



LUBBOCK COUNTY WATER CONTROL & IMPROVMENTS DISTRICT NO. 1

9999 High Meadow Road – Lubbock, TX 79404
Administration Office: (806)747-3353 – Fax: (806)747-3714

Minutes

CALLED MEETING OF THE BOARD OF DIRECTORS
TUESDAY, MAY 7, 2019

The Lubbock County Water Control and Improvement District No. 1 (LCWCID) Board of Directors met in called meeting on TUESDAY, MAY 7, 2019, at 9:00 a.m. in the LCWCID Administrative Offices located at, 9999 High Meadow Road, Lubbock, Texas. Notice of the meeting was legally posted in accordance with Government Code, Title 551, Open Meetings

1. CALL TO ORDER AND INVOCATION:

President Moore called the meeting to order at 9:01. Director Hildebrandt gave the invocation.

2. ANNOUNCEMENT OF QUORUM:

President Moore called a Quorum with all five board members present.

Bill Moore, President
Tom Keisling, Secretary/Treasurer
Gary Satterwhite, Director

Casey Hildebrandt, Vice President
Greg Lewis, Director

3. Public Comments:

Jeff Cloud spoke to the board regarding the speed limit at the marina. Mr. Cloud asked to be on the agenda for June to change the speed limit 20mph where it is currently 30mph. Director Moore told Mr. Cloud to get with the secretary to add him on the next agenda.

4. Approval of Minutes:

A. April 4, 2019

Bill Moore asked for a motion to approve the Minutes. Director Hildebrandt made a motion to approve the minutes of April 4, 2019, as written. Director Satterwhite seconded. The motion passes unanimously.

5. EXECUTIVE SESSION:

President Bill Moore declared Executive session of the board of directors. Pursuant of the open Meetings Law, Chapter 551, Government code, Vernon's Texas Codes Annotated, in accordance with the authority contained in section 551.074 Personnel and section 551.0725 contracts. The Executive session was called to order by President Bill Moore at 9:06 a.m.

- A. Section 551.074, Personnel
- B. Section 551.0725, Contracts
- C. Section 551.072. Deliberations about Real Property

6. Re-open in Regular Session

Re-open regular session at 11:00 a.m.

7. NEW BUSINESS:

- A. Discuss and Consider Ed and Debbie Cosgrove Lot 229 rental property request

Director Hildebrandt made a motion to allow the Cosgrove's to lease their property. Director Satterwhite seconded, Director Keisling aye, President Moore aye, Director Lewis nay motion passes.

B. Discuss and Consider Lot 27 encroachment easement

Discussed in Executive session, moved to June Board Meeting

C. Discuss and Consider Rental facilities with gate admission

Mr. Lewis made a motion to discuss rental facilities, there was no second. The motion failed for lack of second.

8. OLD BUSINESS:

A. Discuss and Vote H2O Water Park

Discussed in Executive Session, tabled to the Friday May 10, 2019

B. Discuss and Consider Lot 246 Ron and Paige Alvarado

President Moore stated of a building that was constructed that is not in the guild lines of the off sets that are in the rules and codes and we need a resolution to this, this needs to be fixed in such a way that we can be compliant with the rules.

