

# OLDE OAKS COMMUNITY IMPROVEMENT ASSOCIATION

## Board of Directors Meeting—rough draft minutes

6:45 to 9:00 pm April 11, 2012

MUD #44 Club House

### GENERAL MEETING (open to members)

- **Call to Order:** 6:45 by President Sulski. Board attendees were Susan Sulski, Linda Faulkner, Christine Potter and Joycelyn Ray. Vince Perna unable to attend.
- **Minutes for Prior Meeting, March 14, 2012**
  - Reading of Executive session minutes: Mr. Williams read the executive minutes and advised attendees the open session minutes will be posted on the web page a few days following the meeting instead of being read.
  - Approval of prior minutes: Minutes for the March meeting were unanimously approved.
- **Financial and Deed Restriction Status** (on back): Mr. Williams summarized the association financial status.

### BOARD ACTIONS SINCE LAST MEETING: Summarized by Ms. Sulski.

- Approved expenditure of \$250 for garage sale signs and ads.
- Approved rental of additional chairs for owners meeting.
- Approved entrance light repair at Waterford Park, estimated at \$540.
- Approved removal of 3 dead trees on Beecham Dr. across from the Lake in Waterford Park, estimated cost \$2,240.
- Authorized ACMI to proceed with determination of ownership of land on either side of Brightwood near entrance as preliminary planning for improvements at that location.
- Approved work to repair fence, maintain exterior shrubs as well as interior grounds of cemetery enclosure on Haven Oaks Dr. ACMI to provide estimate of repair cost.
- Approved settlement on one overdue account and rejected a request by a homeowner for waiver of late fees and interest that was unsupported by any hardship.

### OLD BUSINESS

- **2012 collection activities:** Summarized by Mr. Williams.
  - 212 certified final notices prior to lien;
  - ACMI has processed 34 three month payment plan applications;
  - board and ACMI worked with attorney in evaluation of payment plan and account settlement issues (25 payment plans through attorney);
  - authorized legal action related to seven outstanding accounts.
- **Deed Restriction Action:** Aggressive force mow program continued (abandoned homes are on a twice monthly schedule): Noted by Ms. Sulski. Mr. Williams advised the it appears that the force mow notices are working since the number of lawns that require mowing when the crew arrives continues to be much lower than the number of notices sent.
- **Sign board repair vendor selection.** Mr. Williams advised board that one company who initially provided a quote for the repair work has withdrawn and the other company has yet to provide a quote for a side opening door. He provided information on Adam's Signs who apparently has worked on the association signs in the past. Their recommendation is to replace the signs, not to repair them. A quote for typical boards was provided to board members along with a link to their web site. Board agreed to review information on the web site and be prepared to discuss this issue further via e-mail once the updated repair quote is available. (Adam's quote info is attached).
- **Landscaping plan and cost estimate for Brightwood entrance and cul-de-sacs.:** Reviewed by Ms. Potter. Board unanimously approved the project with two requirements: 1) an agreement acceptable to board must be developed by the association and property owner attorney prior to any expenditures and 2) The cost for the project must not exceed the quote of \$11,392 presented by Ms. Potter. ACMI was asked to work with Holt and Young to obtain a draft agreement and to solicit another bid or two to ensure the IMS quote is competitive.

Board unanimously approved the IMS quote for upgrading landscaping on eight cul-de-sacs and asked ACMI to expedite the work. The possibility that some of the areas may require additional sod was discussed and board concluded they would ask IMS to review this issue with them on a site-by-site basis when the work is underway.

- **Home count and lot allocation projects.** Mr. Williams confirmed that the home count project is complete. In this effort the detailed HCAD maps were downloaded for each area with combined lots and Google satellite photos used to identify homes. The association data base will be updated to ensure consistency. The final "counts" are: Lots, 1,660; Homes 1,556; collection points used in the trash contract 1,536 (this assumes there are 20 vacant homes, on average).

