the January meeting showed December expenditures) and if he got to see one. Mr. Capouch said he did and tried to get the most current financial to the Board for its meetings. Ms. Commander asked for dissemination of the financials, saying November and December were not received. Mr. Capouch said he could email the monthly financials to the Committee or the Board. Ms. Boudreaux said it would help her to keep track of the CEC. Mr. Reardon said he didn't need it. Mr. Turner said as long as the Board met as scheduled and things were within budget, it wasn't necessary. Ms. Bonnett agreed. Ms. Commander said regarding administrative expenses, these were exceeding the budget. Mr. Capouch said that was due to the bonuses. Ms. Bonnett said also payment would be made to the consultant for the strategic planning meeting. Mr. Maier noted Directors and Officers insurance was about to be paid.

Governance/Nominating Committees

Ms. Bonnett said she would defer to Mr. Maier to report on the candidates. Mr. Maier said Ballot Box said there were 14 candidates. Ms. Bonnett said when the Committee reviewed the process and got everything in from Ballot Box, what it didn't do was compare the letter to the last 2 years' letters; the assumption was everything was the same, but with new dates; what was found was Ballot Box was in transition, and what was assumed to be the same was not; for example, the last 2 years candidates could go on line and register their candidacy, and that wasn't available as the website was going through transition and so candidates had to fax, mail, or email in; also Ballot Box didn't say if what was considered when mail was received or when postmarked; if post-marked yesterday, it should be taken; the Committee will meet and decide whether to interview candidates. Ms. Bonnett asked if there was any formal resignation letter from Mr. Weaver. Mr. Reardon said none had been received; that he had reached out to Mr. Weaver via email and he (Mr. Weaver) had said no, he was done. Mr. Simeon said he had also reached out to Mr. Weaver, and in the first 2 replies he said (Mr. Weaver) he was done; in the last one he felt like no one on the Board wanted him; Mr. Simeon said Mr. Weaver didn't say he'd reconsider, but used some words like if he felt welcome. Ms. Bonnett said it was a gray area; suggested the Board take a vote as to whether he was officially removed or request and ask for documentation a letter of resignation. Mr. Reardon noted Mr. Woods submitted a letter of resignation; he said Mr. Weaver stood in the door and said he was out of here. Mr. Robichaux

said the articles and By-Laws don't say anything about a letter; the law says when there is not a specific provision about resigning, it can be formal or informal, but it requires whoever accepted the resignation has to take action on it; since Mr. Weaver said he was out of here, he (Mr. Robichaux) agreed the Board should take a vote to ratify acceptance of his resignation; also to avoid this in the future, the By-Laws could be amended to say by what process one resigned; otherwise, one could validly come back and say he hadn't resigned, unless the Board took action. Ms. Bonnett moved, seconded by Mr. Simeon, to accept Mr. Weaver's resignation. Carried unanimously.

Ms. Bonnett said the Board needed to decide whether to elect 5 candidates or elect 4 and appoint 1. Mr. Capouch suggested electing candidates to fill the vacancies created by resignations. Mr. Maier observed Mr. Capouch was first elected to a one-year term to fill a vacancy and it was necessary to keep the staggering of the terms. Mr. Capouch suggested the first 3 vote-getters get the 3 year terms, and the next 2 fill the 1 year terms. Mr. Simeon agreed. Mr. Reardon said the Board could go out and get someone to replace Mr. Weaver and Mr. Woods for 1 year terms. Ms. Bonnett said no, a couple of meetings ago the Board voted to recognize 4 vacancies, the 3 full terms and Mr. Woods 1 year term; in good faith, 2 should be elected, but one could be appointed to Mr. Weaver's term or that vacancy could be added to those being elected. Mr. Robichaux said the filling of vacancy section says the Board shall appoint a vacancy, so the best thing was to appoint 2. Mr. Capouch said the Board could actually appoint those elected for 4th and 5th positions. Mr. Reardon asked if the reason not to appoint 2 was because of needing an odd number. Ms. Bonnett said no, Mr. Shay's position was not filled in order to assume an odd number; then Mr. Woods resigned and it was decided to kick his to the election cycle, and now a decision was needed regarding Mr. Weaver's. Mr. Robichaux said it needed to be clear by there being elected was got what term. Ms. Bonnett said the top 3 get 3 year terms, and the 4th and 5th get appointed to one year terms. Mr. Simeon asked if the Committee could decide someone could not run, were the candidates to be interviewed, and why interview if none would be kept from running. Ms. Bonnett said she suggested a process open enough to decide, once the number of candidates was seen, and also the Strategic Planning Meeting was held, in the event something came out of that meeting regarding governance; and nothing came out of it; so the Committee will now have to decide whether it will nominate 14 or nominate 5; she felt no interviews were needed; due diligence should be done to make sure they legally qualified; the Committee will reassess and decide on the process. Ms. Commander didn't think the By-Laws allowed the number to be limited. Mr. Robichaux said the qualifications were listed and that's all that was required. Mr. Turner said the Committee and the Board could recommend candidates. Mr. Robichaux said that went back to the days when a Board member and The Earnest Corp. recommended candidates, which created an uproar. Mr. Maier said the Board made the recommendations. Mr. Robichaux said the question was who was in charge of the Board. Ms. Bonnett asked if the Board wanted to recommend 5 out of the 14, or leave the process as purely democratic. Mr. Reardon said with creating a political bees next, there was value in finding candidates to fill deficiencies on the Board – a CPA, a lawyer, no one from the condos, one Marina Beau Chene area member – how to make sure the Board is representative of all, to get enough representation from everywhere without being perceived as politically setting this up. Ms Commander said 2 people could have been picked; it was hard to change the By-Laws at this point which allowed anyone to run. Mr. Simeon said he appreciated the suggestion, but it would create a hornet's nest; the Board could consider revamping the process in the future.

