

Point La Vista Property Owners Association, Inc.

MINUTES – Regular Board of Directors Meeting

Meeting date: January 16, 2021

A regular meeting of the Point La Vista Property Owners Association, Inc. Board of Directors was called and the required notice given pursuant to Article 4.4 of the Bylaws, Notice of Meetings, Texas Property Code and Texas Property Code Section 209.0051-e, Open Board Meetings. The meeting was held on Saturday, January 16th, 2021 at the PLV tennis court.

Five Board members were present – Charles Fisk-President, Wade Kusler-Vice President, Brian Battle, Tom Craig and James Doster as well as Treasurer-Jane Harvey, and Secretary-Greg Harvey.

7 Point La Vista residents recorded their attendance on the sign in sheet.

President Charles Fisk called the meeting to order at 1:04 pm.

Minutes of the September 26th, 2020 board meeting were summarized. Motion to approve by Brian Battle, 2nd by Tom Craig. Motion Carried.

Jane Harvey presented the Treasurer’s report:

Checking Account Balance \$69,094.79 (1/14/21)

Reserve Money

CD 6901 Maturing 3/31/2021	\$5,696.31
CD 1927 Maturing 9/22/2021	\$8,784.19
CD 7081 Maturing 11/7/2021	\$12,777.09

Total Funds **\$ 96,352.38**

2021 Annual Dues

2021 Dues Billed (Oct. 2020)	\$75,825
2021 Dues Received (Oct-Jan. 14th)	\$33,800 (44.6%)
2021 Dues Outstanding (Jan. 14th)	\$42,025 (55.4%)

2020 Property Sales

42 lots total (Transfer Fees Received: \$1,085)

Liens

- No liens were filed in 2020
- Liens Paid Off: 7 (Total Received \$6,130)
- Will present a list in March 2021 for proposed new filings

Adopt-A-Lot

- 6 lots have been adopted, cleaned up and billed (\$300)
- 5 lots have paid the fees (\$250)

Mowing

For Fall Cleanup Day 2019 lots by the entrance were the focus. In 2020 Larry mowed these lots to keep them from getting overgrown again.

- 2020 - 11 lots billed \$550, 4 lots paid \$200

- 2019 - 11 lots billed \$550, 6 lots paid \$300

Brian Battle moved to accept the Treasurer's Report. 2nd provided by Wade Kusler. Motion Carried.

Greg Harvey presented the Secretary's report:

Owner Engagement

- Added a request for updated contact information to the annual mailing and got great response. We received updated contact information for 50+ owners representing ~100 lots
- The Facebook page now has 47 people following it
- Last year the Point La Vista website saw 6,544 visits, with traffic growing each month. The most popular topics are: Contact US, About, Links, and Before You Build
- 6 Newsletters were sent out in 2020, the last one in October.

POA Records

- We purged around 200 pounds of paper records (shredded 110 Lbs and recycled the rest).

Misc.

- The Buoy's cable in the west cove broke in Sept. A new mooring block, cable and "No Wake" signage was secured. It was placed this week. The Buoy in the shared cove with Clear Water Bay went missing in Dec and needs to be replaced. Need to approve purchase of new one <\$400

The board agreed to spend up to \$400 to replace the buoy and try to split the cost with Clear Water Bay POA.

Wade Kusler moved to accept the Secretary's Report. 2nd provided by Brian Battle. Motion Carried.

Old Business

1. Update by Charles F. on CCRs violation – Denny's sign: Charles spoke to the property owner who agreed to take down the sign. If after a period of time it has not be taken down, we will issue a violation letter and start fining them
2. Update by Charles F. on Animal control - status of contacting Henderson County and letters to pet owners: Charles spoke with the Henderson county animal control officer who agreed to do more frequent patrols in the neighborhood.
3. Update by Charles F. contacting Malakoff ISD on school bus route: Update was no contact was made to Malakoff ISD, but they changed the bus route on their own, so there is no longer an issue.
4. Update by Tom C. Pavilion, entrance, and boat ramp mowing contractor performance: Spoke with the contactor after the last meeting and was informed they do mow on an as needed basis and a final time in the fall to deal with leaves. It was noted that the final fall mowing didn't happen. Tom to speak to them again.
5. Update by Tom C./Jennie C. on Henderson County Fire Marshal posting about a pending sweep of the community for violations: After the last meeting, the Fire Marshal was contacted, and a sign was posted. They did sweeps in October and November. The POA is not privy to any property owners that the Fire Marshal found to be in violation.
6. Update by Greg H. on obtaining the annual water quality report from Lakeshore Utility: Lakeshore has posted the 2019 water quality report to their website. It was noted that a couple of things were outside of accepted levels.

