

Point La Vista Property Owners Association, Inc.

MINUTES – Regular Board of Directors Meeting

Meeting date: May 22nd, 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, May 22nd, 2021 at the PLV Pool Pavilion.

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

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

President Charles Fisk called the meeting to order at 8:01 am.

Minutes of the March 13th, 2021 board meeting were summarized. Motion to approve by Tom Craig, 2nd by Brian Battle. Motion Carried.

Jane Harvey presented the Treasurer’s report:

Checking Account Balance \$89,715.28 (5/21/21)

Reserve Money

CD 6901 Maturing 9/29/2021	\$5,700.57
CD 1927 Maturing 9/22/2021	\$8,788.52
CD 7081 Maturing 11/7/2021	\$12,789.76
Boat Dock Reserve Fund	\$0
Total Funds	\$ 116,994.13

2021 Annual Dues

Through May 20th, 2021 we have received 65.4% of 2021 dues payments (\$49,575) and 67.4 % of 2020 dues payments (\$51,275). So, we are \$1,700 behind 2020 total.

2021 Property Sales (as of 5-18-21)

17 lots sold
9 lots pending (that we are aware of)

Due to a potential Chlorine shortage, the POA has purchased all the chlorine needed for the pool this year.

Provided the Board a confidential list of 16 owners that the POA will file liens on this year based on the prior Boards decision to place liens on properties when they are behind on due by 2 years. We will be sending them a certified letter giving them 30 days to pay or enter into a written payment plan prior to placing the lien.

Working on creating the payment plan policy that the POA is required to have on file with Henderson County. Not yet ready to share any details.

Working on creating Board Education information for new and existing Board members. This will be shared at the June 26th Organizational meeting.

Motion to approve Treasurer's Report by Tom Craig, 2nd by Brian Battle. Motion Carried.

Greg Harvey presented the Secretary's report:

Owner Engagement

- We have 8 people running this year for the 5 open board positions. They are:
 - Charles Fisk
 - Wade Kusler
 - Tom Craig
 - James Doster
 - Brian Buckley
 - Brinna O'Flaherty
 - Jerome Ricci
 - John Sumpter
- The owner of the dilapidated house at 5010 Buena Vista foreclosed on the prior owners. There is a two year period (ending November 2022) for the prior owner to reclaim the property, so what they are willing to do until then is limited. They are considering demolishing it and letting it sit or demolishing it and build a shell of the house (foundation, roof, walls) and wait to finish the inside until the 2 years are up. The board decided that building the shell and waiting to finish the interior would be a violation of the CCRs which requires building to be completed in 6 months. [Special Note: Since the meeting the POA Secretary was able to get the new owner in contact with the prior owner and the prior owner has agreed to waive their right. This means there is no longer a 2 year period before addressing the property fully]
- There is a potential squatter in an empty mobile home in section 2. The POA has contacted the fire marshal who can only enforce the junk car and weeds growing. The sheriff can only act if contacted by the property owner. The Secretary left a message for the prior owner and had not gotten a call back. [Special Note: Since the meeting the POA has been informed that the property has been sold and the new owner is working with the Sheriff's department to have the person removed.]
- After a board failed on the boat dock, Wade Kusler and Greg Harvey replaced approximately 30 boards. The plan is to replace all deck boards this fall with reclaimed wood from the pool pavilion project. It was discussed that the first POA boat dock lasted about 20 years. It was rebuilt in 1999 so the current boat dock is now about 21 years old. The structure is showing signs of rot. Charles Fisk noted that the POA should plan to replace the boat dock within the next 3 years.
- We need a volunteer to move our POA website to a new hosting platform and rebuild the site prior to October. A call for help will be sent out.

Motion to approve Secretary's Report by Wade Kusler, 2nd by Tom Craig. Motion Carried.