Paige Alvarado addressed the board regarding the issues with the construction on the property. "So, I'm pretty soft spoken so I'm going to stand up so y'all can hear me ok. So, our attorney spoke to Jody yesterday Jody Jenkins y'all's attorney. When we submitted in June of 2018 all of our plans, our engineering specification, our building specification form Campbell steel building. We submitted everything I understand y'all had a lightning strike and so you lost your stuff in June and in July. We did not, we still have all of our e-mail trail. All of our communication back and forth with the lake office, the lake manager came to our property did a walk through. This concrete pad where our building is, was put up it was constructed in the 80's, so we did not build a new concrete pad. This pad since 84 has always been one foot from the private drive, we do not live on a main road we live in a private drive there are three homes our two neighbors have been contacted, they do not have an issue with our building. So anyways our plans were submitted to the lake to be built on this concrete pad but we had to reinforce it we had to correct its structural integrity and all that. All of that was approved with a walk through with the lake manager. The building was delivered in January I called the lake office told them our building was going to be coming through the gate blah blah blah the next day, Brandon comes to the house and he says Paige y'all don't have a permit for that and we were like I did know our guys needed one, he says yeah they do, if you can come up to the office and meet with us. Brandon was at our property a second time, so we came up here meet with him and Director Satterwhite Brandon said we lost all our records all we have is this e-mail trail. I kinda remember what happened it was a different board then I was knew to the lake we had a lot going on in July trying to get ready for July 3rd things like that. They agreed to go ahead and give us the permit based on his recollection of the conversation. So twice now our building has been approved we did not increase the size of that concrete pad. Its been there since the 80s its been approved twice a permit was issues and we built it. So, when our attorney spoke to Jody Jenkins yesterday, he said Paige that's not the issue the issue is not the building. The issue is that now a board member is concerned that the building is sitting on a concrete pad that is only one foot from the easement of the private drive. The concrete pad has always been there, we submitted to build on that concrete pad with a walk through twice once with no building and the second time the walls were already up. So, this property has been looked at twice this concrete pad has been seen twice, and approved twice and a permit issued, and so I understand stuff happens maybe its error on our part maybe on your part. Never once did the lake decline our building. Never once did we receive a letter, that said hey you know what we need to think about this we need to maybe get a new survey maybe we need to do something else when we where here that day never once did the lake manager or Director Satterwhite say you know what lets hold off. Let's figure out what's going on let's see if we can find those records before we approve this and give you the permit. The building is finished the day we get the permit and then here we go January we start receiving e-mails the board wants a new survey ok \$350.00 dollars we get a new survey, nothing changed from 1980. The board wants a concrete engineering inspection ok \$450.00 dollars we got a concrete engineering inspection. We are done, I mean we literally are at a stand-still we have nothing more to offer you nothing to propose y'all approved it we built it, as approved where it was approved. We want resolution just like y'all do, we want to work with the lake board we understand there are rules we are not on a public drive we are on a private drive our neighbors do not have an issue with the building why because the concrete pad was already there. Its been there since these people have lived there, way before we did. So, you know at this point the lake inspector said on a case by case basis the board can make exceptions to the easement requirement that is all we have left here is to ask you guys you know regardless of who approved it who didn't send a denial letter who didn't do what we worked the entire fall I mean I contacted Heather about a tree that was on our property that had to be removed but yet it shaded our neighbors house Heather talked to the neighbor we call Hildebrandt after we got approval they came out took the tree out we have followed those policies as close to the letter of the law as we could we never built anything, someone made a comment oh they built it now they want it approved. No, it was approved in June so we want to work with you guys we are just as tired of this as y'all are but there is nothing else we can offer other than just to ask that were granted an exception and it stays where it is if we move the building we move the building the concrete pad is still going to be there. Where it was in 1980 what is that going to solve. President Moore asked did you know when you got ready to pour your slab that the slab that was there in 1980 was out of compliance? Mrs. Alvarado said "how would I know that and why would we have not been told that when our house was sold? If Ron and I wanted to put our house up for sale today we could not. We would have to inform the people the new purchasers or whom-ever you know what this house is on the market but the board has an issue with it right now because it does not meet their requirements, we were not told that when we bought our house we had a survey done and that's why when Brandon said hey Paige we need to get a new survey, I'm like why? We just got a survey in April 2018 when we bought the property, we did it anyway. Brandon stated the reason I had asked is that I didn't know you had already had one. Paige states "no its fine, and that's another thing, Heather didn't even have copies of our or documents for our lot lease. So, we went through the trouble to make sure that we got those for Heather a year later. My point is we had no idea that concrete was not were its supposed to be but neither did Brandon when he did the walk through, twice if he would have known that I don't think he would have issued that permit. The concrete had been there, it was existing nobody had any inclination that it was out of, I mean you can drive through the lake and you just can't look at something and say of that's not in code. When we purchased that home, we had a survey done and we were not told that it was in violation of the lake's rules and regulations. Mr. Lewis- you wording or what you are asking for is a variance? Paige- We are asking, your letter to our attorney said give us a suggestion like what is your resolution Ron and Paige what is your resolution to this problem? We have tried to help by doing everything we can. We have got everything we can, there is nothing left for us to offer you guys. I mean were asking for a variance, what do we do at this point? We are not a public street our neighbors do not have an issue. We submitted plans June 15, 2018 construction started January 15, 2019. It was a one day, job but that's our fault I did not know. So, again it's an error on our part it's a

learning thing. It was all approved is it our fault? Yes, it's our fault did the board approve it all? The board approved it, were there walk throughs done? Yes, so. Hildebrandt- the board didn't approve it. Paige- Brandon did, I'm sorry does he not have the authority? Hildebrandt- that's why we are having the discussion. Paige- does Brandon have the authority to approve and issue a permit? Because he did. Hildebrandt- up until January 24th you did not have a permit. Paige- we didn't need one we were not building. The building is a one day, job it came through the gate at 8:20am and finished at 4:00pm. The slab took two days, I actually paid for two permits Brandon made me pay for two permits. Bill- did you know when you had this idea, that you were required to have a building permit. Paige- no I did not, I did not know that until Brandon came and knocked on the door. Bill- let me explain something to you weather its buffalo springs lake, or city of Lubbock or Dallas property you still have to follow the state building codes. **Director Hildebrandt made a motion to ask the Alvarado's to comply with the current building codes, Director Keisling seconded, Director Satterwhite seconded, President Moore aye, Director Lewis nay motion passes.**

C. Discuss and Consider Lot 80 Julio Narvaez retaining wall plans

Mr. Narvaez was not present. There was no discussion.

9. REPORTS:

A. Finance Report by Heather Purcell

Heather gave her Finance report for the month.

B. Promotions Director Report by Lacie Stegall

Lacie gave her promotions report on her plans to bring more events and plans to try and get lost events back out to the lake.

C. Police Department Report by Chief Naron

Chief Naron reported to the board and requested the need to add another office to his staff, to help patrol the ATV trails on our busy weekends and larger events.

D. Managers' Report by Brandon Powell

Mr. Powell gave his manager's report for the lake, the beaches received \$2,600 of new sand, working with IT guys on the gate issues. We will also be getting more dirt and rock to make things level on camp ground B.

11. ADJOURN:

Director Keisling made motion to adjourn. Director Satterwhite seconded motion. The motion passed the meeting adjourned at

Bill Moore, President
Lubbock County WCID No. 1

Date