New Business

Charles Fisk made a motion to: Update the bank signature card to remove retired board member W.D. Martin and add newly appointed board member James Doster. 2nd by Wade Kusler. Motion carried.

The following meeting dates for 2021 were accepted without objection.

2021 Board Meetings

January 16th 1pm-3pm at tennis court

March 13th 1pm-TBD at tennis court

May 15th 10am-TBD at pool pavilion

June 26th 1pm-2pm at pool pavilion Organizational meeting for new board

September 25th 10am-TBD at pool pavilion

November 13th 1pm-TBD at pool pavilion

2021 Annual Meeting

June 26th 10am-12pm at (assuming the Malakoff Community Center)

The written roles of Treasurer and Secretary were discussed. No changes were requested. Tom Craig agreed to take over contacting Lakeshore for turning on/off the water at the pool pavilion and managing the relationship with our mowing contractor. Additional conversation was had regarding each of the board member having an area of responsibility. This will be a topic for the next meeting.

The Review of the Prior Boards approved motions and policies was tabled after Charles Fisk wanted more time for the board to review. Brian Battle made a motion to: Table. 2nd by James Doster. Motion carried. It was subsequently agreed to try and work through it via email and if necessary, have a working meeting prior to the next board meeting on March 13th.

Jane Harvey reviewed the 2020 Financial statements. She noted that the balance sheet has 3 line items for/from 2012 that never should have been setup since we operate under the cash accounting method. The balance sheet is incorrectly stating our assets and liabilities. This cannot be corrected without a major software conversion, so balance sheets will have to be amended and manually created.

Jane Harvey presented the complete fee schedule for PLV. (Started with what is posted on the website.)

PLV Fee Schedule

Annual Dues (Mandatory for all owners): \$150 per lot for 2021. Statements were mailed in October 2020; Due January 1st, 2021. A Late Fee will be applied if payment is received after March 2nd, 2021.

Special Assessment (Mandatory for all owners): \$0 per lot for 2021

Boat Ramp/Storage Lot Key: \$21 (non-refundable), but we would appreciate the keys returned when you sell or no longer need them

Mowing/Adopt-A-Lot: \$50 All lots must be mowed by June 1st each year by the lot owner. After June 1st and at the POA's discretion, they may arrange to have a lot mowed and charge the owner.

Lot Cleanup: \$100 Should it become necessary for the POA to arrange to have junk, debris, or unsightly accumulation of junk removed from a lot.

NSF Fee: Actual bank charges plus a \$40 fee for any check returned for insufficient funds (NSF).

Late Fee: \$50 per lot 60 days after due date, unless on a written and approved PLV payment plan. (Initiated by Board approved motion on 9/26/2020).

Lot Transfer Fee: \$75 If you are doing a private sale (no title company) you are required to notify the POA.

Providing Resale Certificate: \$200 when requested by a title company or private individual

Lien Filing Fee: \$50 (Henderson County charges \$34 to file the document.)

Construction Fees: \$1,000

Failure to Cease: \$250 per day when failing to cease construction after being notified

Legal Fees: The POA will charge the lot owner actual fees incurred for legal expenses when a lawyer is engaged.

It was noted that the maximum per day penalty the POA can assess is \$200 per day per Texas statute 202.004(c).

Tom Craig made a motion to change the Failure to Cease fee from \$250 to \$200 per day. 2nd by Brian Battle. Motion carried.