Tables showing the status of work on the lot allocation project were provided to board. The project should be complete by the May meeting with a final listing of lots where the allocation provided by CMC is not consistent with deed and HCAD data. Board unanimously approved the issue of a credit against 2013 assessments for the past 4 years overpayment for owners where the lot allocation has been high and notification of owners where they have underpaid of the underpayment and that they will be assessed correctly beginning with the 2013 assessment—no effort will be made to collect prior underpayments.

Board also unanimously approved a special ACMI effort prior to issue of the 2013 invoice to double check addresses in the association data base for joined lots against HCAD data to ensure accuracy.

- **Walters, Pebblebrook, Brightwood, Terrace Oaks and Waterford Park entrances:** Review monuments, landscaping, beautification, etc. Board agreed to initiate steps to form a special committee to consider options and prepare recommendations. A request for volunteers will be included in the upcoming newsletter. Everyone agreed that it will be mandatory to establish a charter and set of guidelines as a first step, prior to initiation of any board studies.

#### **NEW BUSINESS**

- **Committee Reports:** ACC; Communication Committee: Communication committee prepared first updated newsletter in March with good reviews. Finalization of an improved new owners package and changes to the web page are near completion. Mr. Williams asked that the committee consider posting attachment to a new owner letter on the web page and referring new members to the information in the welcome letter rather than having a large mailing.
- **Board protocol and approval procedures:** Board unanimously agreed with the recommendations related to coordination of e-mail requests proposed by Ms. Sullski.
- **Trash collection contract signature (if finalized) and implementation plan.** Ms. Sulski signed the agreement. ACMI will send the signature copy to Royal and scan and e-mail a copy to all board members.
- **Investment Planning status report, recommendation.** Deferred
- **Special DR inspection for mailboxes (April) and mildew/mold (May):** Unanimously approved under contract terms.
- **Confirmation of date for next meeting:** May 9, 2012

**OPEN DISCUSSION PERIOD:** Several different items were discussed. The members in attendance all asked for a longer discussion period. Board members discussed the possibility that the format for the board meeting be changed every 3-4 months to greatly reduce the business meeting and expand the open discussion period. Perhaps a "Town Hall Meeting".

**ADJOURN OPEN MEETING:** Meeting was adjourned at 8:30pm.

**EXECUTIVE SESSION SUMMARY**

- The Board unanimously approved write offs of amounts that were deemed uncollectable relating to 24 accounts totaling \$11,914.
- Discussed various legal issues and approved filing of lawsuits to seek foreclosure on two delinquent accounts.
- The Board discussed issues relating to maintenance of backyards of abandoned homes and unanimously agreed that such maintenance will be handled on a case by case exception basis, health issues will be reported to the Texas Health Department.
- The Board approved action relating to an unusual ACC request.
- The Board approved appointment of Steve Hatcher as a member of the Board to serve out the remaining unexpired term for Linda Faulkner who is resigning from the Board as of April 26, 2012, Mr. Hatcher will also serve as Treasurer.