Mr. Capouch said let the homeowners make the decisions, saying here are the candidates, their resumes, here is where they live, and their qualifications; and include that the Board believes there are certain expertise deficiencies it would like to see represented. Ms. Bonnett asked what the deficiencies were, and if there was one attorney, if the Board was not defacto endorsing that candidate. Mr. Reardon said having not seen the candidates, the Board was clean in saying it looked to fill some skillsets; it would suffice to say the Board would like you to make your selection in light of the skillsets. Ms. Bonnett personally she agreed; things had gone so far the way it was that she had no problem with someone on the Board saying seeing what she had seen it was important to elect these people or these qualifications, or state it as an individual member at their cost. Mr. Reardon said the cover letter would be neutral. Ms. Bonnett said some members wanted to get together and write a letter as regards from a skillset perspective, what was needed, that had value. Mr. Simeon agreed, saying perhaps that could be done next year. Ms. Hennegan said Beau Chene was a "big town" and thought that if such a letter went out, it should consider geography as each area had its concerns. Mr. Robichaux said if there was a geographic requirement that could create issues. Mr. Maier noted he drew up districts once at the Board's request. Ms. Bonnett said there are a lot of ways to go, and had hoped it would be one of the 5 issues decided on at the Strategic Planning; that the current governance process wasn't very efficient; the past way had been identified as bad, but this wasn't good either; things needed to be in the middle, with a blended corporate type of Board, with certain skillsets. Mr. Reardon asked if the Board agreed or disagreed with interviews. Ms. Commander said there was no value in it; she suggested the Committee could start a review of the process. Ms. Bonnett said the Board spent 8 hours last Friday coming up with 5 priorities, and she didn't want to spend time and energy on something counter to what the Board just did. Ms. Commander said, for example, the Finance Committee came up with a policy. Ms. Bonnett said she understood, but if the Board got back to doing what it had the last 3 years, with everyone doing what was important to them, everything was being buckshot, and the 5 priorities were not being done. Ms. Commander said as the 5 are gotten to, other things can be assigned to committees. Ms. Bonnett said the Board had asked for recommendations regarding how to rescind prior Board votes; 3 on the Committee were on one side and 3 on the other, with surprisingly Ms. Commander, Mr. Inman and Sean Burke on the one side, and the others on the other; she said Mr. Robichaux said the By-Laws give the right to do what the Board does; it can't create a policy contrary to the By-Laws, and they said a majority gets to make a decision; so a policy could be made requiring 2/3 necessary to readdress a decision, but the By-Laws say a majority can conduct the business; so there is no formal recommendations of the Committee; perhaps there could be a time-frame like no review for 6-9 months. Mr. Robichaux said he didn't agree with super majorities; but to go back and talk about a past decision, Robert's Rules said if there is no second to a motion to go back, or the vote wasn't to do so, then the Board couldn't go back; when a past Board voted to enter into a contract, the present Board shouldn't go back to try to breach the contract; with the Board changing people, different people have different ideas and all this has to be factored in. Mr. Reardon suggested a 6 month "backflow preventer" and a motion to that effect. Ms. Bonnett suggested that aggressively monitoring the agenda would prevent a topic from being brought up that wasn't on the agenda – there should be a majority of people to agree just to talk about it. Mr. Simeon suggested having a super majority to overturn major determinations of the Board; he asked Mr. Robichaux if the Board decided now to add something to the By-Laws it could be done now; he felt the Board should have the understanding one day it can't pass something and change it the next month; he moved that for any motion that's been accepted by a Board, in order