Brian Battle made a motion to: Approved the complete fee schedule. 2nd by Wade Kusler. Motion carried. There was good discussion around when the Board approval should be required for construction. Current approved language states "Any Construction". An agenda item will be added to the March 13th meeting for the Board to discuss and further define what type of construction needs approvals (new home build, major remodel/expansion, new garage/carport/shed, enclosing a carport, building across two lots, fences, etc.)

Greg Harvey provided an update on the pool pavilion repairs. The Pavilion is ~40 years old. The \$3,000 allocated in the September meeting will not be enough to correct all the damage, rot, failing areas. Recommended a budget of \$10,000 to replace all wood posts supporting the roof, entire floor structure and floorboards. All board members were in favor of doing what is needed to make it safe. Deferred a motion to approve until later in the meeting to allow further discussion on the needed allocations for roads and overall budget.

Wade Kusler provided an update on the boat dock. If we re-use boards from the pool pavilion repair the \$1,000 approved in the September meeting really isn't needed. It would be better used on the pool pavilion or roads.

Greg Harvey and Jane Harvey presented a high-level plan to try and reduce the number of delinquent property owners and legal budget:

1. Late fees to discourage paying late/getting behind (implemented)
2. Actively collect current contact information (implemented)
3. Directly contact those behind 2-3 years (have volunteer) and file liens at 2 years and year 4
4. At 4 years past due, engage lawyer for collection and/or foreclosure (Need to find/consult lawyer to understand fees, process and what makes financial sense)
5. For those that are delinquent on taxes as well as PLV assessments for 4+ years, partner with Henderson County and Malakoff ISD lawyers to encourage them to foreclose

After significant discussion, no objection was raised to try to contact delinquent owners. As for using a lawyer to help with collections, Wade Kusler made a motion: To spend up to \$500 to consult with a lawyer to answer open questions the POA has around collecting delinquent dues and the steps leading up to

foreclosing. 2nd by James Doster. Motion carried. A list of questions will be assembled and a meeting of the 4 officers will be scheduled with the lawyer. Next steps will be determined at the March 13th meeting.

Greg Harvey informed the board, the POA does not hold licenses for Windows 10 or Microsoft office. Wade Kusler made a motion to: Spend up to \$400 to acquire Windows 10 and Microsoft office licenses for the POA. 2nd by Brian Battle. Motion carried.

Wade Kusler met with a property owner who claimed the road crew damaged her driveway. It was agreed that Wade would look for a 10-12 foot, 10 inch round culvert and would try to find volunteers to take care of replacing it.

After much discussion on the roads, Charles Fisk volunteered to lead the road committee with committee member Steve Fowler. A condition assessment can't be done until about April. Review of Bids will be slated for the May Board Meeting.

Jane Harvey Presented a proposed budget to cover January 1st-June 31st 2021. Tom Craig made a motion to: Approve the presented budget January-June 2021 with the following changes: Reduce legal expense from \$2,500 to \$500, Change Dock Repair from \$1,000 to \$0, Change Pool Pavilion Repair from \$7,000 to \$10,000 Change Road Repair from \$0 to \$20,000 (money was shifted from second half of year to first half of the year). 2nd by James Doster. Motion Carried.

Charles Fisk shared that nothing had been done regarding entering into a Memorandum of Understanding with Lakeshore Utility that they would not turn on water and/or sewer service for new builds until approval was agreed by PLV. Tom Craig agreed to take this up in line with him managing the relationship with Lakeshore.

Charles Fisk Opened the meeting to new business from the floor.

John Sumpter made a complain about Barking dogs all night long at 5585 Point La Vista. Charles Fisk said he would take care of it.

Steve Fowler raised concerns with the Adopt-A-Lot policy approved last January. Chares Fisk asked that it be discussed at the March 13th meeting.

Steve Fowler raised an issue with Guard Lights being out. Previous attempts to get Oncor to repair them has failed. James Doster has a contact that may be able to tell us who the owner of the lights is. Greg Harvey to get a list of lights that are out to James.

A motion to adjourn the meeting was made by Wade Kusler. 2nd by Brian Battle. Motion carried.

The meeting was adjourned at 3:10 p.m.

Secretary Greg Harvey

Date of approval

President Charles Fisk

Date of approval