Old Business

1. Update by Tom Craig: We requested the current mowing contractor to mow the entire lots by the tennis court and pool. After they failed to do this during their first few mowing this year, the board decided to cancel our contract with them. We have another mowing service lined up to start the week of May 31st

2. Update by Tom Craig: on entering into a Memorandum of Understanding with Lakeshore Utility on hookups for new homes. Contact person at lakeshore is out due to an illness, will follow up.
3. Update by Greg Harvey on Pool Pavilion renovation. The project is near completion and will be ready to open along with the pool for Memorial Day weekend. Spend to date is \$7,953.84 today. Expected spend at completion will be about \$8,400. Discussion about using some of the underspend to replace the wood on the picnic tables, led to James Doster donating \$300 to get this done. James Doster has also volunteered to redo the electrical around the pool and donate the materials. Thank You James!
4. Update by Jane Harvey & Greg Harvey on collections: Conference call with the lawyer went well, after which the POA signed a retention agreement. The Lawyer confirmed that all properties within Point La Vista are required to pay their assessments and if they do not the POA can force payment through a lawsuit, property seizure and sale of the property if necessary. Wade Kusler, who was also on the conference call, suggested that we use money collected from collection efforts to fund the legal fees so that this can be an ongoing, self-sustaining effort. The Board was provided a list of 6 properties owners that: Owe the POA over \$600, are relatively current on their property taxes, and at least one lot has a home. Combined they owe the POA \$22,850. Charles Fisk signed the initial letters to be sent out.
5. Update by James Doster on potential shock hazard at the boat dock. After evaluating the condition on the light at the end of the dock it was determined that it should be replaced with a low voltage system (which eliminates any chance of a serious shock). James donated and replaced the entire system and circuit box with some assistance by Brian Battle. Thank you!!!
6. The Board took action on the Prior Board approved Rules that was tabled at the last meeting. Motion to vacate and remove the following rules:
 - a. 1988.1 Interest charge of 10% per anum added annually beginning October 15, 1988 (5/15/1988)
 - b. 1992.1 Board to present a budget at the annual meeting and have the property owners approve it (7/11/1992)
 - c. 1993.1 All budgets will be prepared by line item and submitted by the directors for approval of the property owners at the annual meeting (7/3/1993)
 - d. 1993.5 100% of net mowing fees to be applied to road maintenance (7/3/1993)
 - e. 1993.3 Major items will be budgeted on a predetermined percentage basis as follows:
 - a) Road Maintenance 48%
 - b) Ongoing, Security, Insurance 36%
 - c) Parks and Recreational improvements 16% (7/3/1993)
 - f. 1993.4 All Expenditures to be held within budget parameters. (emergency outlays are exceptional) (7/3/1993)
 - g. 2004.5 Rio Vista and Paseo Tortuga are one-way streets (4/4/2004)
 - h. 2008.1 The Board is to arrange for security for the area (7/12/2008)
 - i. 2015.1 Mowing procedure to be the POA will mow two to three strips along roadways and also keep the greenbelt area mowed. Lots will be mowed following specific owner requests and prior receipt in full of the \$50 per lot mowing fee. (4/18/15)
 - j. 2016.1 Formation of committee of three to be chaired by W.D. Martin and include two additional POA members chosen by Mr Martin to make recommendations to the Board and oversee any Board approved road repairs (10/22/16)

And to revise the following rules:

- a. Revise rule: 2008.2 Milage reimburse rate set to .50 (cents) per mile (8/2/2008) to state: Milage reimbursement rate is the same as the current General Services Administration (GSA) Privately Owned Vehicle rate.
- b. Revise Rule: 2016.1 Set the pay for daily pool opening/closing and weekly cleaning at \$150 per week (4/16/2016) to state: Set the pay for daily pool opening/closing and weekly cleaning at \$150 per week only during the weeks the pool is open or being prepared to open/close.
- c. Revise Rule: 1993.2 budget basis will be on projected dues income only (7/3/1993) to state: Budget starting point should be based on projected dues receipts and possibly adjusted based on prior year actual income (from all sources), expenses and overall financials.
- d. Revise rule: 2004.2 The main floor of a home must be 800Sq Ft (3/7/2004) to state: The ground floor of a home must be a minimum 800 sq/ft for interior lots, minimum 1,000 sq ft for adjacent/across the street from waterfront lots and minimum 1,250 sq ft for waterfront lots.
- e. Revise Rule: 2018.3 that reads in part: “Submit all plans to any member of the PLV POA Board for review” to “submit all plans to the Secretary of the PLV POS to facilitate the Board’s review”
- f. Revise Rule: 2001.1 Allow motorhome owners one (1) week per year camping on their lot provided it is cleaned up and all trash hauled away upon leaving said lot [Note this is in direct conflict with the CCRs #4 which states: Weekend camping by Owners shall be allowed only by special permit from the Developer] (5/14/2001). To state: 2001.1 Per the CCRs #4 The Board of Directors is providing a standing special permit for all owners to camp on their lot(s) in an RV or Motor Home for up to 7 consecutive days or 2 weekends per calendar year provided that all trash is picked up and hauled away, and there is no dumping of any water (fresh, grey or black on any lot). The permission is granted per owner, not per lot.

and that all other rules passed by prior boards remain in place and in effect.

7. After discussion on the current rule stating “All Construction” requires Architecture Review Control Committee review/approval and submission of a \$1,000 building fee, Wade Kusler/Tom Craig made a motion to: Revise rule 2018.3 that states in part “Before any construction begins: to “Interim Rule: Any new home build, moving a mobile home onto an empty lot, or building an addition that adds 25% or more of livable (enclosed and conditioned) square footage requires written Architectural Review Committee approval prior to any work beginning and submission of a \$1,000 building fee.” Motion was seconded by Brian Battle. Motion Carried

New Business

1. James Doster raised a concern of a resident speeding within PLV. Decision was made for the Treasurer to provide the resident’s contact information to Charles Fisk who will speak with them.
2. Greg Harvey presented a Texas state laws and pool safety rules we are not in compliance with. Total estimated cost to resolve is \$2,000. Wade Kusler Made a motion to: Do the items that cost less than \$200 each immediately, but not to exceed \$500. Motion was seconded by Tom Craig. Motion Carried. The remaining safety violations will need to be addressed at a future meeting.
3. Steve Fowler (Road committee member), presented a history of who we have used in the past for road repairs, and some of the challenges with finding and vetting qualified contractors. The scope of this year’s road repairs was identified on April 11th and reviewed with three bidders. Bids were received as follows:
 - a. Hurts Paving \$21,500
 - b. L&S Paving \$19,054
 - c. Lone Star Paving \$18,500 [This is who we’ve used the last 3 years]

Steve pointed out that the roads have significantly deteriorated since mid April and that we need to reassess the work needed. This could be double what was estimated (\$40,000 vs \$20,000). A question

was raised regarding the quality of the work done the last few years. After discussion it was decided that the board should get more closely involved as Roads are and will likely always be our single biggest expense each year. A motion was made by James Doster to: Propose increasing the budget for roads in 2021 to \$40,000 when the 2nd half of the year budget is reviewed and approved if the funding is available and it is prioritized. Motion 2nd by Brian Battle. Motion carried.

4. Greg Harvey provided the Board s summary of our insurance polies. It is too late to revise the General Liability or Owners and Officers insurance for this year. It was noted that we do not have Property and Casualty insurance on the POA's assets (Boat Dock, Pool, Pavilion, Tractor, Tractor shed, etc). As the POA's bylaws 5.3d. requires the Board: To insure and keep insured all the fixtures, equipment, personal property and real property acquired by the Association for the benefit of the Association and the Owners. Based on this discuss the board directed that we get bids for insuring the POA assets.

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

The meeting was adjourned at 10:00 a.m.

Secretary Greg Harvey

Date of approval

President Charles Fisk

Date of approval