to overturn it would take a 2/3 vote; he said seldom would there be a reconsideration – but, for example, if Mr. Turner’s committee came up with a recommendation for solar panels that was accepted, or what the Security Committee had done, decisions about the CAO, Mr. Capouch’s recommendations regarding the money – there was a lot of effort put into these things, and that should be respected by the Board, so someone can’t by a simple majority do away with most Boards operating with such a policy, and he said the Board doesn’t want to accept the 2/3 now, then fine, but the Board needs to understand that. Mr. Capouch said a lot of time was spent rehashing stuff and never changing it; no one would be capricious enough to keep bringing something up hoping to overturn something because it would take a majority to overturn, so one would have to assume there would have to be a good reason to overturn; the issue that keeps happening is the same topic keeps coming up for discussion; that was where discipline was needed not to accept it; if there was no reason to talk about it again, don’t talk about it; once a policy has been decided, the Board just needed to be disciplined not to take it up again. Ms. Boudreaux asked if it was true boards usually required a 2/3 majority (to take up a matter again). Mr. Simeon it was for the boards he had been on. Ms. Commander said (in her experience) boards had never had that issue. Mr. Simeon said things get rehashed because a group of people feel something wasn’t passed their way, so they keep bringing it up again; he said he had witnessed that on this Board; he said he had no problem continuing under the current guidelines, but with past boards he was on it took a super majority. Ms. Bonnett observed committees do work, then report to the Board, then the Board tries to do the committee’s work; the Board should function by simply voting on the report after limited discussion, or sending it back to committee for more work; this would shorten the meetings, and by the time a matter was voted on it would be tweaked to the point the Board knew what it was voting on after being hashed and rehashed at committee level; a more structured and disciplined approach was needed as to how committees were used; it takes Board discipline and doesn’t come from the rules, as 50% could do anything at anytime, including changing By-laws; a 2/3 policy could be made; but it could be changed by 50% the next week; she voted on the Committee to change the threshold, but the reality was if the Board functioned the way it should, what was accomplished would be far better than an unenforceable policy, Mr. Simeon said the Board could decide to change the By-Laws to require a 2/3 vote to change the By-Laws, if the Board felt like it didn’t want a simple majority to be able to change a decision; by putting that in effect and requiring a 2/3 vote to overturn decisions, he said his concerns would be answered; he said perhaps this could go back to Committee; he said his concern was past decisions weren’t respected, and once a major policy decision was moving forward, another group will seek to change that decision. Ms. Bonnett observed there was a motion on the table, but she recommended Mr. Simeon withdraw the motion and the motion be to kick it back to committee for more work. Mr. Simeon said if she were willing to do that, he would. Ms. Bonnett said after the election the Committee could do so. Mr. Simeon withdrew his motion and Ms. Boudreaux her second.

Infrastructure Committee

Mr. Reardon said he had reached out to (former Committee chair) Mr. Weaver (who had resigned) and asked him to stay on, but that Mr. Weaver had not responded. Mr. Reardon said there were 2 speed bump requests that needed to be dealt with: the first was on North Beau Chene Drive; where there is a tree in the middle. Mr. Vinson said it was between Magnolia Lane and Bocage Lane. Mr. Reardon said the Committee recommendation was to not approve that

request. He said that a final determination was not made on the other request. Mr. Maier said the second request was between Oak Drive and Tete L'Ours Drive. Mr. Vinson said it was about 2,000 feet, with curves, and 2 additional intersections. Mr. Maier said if one was to be approved it would be logical to have one in the vicinity of the homes because the condos don't really front the streets and the bump wouldn't protect anyone. Ms. Boudreaux said there was a bump at the tennis courts. Mr. Maier explained that was past Tete L'Ours Drive. Mr. Maier explained the people requesting the bump lived in an area nearer to Oak Drive than Tete L'Ours Drive; he said it was a matter of weighing the wishes of those living there versus those just passing through. Mr. Reardon said investigation had revealed there were no written policies at present, no typical rules; decisions were made on a one by one basis; the first was a clear no, there is a tree in the middle of the road, and a sharp turn. Mr. Simeon said he had received contact only about that one – from Mr. Uzee, Mr. Trist, and others. Mr. Reardon said there were only 8 houses there on that stretch. Mr. Simeon said the residents claimed people regularly speed through there, and their concern was multiple – besides their own families, they were afraid someone would run into the tree. Mr. Reardon asked if Mr. Simeon wanted the Committee to reconsider the bump. Mr. Simeon said he was just letting the Board and Committee know what the people said, that their biggest concern was people racing through the area. Mr. Reardon said he hadn't heard that, and he had spoken with Mr. Trist who lived next to the man requesting the bump, who didn't know about it; he said he talked to Pete Burkhalter, who lived at the beginning of Magnolia Lane, and he had never heard of it. Ms. Hennegan said having lived there (on Magnolia) 25 years she understood the comments about the racing: it starts up nearer Tete L'Ours, then after the speed bump, the big problem was vehicles breezed through the stop sign; she said to her knowledge no one had hit the tree; she said she knew Mr. Uzee and his sister who lived across the street; she said she was worried about people hitting a golf cart, and observed there were some natural stops that people should adhere to but don't. Mr. Capouch moved, seconded by Mr. Turner, to accept the recommendation of the Committee to deny the first speed bump. The motion passed with Ms. Bonnett, Ms. Boudreaux, Mr. Capouch, and Mr. Turner in favor, and Ms. Commander, Ms. Hennegan, and Mr. Simeon abstaining. (Mr. Reardon did not vote, as it was not necessary).

Mr. Reardon asked for opinions on the second request. Ms. Commander recommended coming up with criteria. Mr. Reardon said the Committee spent a lot of time talking about it and the variables were too vast – is it traffic, is it kids – who grow up, there is no precedent. Ms. Commander said having been on the denial end she wondered about the criteria. Mr. Reardon said he had been on the denial end, too. Ms. Commander moved, seconded by Mr. Capouch, to deny the second request; the motion carried, with Ms. Bonnett opposing. She said she went that way because there are no bumps, and people go that way because it's faster, and there are new young families on the street. Mr. Reardon said if they (the residents) didn't accept the decision, they could request it again. Ms. Boudreaux asked if there was a poll of the neighbors. Ms. Bonnett said the Board had made a motion to have the Committee to come with parameters of a policy, which didn't have to be hard and fast. Mr. Reardon said the Committee would try to develop a policy again.

