

## **Minutes of NLLOA Special Board of Directors Meeting    Oct. 4, 2005**

Michelle Kircher, President, called the meeting to order at 7:07 PM.

Board Members present: Michelle Kircher, President; Elmer Friedrich, Vice President; Lee Leeper, Secretary; Lewis Cogdell, Restrictions, Ed Pastor, Security, and Debbie Purcell, Roads. Absent: Bob Redoutey, Treasurer.

Homeowners present:

Suzi Twomery, 221 FM 3405, 863-7648  
Steve McDowell, 190 Valley View Road, no phone number given,  
Gail Lloyd, 103 Harbor Cove, 863-2927  
Russ Purcell, 212 Valley View, 869-1223  
Michael Watson, 100 Buoy Drive, 819-9197  
Walt Stueck, 1900 FM 3405, 863-8688  
Kent Conner, 1480 FM 3405, 863-2709  
Christina Cogdell, 321 Ridgewood, 931-2123  
Cindy Zimmerman, 504 Harbor Drive, 863-2774  
Cindy Patton, 104 Apache, 868-2121

This meeting was called at the request of the Board President to consider concerns by homeowners about the variance for the kennel at 100 Buoy Drive, owned by Michael Watson. Following the September 20 meeting, the five board members present voted for approval. Ed Pastor and Debbie Purcell were absent. Debbie said that she would have noted "no" and Ed would have abstained. Debbie stated that she believed that the definition of a business was an activity in which goods or services are exchanged for money. She was not persuaded by Mr. Watson's statement that the City, the County, and IRS found that this activity did not qualify as a business. There were allegations that Mr. Watson told neighbors about the proposed kennel and asked them not to say anything, but Mr. Watson denied the allegation. Several homeowners expressed concern that approval of this request would encourage others to open home-businesses. Opinions were expressed that the Board should have publicized the application, should have canvassed the neighborhood, and should have taken more time to make a decision. One person said that if the matter went to court, NLLOA would probably not prevail because of our spotty record in enforcing deed restrictions. One Board member offered to resign. Factors in approving this application were that there would be no signs posted, no employees, adequate fencing, noise-deadening, heating and air conditioning, dogs would be exercised in groups rather than one at a time in order to minimize noise. The presence of another kennel on FM 3405 about 1/4 mile away, and the location of the proposed facility near the corner of Buoy Drive and FM 3405 would have less impact than if it were in the middle of the neighborhood. Lee Leeper investigated the complaint lodged prior to the approval and explained the reasons for the Board's anticipated action. Lee will continue to monitor the facility and will provide feedback to the Board. Following the meeting, no vote was taken to change the decision. The meeting adjourned at 9:10 PM.

Copies of minutes of this meeting and the September 20, 2005 regular meeting will be mailed to the above homeowners and all dues paid members.

Lee Leeper, Secretary