

MINUTES OF SPECIAL MEETING
BOARD OF DIRECTORS

LOST CREEK LIMITED DISTRICT
Travis County, Texas

July 12, 2017

The Board of Directors of Lost Creek Limited District of Travis County, Texas, convened in a special meeting at the Lost Creek Limited District administrative office located at 1305 Quaker Ridge Drive, Austin, Travis County, Texas, on Wednesday, July 12, 2017. Lawful and proper notice of the time, place and the subject of the meeting was posted at the place and time required by law.

Directors: Leah Stewart
Eric Castro
Chuck McCormick
Andy Bitner
Madeleine Connor

District Attorneys: Tony Corbett

Bookkeeper/Manager/Deed
Restriction Enforcement Officer: Jim Emmons (Pinnacle Texas Management Services)

Residents and guests: See Attached Sign-in Sheet

1. Board Convenes, and Roll Call (Agenda Item 1)

Director McCormick called the meeting to order at 6:30 p.m. All directors were present, thus constituting a quorum.

2. Executive Session

At 6:31 p.m., Director McCormick announced that the Board of Directors would go into Executive Session under the Open Meetings Act to seek legal advice and opinion from the District's legal counsel with respect to Agenda Item Nos. 2(a) and (c).

Prior to commencement of Executive Session, Director O'Connor announced that she objected to the Board going into Executive Session with respect to Agenda Item No. 2(b) because the agenda does not define the meaning of the phrase "special litigation". Mr. Corbett responded that the Board was not entering Executive Session with respect to Agenda Item No. 2(b).

Director Connor alleged that the Board violated the Open Meetings Act because a copy of litigation counsel's engagement letter furnished to the Board in connection with Agenda Item 2(b) was not furnished to every resident of the District. Mr. Corbett responded that the Open Meetings Act requires the District to furnish notice of deliberation topics, but does not require that every document in a meeting packet to be furnished to every resident. After further discussion, Director Stewart requested that Director Connor provide legal support for her interpretation of the Open Meetings Act.

A resident of the District asked that the Board identify the provision of the Open Meetings Act under which it was entering Executive Session. Mr. Corbett replied that Director McCormick previously announced that the purpose of the Executive Session was to seek legal advice and opinion regarding Agenda Item Nos. 2(a) and (c), and that the Act does not require that a specific statutory number be announced.

The resident also expressed opposition to the participation of any person other than members of the Board of Directors in Executive Session. Mr. Corbett replied that the Board Directors is authorized to request persons whose presence they deem necessary to participate in Executive Session. Director Castro noted that it is not possible for all defendants to seek confidential legal advice from its counsel except in Executive Session because a quorum of directors are defendants.

Director Connor announced that she would recuse herself from participation in the Executive Session. Director Bitner also announced that he would not participate in the Executive Session

At 6:44 p.m., the Board commenced Executive Session with Director McCormick, Director Stewart, Director Castro, Gary Sertich, Jim Emmons, Scott Tschirhart and Tony Corbett.

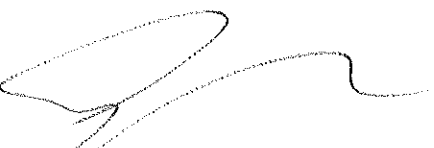
At 8:13 p.m., Director McCormick reconvened the open session with all directors present. He announced that no final decisions, votes or actions were taken in Executive Session.

3. **Agenda Item 2(a) – (d)**

Director Castro moved that the Board table consideration of Agenda Items 2(a)-(d) until the July Board of Directors' meeting. Director Stewart seconded the motion. The motion carried 4-0-1, with Director Connor abstaining.

4. **Adjournment (Agenda Item 9)**

Upon a motion by Director Castro, the Board adjourned the meeting at 8:15 p.m.



Secretary



BOARD OF DIRECTORS MEETING
LOST CREEK LIMITED DISTRICT

July 12, 2017

SIGN IN SHEET

	NAME (Please Print)	ADDRESS (optional)	TELEPHONE (optional)
1	Helen Anderson	6703 St. Andrews way	
2	Gary Sertich NEAL LARSEN	1807 Big Canyon 1906 Cypress Pt East	
3			
4	Barbara Szaby		
5	Diane Fulton		
6	Joyce Cunningham		
7	Michelle Carlquist	Southern Hills place	
8	James Carlquist	6303 Southern Hills pl	
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