Mr. Vinson reported that last Friday a leak was noticed around Well #4 on Beau Chene Drive; investigation showed 2 possibilities – the old well plugged in 2000 or the piping from the new well put down in 2000 routing the water from the new pumping station; it took most of this

week to excavate under the well slab and it was determined that the leak was in the piping; it has been repaired; the line was being chlorinated and the well will be back in service this afternoon. Ms. Boudreaux asked if the piping was under warranty. Mr. Reardon said it was 13 years old.

Mr. Reardon asked Mr. Vinson for an update on the left-turn lane. Mr. Vinson suggested the Board read the copy of his memo regarding his meeting with DOTD engineers. Mr. Reardon said the next topic was conversations with/letter to the State Board of Contractors. Mr. Vinson referred to the letter already mailed to the State Board, which was also in the meeting packets.

Mr. Reardon asked how an update on contracts with certain sub-contractors. Mr. Maier said he asked Northshore Disposal if they had any written contracts with anyone, and they did not; the Northshore owners said they would come up with a contract and he said he reminded them several times; he said he finally received a 1 page sheet basically stating what they do now and what insurance they had, so he took a couple of other contracts – one from a past small contractor and also the CRL contract recently approved – and came up with a 3 page contract, he gave copies to Northshore to receive comments and has received none; so after confirming with Mr. Capouch that it did not have to go to finance since it was changing nothing in the budget, he said he spoke to Mr. Reardon and it was agreed to send the contract for legal review and the contract would then go to the Infrastructure Committee and then the Board. Mr. Reardon said this was a cookie-cutter type contract that could be used as a general model; and likely there would be little need for much review as it was for an existing contractor.

Ms. Boudreaux asked what happened to just re-stripping for the turn-lane. Ms. Commander said that was just one option. Mr. Maier said this for a real turn-lane and safer. Mr. Simeon asked where things stood. Mr. Vinson said as noted in his memo, basically the initial plan from the Hammond office, based on engineering tech and field survey, was to extend the culvert 250' and to add 4' of roadway and curbing with draining off of that with drop in-lets; Mr. Vinson said he pointed out the pipe drains a large area and can't handle the water that flow through it at times, and the addition of that amount of pipe would decrease the rate of flow further; also, he pointed out that with the cover required the drop inlet grades would be substantially higher than the existing ground on the Beau Chene side of the road; Mistey Evans, the DOTD engineer, was go back and look at the plans and possibility not extend the culvert and just do some curbing, with the same 4' width, and a different type of drain similar to what is around Lowe's and Home Depot – where the water falls through catch barriers down into the ditch. Mr. Simeon said so DOTD and the Association are still working on a turn lane. Mr. Vinson said yes. Mr. Reardon said it was a matter of getting a better design. Ms. Commander said it was set for the end of July and probably that's why it was pulled (note-staff had heard the project was delayed for whatever reason before Mr. Vinson met with DOTD staff in the field).

Mr. Reardon said the possibility of a small office at the treatment plant was being looked at to avoid flooding documents when there was high water; more elevated storage and a toilet was needed as staff had to go up to the office bathroom. He also noted lift station #5 needed help and Mr. Vinson was talking to a Baton Rouge engineering firm that helped design previously; the idea was to add a short-cut for flow across Magnolia and to the plant. Also he noted the Association had bought equipment to do smoke testing, starting on the western side. Mr.

Capouch asked if the office construction would impact the budget. Mr. Reardon said that was being looked at and there would be a cost proposal.

Mr. Reardon said the pothole at the entrance would keep being patched until the turn-lane came through. Mr. Vinson said DOTD needed to address that. Mr. Reardon observed the 10-year roadway plan was still in process, with a map of what was done when and a schedule of overlay days having been done; a more accurate assessment of current conditions would be done.

Parish Offer of CEA for 2 Parish Owned Lots (FEMA Program)

Mr. Reardon referred to information Mr. Weaver had found re: other lawsuits. Mr. Robichaux's opinion re: these and Mr. Weaver's recommendations, suggesting a friendly "no thank you"; he referred to Mr. Robichaux's options - #2 to decline; the Parish will maintain on its schedule; rather than having residents complain about the condition of the lot, Beau Chene can supplement the maintenance; the #1 option was to negotiate the CEA agreement to eliminate indemnity, allow the assignment the rights of use of the lot owners, subject to the CEA, and if Beau Chene obtained the rights of use, see if the adjoining owners will contribute to maintenance. Mr. Capouch moved to proceed along the lines of signing a CEA, but retain the right of use, worth the ability to assign that to the adjacent owners. Ms. Hennegan seconded it. Mr. Capouch said he couldn't see why the adjacent owners wouldn't maintain it; he noted dues couldn't be collected anyway; he felt that was a good realistic compromise. Ms. Boudreaux asked if either way insurance was needed. Mr. Robichaux said there was an insurable risk; first, the Parish owned it and had liability as an owner; if the Association had the right to use it, it had potential liability; however, the individual homeowners could be told if they insured and covered the Association as an additional risk, then the Association might accept the risk. Ms. Boudreaux asked about cost. Mr. Robichaux said it was probably next to nothing. Mr. Capouch noted he and Mr. Maier met with Parke Ellis (Association insurance agent) this week and he was to clarify several issues raised, but generally speaking Mr. Capouch understood liability coverage fell to what was owned, and in this case, scheduled all the property owned, but it did not include roads; Mr. Ellis was checking into it and the general assumption has been that it does cover the roads and all other property owned, so adding a bit more would not cost much. Ms. Bonnett said even if it didn't cover the roads the Association already owned green space and the cost was negligible; she said she was concerned about the cost of paying Mr. Robichaux to negotiate further; she had talked to Ms. Campo at the Parish early on and the Association's conditions were not ones they offered. Mr. Robichaux said he was sensitive to that, and suggested taking the CEA and cross out the indemnity agreement, but add the right to assign subject to the limitations the Association put on that will let stuff be built on it, which is by law applicable, and if Councilman Falconer helps it will get done quickly; if one expects the Parish to do anything, its answer will be this is what we give you, if you don't like it, don't sign it. Ms. Bonnett said from her conversations with the Parish, this is something to okay with FEMA and has to work for all Parish owned lots, not tweaked for one. Mr. Robichaux said the Parish could, but chose not to. Ms. Bonnett said if Mr. Capouch's motion passed then more power to it, but Plan B is to refuse the CEA, see how they maintain it, and it would be cheaper for the Association to cut the lots and let the Parish have the liability; she didn't think the Parish would agree to the Association's requests. Ms. Boudreaux asked for someone to tell her why the Association should want the lots. Mr. Reardon said from the response Mr. Maier got to his letter to the nearby residents, the Longwood people were pretty