ADJOURN EXECUTIVE SESSION

\_\_\_\_\_  
Vincent A. Perna, Secretary

\_\_\_\_\_  
Date

### OLDE OAKS OVERVIEW

| Balance Sheet Items                  | 03/31/12            | 02/29/12            | YE 2011                             |             |
|--------------------------------------|---------------------|---------------------|-------------------------------------|-------------|
| <b>Total Cash</b>                    | <b>1,270,695.33</b> | <b>1,275,110.45</b> | <b>907,939.22</b>                   |             |
| Reserves, YE 2011                    | 556,441.28          | 556,441.28          | 556,441.28                          |             |
| <b>Operating Account</b>             | <b>714,254.05</b>   | <b>718,669.17</b>   | <b>351,497.94</b>                   |             |
| <b>Receivables</b>                   |                     |                     |                                     |             |
| Prior years                          | 39,905.35           | 42,429.11           | 52,320.89                           |             |
| 2011 Assessments                     | 58,134.53           | 67,874.20           | 80,573.41                           |             |
| 2012 Assessments                     | 158,618.86          | 215,826.10          | 710,508.81                          |             |
| <b>Subtotal- assessments</b>         | <b>256,658.74</b>   | <b>326,129.41</b>   | <b>843,403.11</b>                   |             |
| Legal Fees                           | 88,468.63           | 69,432.23           | 71,522.20                           |             |
| Collection Fees                      | 20,016.62           | 14,364.75           | 8,961.88                            |             |
| Forced mowing                        | 2,496.00            | 1,472.50            | 772.50                              |             |
| Late fees and interest               | 58,232.08           | 63,044.18           | 61,954.29                           |             |
| <b>Subtotal- fees/interest</b>       | <b>169,213.33</b>   | <b>148,313.66</b>   | <b>143,210.87</b>                   |             |
| <b>Total Receivables</b>             | <b>\$425,872.07</b> | <b>\$474,443.07</b> | <b>\$986,613.98</b>                 |             |
| <b>Revenue</b>                       | <b>3/31/2012</b>    | <b>2/29/2012</b>    | <b>BUDGET</b>                       | <b>PCT</b>  |
| Current/Prior/interest               | 580,358.42          | 510,003.85          | \$699,500.00                        | 83.0        |
| Next Year Assessments                | 256.76              | 118.81              | \$350,000.00                        | 0.1         |
|                                      | <b>\$580,615.18</b> | <b>\$510,122.66</b> | <b>\$1,049,500.00</b>               |             |
| <b>Expenditures (25% of year)</b>    |                     |                     |                                     |             |
| Utilities(power, water, trash)       | \$117,760.86        | \$80,494.62         | \$522,492.00                        | 22.5        |
| Deputy Services                      | \$63,951.00         | \$42,634.00         | \$257,000.00                        | 24.9        |
| Landscape(excluding projects)        | \$12,839.42         | \$7,454.71          | \$55,515.00                         | 23.1        |
| Forced Mowing                        | \$1,824.00          | \$400.00            | \$2,500.00                          | 73.0        |
| Administration/Corp. Legal           | \$10,593.30         | \$6,968.30          | \$45,450.00                         | 23.3        |
| Other Maintenance/Pest Control       | \$2,831.50          | \$2,729.00          | \$20,000.00                         | 14.2        |
| Net Collection Cost                  | (\$1,667.60)        | (\$6,517.73)        | \$18,500.00                         | (9.0)       |
| Association Activities               | \$5,687.19          | \$4,531.51          | \$9,100.00                          | 62.5        |
| Insurance                            | \$0.00              | \$0.00              | \$6,000.00                          | 0.0         |
| Accounting/taxes                     | \$3.43              | \$3.43              | \$500.00                            | 0.7         |
| Contingency/Projects                 | \$11,533.26         | \$10,903.44         | \$31,000.00                         | 37.2        |
| Refunds/other                        | (\$11,439.44)       | (\$10,592.00)       | \$0.00                              |             |
| <b>Total</b>                         | <b>\$213,916.92</b> | <b>\$139,009.28</b> | <b>\$968,057.00</b>                 | <b>22.1</b> |
| <b>Cases, With Attn. (&gt;\$200)</b> |                     | <b>5-Apr</b>        | <b>Cases, With Assn.(&gt;\$200)</b> |             |
| Notice(s)                            | 53                  |                     | Collection Program                  | 124         |
| Bankruptcy                           | 6                   |                     | Foreclosure                         | 11          |
| Payment Plan                         | 25                  |                     | Payment Plan or Plan request        | 34          |
| Judgment/Legal action                | 8                   |                     |                                     |             |
| <b>Total</b>                         | <b>92</b>           |                     | <b>Total</b>                        | <b>169</b>  |
| <b>Feb. Deed Restriction Notices</b> |                     | <b>Number</b>       |                                     |             |
| Positive Feedback                    | 71                  |                     |                                     |             |
| Force Mowing                         | 21                  |                     |                                     |             |
| Major, with attorney                 | 17                  |                     |                                     |             |
| Other issues                         | 183                 |                     |                                     |             |
| <b>Total</b>                         | <b>292</b>          |                     |                                     |             |