serious about what they didn't want. Ms. Bonnett said the Board had gone above and beyond asking their opinion and they didn't want to Association to own them, to allow kids on them. Mr. Reardon said consideration was for the people on either side, discount by about 85% what the Parish said it would do. Mr. Reardon said on Asphodel Place, Mr. Hamaker was for his kids to get on it. Ms. Bonnett said if the Board didn't want to put a playground on it, they why was the discussion on-going. Mr. Reardon said if the Board said no, would it go away forever. Mr. Robichaux said no; it could be brought up in the future – the Parish can't do anything with it either. Mr. Capouch said the reason for the motion was value in adjacent owners buying in to maintain it, so the Association didn't have to maintain it and the liability was assigned to them. Ms Bonnett said if the owners come in 6 months and say the Parish isn't maintaining it, what do we do? Mr. Capouch's motion failed 2-4-1, with Mr. Capouch and Ms. Hennegan voting for, Ms. Bonnett, Ms. Boudreaux, Ms. Commander, Mr. Turner against, and Mr. Simeon abstaining. Mr. Reardon said Mr. Maier should write a letter for Mr. Reardon to sign, addressed to the Parish and saying the Association had refused to accept the CEA offer.

Community Enhancement Committee

Ms. Boudreaux asked the Board to approve adding Sal Perino to the Committee. She noted Mr. Perino owns Perino's Garden Center. Mr. Capouch moved, seconded by Ms. Commander to add Mr. Perino to the Committee. Carried unanimously. Mr. Maier asked if plants were bought from Perino's Garden Center. Ms. Boudreaux said yes, but from others as well. Ms. Bonnett said there was a conflict of interest. Mr. Maier said it probably was not a problem as long as it (the relationship) was known and there are other bids. Ms. Bonnett moved, seconded by Ms. Boudreaux, to amend the motion just passed, to make Mr. Perino an ad-hoc member of the Committee. Mr. Capouch accepted the amendment, and it carried unanimously.

Ms. Boudreaux said the Committee recommended unanimously that the "Our Beautiful Oaks" magazine serve as the newsletter for Beau Chene; she noted that Country Club of Louisiana used the same publisher/magazine for its newsletter. Mr. Reardon asked if the Beau Chene information would be thrown in with 20 pages of other information. Mr. Maier said more like 40 pages. Ms Boudreaux said there were different things highlighted, like kids, pets, etc. but everything had to do with people and Beau Chene. Ms. Bonnett and Ms. Boudreaux said it would be the Association's – solely sent out to Beau Chene residents. Ms Bonnett said on a certain page would be "Notes from your Homeowners Association" and then the Association could put whatever it wanted. Mr. Reardon said the current newsletter was 6 pages about Beau Chene and Beau Chene only, 4 times a year; he asked what else would go into the magazine as compared to now. Ms. Bonnett said it could be whatever the Association wanted, for free. Ms. Boudreaux said it would be monthly communication with the homeowners. Mr. Maier said there were 1 or 2 contracts with existing advertisers, and the magazine's rates are much higher. Ms. Boudreaux said she would check with the magazine's representative to see if it would in some way honor the ads. Mr. Maier said at the most there would be one or 2 more issues in which the ads were to be published. Mr. Simeon asked it be more specific on the name. Ms. Bonnett said it hadn't been done because the magazine needed the Association's permission to use the name (Beau Chene). Ms. Boudreaux said it say somewhere it was the official newsletter. Mr. Simeon said half the residents don't know what Beau Chene means. Ms. Commander said the homeowners should be informed this was going to be done, for the few who actually read the newsletter. Ms. Boudreaux

suggested a special notice in the newsletter. Mr. Maier noted some residents had opted out of getting paper copies, so they only receive the email version; an explanation will have to be made to alert them that a paper copy will be coming to every home. Ms. Boudreaux observed they are getting it anyway. Ms. Bonnett said the website should be the mechanism for people to read it (a link is put on the website currently). Mr. Maier reminded the Board a website will come with the Northstar system, and that was where it was talked about publishing the minutes (by password for residents only). Mr. Reardon asked if there were other opinions. Mr. Commander asked if information would be put in monthly, like the President write a letter every month about what the Association was doing, or a Committee chair could write. Ms. Bonnett made a motion that either Ms. Boudreaux individually or the Committee come up with a list of action steps being decided upon, so the Board is voting on a package of what the Association is doing rather than the concept of supporting the magazine; she said at the next meeting, she would like to know if the name is being changed, etc. Mr. Reardon also asked that the magazine's representative come talk to the Board. Ms. Bonnett said she hoped it would come in the form of a written motion. Mr. Reardon said it should also say what contributions are going to come from Board members, etc. Mr. Maier said it stands now, he and to some extent, Mr. Vinson wrote the articles; he (Mr. Maier) coordinated the printing (and ads); in recent years, the President and sometimes Committee chairmen were contributing articles; he agreed the details needed to be fleshed out, noting he had talked to Tiffany, the magazine's representative, and he and others could contribute like Country Club of Louisiana did, with bullet points, and the articles being run by the President or whoever. Mr. Reardon said the idea here was to take a closer look and answer some of the questions.

Mr. Capouch said that since Ms. Boudreaux was the person who seemed to deal directly with CRL, he would like her to communicate to CRL that when they come in to do work they at least check in with the Association and let it know what they plan to do; secondly, when CRL sends an invoice it be a detailed invoice of what they plan to do. Ms. Boudreaux said she had talked to him (Ben with CRL) about checking in with the office every time he came in and he said he would have to charge the Association for doing so, as he didn't do that for any other client. Mr. Capouch said then he wouldn't get paid, because he was not going to get an invoice from him that just said here's your monthly bill. Ms. Boudreaux said she told him to indicate on the invoice the days he was in, and if there was something extra done on those also put the date, and he said okay. Mr. Capouch said something was being lost, as in the past The Earnest Corp. actually used time cards to indicate who was doing what, where, and if could be verified they actually did the work; whereas now, a bill is just sent saying this is what is owed; and he wanted verification that CRL is here as a contractor; for example, if Lark was to work on water, it was known he was there; Ms. Bonnett said Lark interacted with staff and it was documented they were in. Ms. Boudreaux said Lark wasn't in weekly. Mr. Capouch said it appeared CRL wasn't either. Mr. Turner said based on the way the gates looked, it appeared not. Ms. Boudreaux said the gates looked fine. Mr. Turner said, for example, the fire ants in the beds. Ms. Boudreaux said that was being taken care of. Mr. Capouch said he didn't think CRL was in weekly as one could drive down the streets and see the weeds growing. Ms. Boudreaux said she was not aware of that and wished someone had said something. Mr. Capouch said it could be seen and he just wanted validation he was in. Ms. Boudreaux asked where he was talking about. Mr. Capouch said to drive down Tete L'Ours Drive. Mr. Reardon said there were weeds where the speed bump was turned down – near an empty lot on (the corner of) Yupon Place. Mr. Maier observed the

contracts were different so that CRL was cutting (the roadsides) fewer weeks a year than The Earnest Corp. was, that CRL was to cut only 36 weeks a year as opposed to 52 in the past and CRL was probably doing what it was supposed to do. Ms. Boudreaux said she didn't want to get into it – but she had pictures of what it looked like in the past. Mr. Reardon said let's not get into it.

Ms. Hennegan observed that in the past when there were ruts by the road they were filled quickly, and she once asked CRL workers when she was leaving the gate who did that; the first didn't speak English, the next said to ask Luis, and Luis was on his cell phone; she felt they didn't communicate well. Ms. Boudreaux said the ruts had been filled in. Ms. Hennegan said the one she knew of had not been. Mr. Maier said since there was no one in the community to call to fill in ruts, what he was doing was issuing work requests and calling Ben with CRL and leaving a message about where the rut was. Ms. Boudreaux said so just call Mr. Maier. Mr. Simeon asked Mr. Capouch if he was satisfied, and Mr. Capouch said as long as there was verification. Ms. Boudreaux asked if she was to tell him to come in the office or could he call in. Mr. Capouch said he could call in. Ms. Commander suggested email as well.

Ms. Boudreaux referred to a preliminary plan done by Ralph Mollo from a discussion she had with him; she observed a sliding glass window wouldn't work, and that she didn't like the arches, and she would address that with him; he proposed covering with stucco, which is what recommended, she had spoken with Kim DeBrock, an interior designer who did the Beau Chene Country Club work, and she recommended stucco; maintenance wise, stucco repairs were needed at the marina, and Ms. Boudreaux suggested a faux-finish instead of solid, which is hard to repair she suggested one color. Mr. Reardon asked if all was on hold, as per the master plan; Ms. Boudreaux suggested enclosing both sides at the gates for extra storage, especially since the Association will be offsite, whereas the plan had a useless half-wall there. Mr. Simeon asked if all was within the \$30,000 budget, and Ms. Boudreaux said yes. Mr. Simeon said he observed he had a synthetic stucco house, and after examining the court cases if it applied appropriately there not much maintenance. Ms. Boudreaux wanted more guidance from the master plan.

Mr. Reardon observed that was major item #4 on page 3. Ms. Bonnett said the conversation was that the buckshot approach, to go look at the mailboxes, the stop signs, etc., there was talk about a new brand; so what the Board approved was to charge the CEC with getting proposals and a budget for an aesthetics master plan for the assets. Ms. Boudreaux asked if that involved hiring a landscape architect. Mr. Reardon said that was part of the plan; the master plan involved all, the decision as to how to do that in pieces was a different story; all needed to be coordinated with the plan, it should not be a personal flavor, but rather an overall branding thing. Mr. Capouch observed it tied in to #5. Ms. Bonnett said having done and participating in master plans – city plans beyond a neighborhood – the kind of plan envisioned would require a firm that has dealt with retrofitting existing neighborhoods, and the firm will have landscape architects, architects, and other creative people; that would find a theme to pull all together; there should be a RFP. Mr. Reardon asked who was handling this, and Ms. Boudreaux said currently the CEC; a planning firm would be involved. Ms. Bonnett asked if a budget or costs were desired. Mr. Reardon said costs and what firm was chosen and why.

Security Committee

Mr. Simeon said Ms. Boudreaux had asked him to become acting chair, since she chaired the CEC now. He said she communicated with Mr. Reardon regarding the matter; he observed the Board could choose to ratify him as chair. Ms. Boudreaux moved, seconded by Ms. Commander, that Mr. Simeon be the Security Committee chair. Carried unanimously. Ms. Commander moved, seconded by Mr. Capouch, that Mr. Reardon takes over as Infrastructure Committee chair in place of Mr. Weaver. Carried unanimously.

Mr. Simeon noted there were 5 Board members on the Committee – Boudreaux, Commander, Hennegan, Tate, and himself, along with Bill McInnis who has a background in security... Mr. Maier observed Mr. McInnis had moved. Mr. Simeon said not yet, and would be officially gone after the election; he said Mr. Seitz and Ms. Viener were still on the Committee. He said the Committee unanimously approved the presentation he was going to make; 11 items had been looked at in-depth; he observed that 1,000 homeowners didn't reply to the survey; the key was there was a fair and honest discussion as desired by those opposed to the gates; the Committee had a discussion about some good points raised by those in opposition to the gates; next the Committee tried to determine what were major concerns of each group; the concerns of each group; the concerns of those opposed were traffic – back up onto Hwy 22, was there really a security problem, the concern of marina residents not having 24-hour access, and concerns about clearing guests; for those in opposition there was a deep concern about security and personal safety/robberies, gate runners, and property values; both groups were concerned about not getting their money's worth for guards and the need for new I.D. stickers; the Committee wanted to come up with a proposal to satisfy all concerns while moving forward, keeping in mind all was to make the marina gate a 24-access. Mr. Reardon asked if that was Mr. Simeon's summary of the Town Hall meeting and the survey. Mr. Simeon said an honest look was taken at both sides and there was healthy dialogue at the meeting; he said Mr. McInnis said when he rides with deputies they think current security is a joke; the intent of the Committee was to serve the interests of both sides; and this involved a unanimous vote of the entire Committee – all were present but Mr. Tate and Ms. Viener, and they were contacted later by him and the agreed with the Committee. Ms. Bonnett asked if this was a consensus of the sides. Mr. Simeon said yes; and he said Ms. Hennegan said she couldn't find a fault in any of it. Ms. Hennegan said it was hard to satisfy all sides. Ms. Bonnett said it was good work. Mr. Reardon said was it representative of all sides – only Mr. Tate and Mr. McInnis were new, the rest were on the original Committee. Ms. Hennegan said Mr. Zeilmann wasn't there. Ms. Boudreaux said Mr. Whealdon and Mr. Zeilmann resigned. Mr. Simeon said in the first phase marina guests (residents) had 24-hour access; from an engineering viewpoint there would be gate-arms for entry and exit, no guard, and a turn-around lane that he, Mr. Maier, Mr. Vinson, and Ms. Boudreaux had all looked at. He asked Mr. Vinson to comment. Mr. Simeon observed the gate arms would be moved further behind the guardhouse to the end of the neutral ground; there would be a turn-around if someone came in who didn't read the signs saying "residents only"; it was being determined from an engineering if that could be done. Mr. Vinson said staff had talked to Becky Lala, Parish Traffic Engineer, and she asked for a sketch; there was nothing to scale in the office, so he spent about half a day surveying; looking at national standards, the vehicle length determined the radius needed, anywhere from 35' - 45'; a 45' radius should not be needed as signs said no 18-wheel vehicles, but some do come in; with existing curb on the entrance side and utilizing green space

on the exit side, a 42` - 43` outside radius can be put in, with an 18` - 20` inside radius; 45` is not possible but it can be close. Ms. Hennegan said no Committee members live in the marina, and marina residents are the most affected and feedback was needed. Mr. Maier pointed out residents on Beau Chene Drive to the left of the main gate would be affected as most of the marina (visitors) traffic would go through the main gate; Mr. Simeon had some plans to offset that at the gate; it was a trade-off for 24-hour access. Mr. Turner said I personally wanted that, his neighbor – so he could go hunting. Ms. Commander said some wanting to go to Franco's before 6 a.m. or coming in after 10 p.m. are inconvenienced; before 6 and after 10, marina traffic is on Beau Chene Drive. Mr. Turner said he lived on the corner and there was not a lot of it. Mr. Capouch noted some visitors' GPS devices routed them to the marina gate but he didn't know how to change that; he suggested signage could correct that, as there was no longer a guard. Mr. Simeon said Plan B was to put a gate arm only in the right land for residents, with a guard in the left without an arm out of concern from people it would slow traffic down; either way concerns for both sides would be satisfied; traffic coming in at the marina gate is not that great, but there are times where the guard dealing with a large truck can't see the outside lane; an arm will cut down on gate runners; at the main gate there would be no gate arms because of concern about slowing things down, but 2 guards would be there, one for each lane; at the east gate, there would be an entrance arm for residents and one for visitors, but the visitors arm would not be activated by gate keeper software, but rather by the guard; another idea was the I.D scanner – there are 3 types, one identified the metallic square; the best scanned the I.D. to a computer; the proposed system is appreciably less; the total amount for the main, east, and marina gates, the ISN cost, was \$17,100; with Plan B, the ISN cost was \$20,000; the J.L. Roberts cost would be less as there were less arms; scanners would cost \$2,500 each; Plan A would have them at the main and east gates; Plan B at all gates; there would be costs for computers; Plan A has the RFID reader; the control panel would link through the internet to a main computer in Mr. Maier's office; there is no need for a computer on site to operate the reader at the marina; under Plan B, the guard with a scanner would need a computer. Mr. Reardon said Mr. Robichaux was still present and Ms. Bonnett had a 12 p.m. meeting. Since priority #1 was the CAO offer he said the meeting needed to move to that. Mr. Simeon said the Board should consider giving the Committee the opportunity to move forward with either plan; the Board had decided to put in the entire gate system; this would modify it to satisfy as many as possible; he suggested the Board give the Committee the power to renegotiate the contracts and have a contract for the May meeting for approval. Mr. Capouch said re: the main gate plan, would the guard have a method to check RFIDs, or would it be visually done. Mr. Simeon said visually done; a color than black would be requested. Mr. Capouch asked if a guard shack needed to be built for the guard in the right lane. Mr. Simeon said the options would be an overhang extension or an individual station. Mr. Simeon asked that the Board move forward with the proposal presented, seek the necessary contracts – request from ISN and J.L. Roberts contracts for the system presented; there would be a move definitive proposal to sign contracts; he felt another step forward was needed. Ms. Bonnett said she did not agree because 2 Fridays ago the Board went through a process of identifying 12 priorities, #11 was security gates; the 1st 4 have unknown \$ signs attached to them – the cost of the CAO was not known; the cost of the 10 year infrastructure plan was not known; the cost of the beautification plan was not known; financial implications of any club purchase was not known; the website, communications, the branding – that cost is not known; she said money can't be allocated to security when it was 11 out of 12 until 1-9 is looked at. Mr. Simeon said the money was already allocated in the budget, the Finance Committee had looked at it; he

said this ended up at #11 for whatever reason but the entire community had been talking about this since it started; the Committee had done its due diligence and unanimously recommended moving forward; this issue had gone before the community and it was time to act on it. Mr. Turner asked if at the marina entrance there would be 2 arms; Mr. Simeon said 1 for the entrance and 1 for the exit. Mr. Turner asked if someone from out of town pulled in and someone pulls behind them, how they would turn around. Mr. Simeon said the turnaround would be there for them to exit; signs would be put saying for residents with decals only; if someone doesn't read it, there will be another at the arm, they'll turn around and leave. Mr. Turner said earlier the arms would be break away; so if a motorist pulls up at 2 a.m. and doesn't want to turn around, he could ease up against the arm and pop it off, then he's in the neighborhood with no one to stop him. Mr. Reardon said so, was there an increase or decrease in security for marina residents with this project. Mr. Turner said the project was for increasing security; this is decreasing security for the whole community. Ms. Commander said the cameras would still be up. Ms. Boudreaux said a signal would go to the main gate. Mr. Turner said it will take time for a guard to come across the community. Mr. Reardon suggested tabling the matter. Mr. Capouch moved to table until the next Board meeting. There was no second. Mr. Simeon moved to allow the chair and the committee to seek contracts for both plans at the marina and to have a contract that could be signed at the next meeting. Ms. Commander seconded the motion. Mr. Simeon essentially repeated his motion and said there would be a more concrete analysis of the turn around by the next meeting. Mr. Reardon asked if the presentation would be cleaned up. Mr. Simeon said yes. Mr. Reardon said so it is not a yes or no for A, or yes or no for B – there was no “no's”, the Committee will recommend pulling the trigger on one or the other. Mr. Simeon said there will be a detailed analysis, including on whether the main gate system could be stepped up to the next level. Mr. Reardon called for a vote. The motion failed with 3 for (Boudreaux, Commander, Simeon) and 4 against (Bonnett, Capouch, Hennegan, Turner).

Mr. Capouch moved, seconded by Ms. Hennegan, to table any further discussion, including discussion on the gates, until the next meeting. The motion carried with 4 (Bonnett, Capouch, Hennegan, Turner), 2 against (Boudreaux, Simeon) and 1 abstaining (Commander).

Regarding the CAO, Mr. Reardon said a proposal was needed to hire this guy. The Board then decided to go into Executive Session. Mr. Maier said someone should make a motion to go into and come out of Executive Session. Mr. Maier and Mr. Vinson then left the meeting.

After the Board came out of Executive Session, Ms. Commander made a motion to extend an offer to our currently identified CAO candidate, seconded by Ms. Bonnett. The vote was unanimous.

Martha Hennegan, Secretary
Bill Maier, Staff