

**Westwood Landowners' Association
Board of Directors Meeting
May 10, 2018 Meeting Minutes
Magnolia, TX 77354**

Monthly Meeting: The Board of Directors of the Westwood Landowners' Association (WWLOA) convened in a meeting open to all Members of WWLOA at the Westwood LOA office at 7:00pm.

Quorum Present: Pat Troy, Vice President (acting President)
Diana Maichetti, Treasurer
Julie Vanderhorst, Member at Large

Call to Order: Vice President called the meeting to order at 7:05pm

1) Consider and Approve consent items

- a. Meeting Minutes for April 12, 2018 Monthly Meeting
- b. Courtesy Patrol Report for April 2018
- c. Financial reports for March

The Treasurer motioned to accept, Member at Large 2nd, the consent items were approved.

2) Action Items

- a) Financial report for March. Treasurer reviewed the financial report for March and noted:
 - i) Some annual fees are coming in.
 - ii) Liability insurance is very expensive.Member at Large made a motion to accept and the Vice President 2nd, the March financial report was approved.
- b) Confirm and appointment of 2 new ACC Members. Mr. Randy Petersen and Mr. Ricky Baack appointed to the ACC.
- c) Bylaw changes reading and vote. The Bylaw changes were reviewed with questions from the floor addressed.

- The Treasurer noted that improvement in the Board's ability to enforce Deed Restrictions is needed.
- Several residents noted that there have been Deed Restrictions violations going on for years.
- The Board noted that they have become aware of issues that have been going on for some time, under previous Boards, and that is why they need the Deed Restrictions revised to allow them to implement stronger actions against Deed Restrictions violations.

After being approved by the Board, the Bylaws will be sent to the attorney for review and then filed with the County.

The Member at Large motioned to accept the Bylaw changes, and the Treasurer 2nd, the Bylaw changes were approved.

3) Constable Report:

Constable reported that everything is status quo until they get any complaints. Constable reminded everyone to call them with whatever they need.

4) Operations Report:

Not Presented

5) Drainage Report:

Member at Large has been continuing to meet with HOA president for Sendera Ranch and Commissioner Riley to work towards improving the flow of water out of the back of section 4.

- With permission and cooperation from Sendera Ranch, a horse bridge, in Sendera Ranch, that was causing backup and damming has been taken down by Westwood volunteers to help improve water flow.
- The County will be using satellite technology to shoot a grade from where Sugar Bush Dr. and Mackintosh Dr. connect to Ranch Lake in Sendera Ranch from culvert to culvert.
- Sendera Ranch and the Drainage Committee also asked the Commissioner if they would consider putting another culvert under Ranch Lake Road to facilitate better outflow.

A reminder for residents to help keep pine straw out of the drainage ditches so that it doesn't help to cause blockage downstream was mentioned by the Board.

The Member at Large mentioned that there is a house on Sugar Bush Dr., in section 4, which was built with the driveway 12 feet onto the established drainage easement.

- This has negatively impacted drainage.
- In 2007-2008 a drainage culvert was put in between lots 56 and 57. This is located a few lots away.
- The house was finished in 2014. No records were maintained at the WWLOA office to determine who signed off on the construction of the driveway onto the drainage easement.
- The Vice President noted that the Bylaws require that all ACC documents be kept forever but there are very few that have been kept and are available.
- There is documentation when the septic system was approved showing a driveway that is not onto the drainage easement. The next drawing available, for the addition of a fence, shows the driveway onto the drainage easement. This documentation is all that is available and is from the County records.
- Westwood owns a reserve over near Riverwood. The Board has recently starting discussing going in and removing the debris that includes shopping carts, TVs, bricks, piles of cement, fallen rotted trees and all kinds of junk. Volunteers from section 1 and 2 would go in and clean it up to improve the water flow.
- A resident suggested digging out the reserve area in section 4 to create a retention pond and recreational water area. The Member at Large agreed that this would be a good idea however it would be something to look into in the future. The Drainage Committee is currently directing efforts towards those areas that have experienced house flooding as a higher priority.
- The county has asked the Drainage Committee to go door to door for several houses on Mesquite to get permission to change their culverts, and regrade to correct those issues where the culverts may be too small and/or slopping the backwards.

6) Old Business:

Website updates.

Resident, Mike Pidotella, volunteered to take on the responsibility of updating and maintaining the WWLOA website. Mike has just started with this and will need some time to come up to speed.

7) New Business:

- The Board obtained bids on the truck insurance. This process identified a provider that resulted in a savings of \$1100 to the community.
- Currently getting bids on the Board of Directors liability insurance which is a big bill.
 - Other HOAs in the area have liability insurance substantially cheaper than ours.
 - The high cost for our liability insurance is thought to be due to a previous lawsuit against the LOA.
- Also getting bids for a policy for the LOA Building, the grounds, pools, parks, basketball courts and tennis courts.

- All 3 pool houses were recently found to have termites and damage that appears to have been there for a number of years.
 - As this was recently discovered the Board does not know the full extent of the damage and impact to the budget.
- Bids are being obtained on the pump leak at the pool by the office and a dye test on the pool on Nickaburr Creek.

A resident asked about the maintenance of the grounds and making sure there were no ants etc. in the pool area.

- The Treasurer stated that historically we have not had this type of work contracted out to save money and not go up on dues.
- The Vice President noted that the pool monitors have addressed ant issues on the pool grounds.

The Treasurer mentioned that she is going back through the records to identify and correct historical record entry errors that may have resulted in some invoices not reflecting their fees as being frozen.

- In some cases, the necessary documentation to support maintenance fees being frozen is not in the files. In other cases the documentation is in the file but not reflected in the computer. She is working to identify these and get them corrected and asked anyone with questions or concerns to contact her.
- Also some owners are seeing balances that are different than the current invoiced amount. Some people have overpaid or underpaid in the past and have a credit or past due amount. Historically invoices have only indicated the current amount due and not the actual balance due. The current Treasurer is working to identify and resolve these issues.

8) Open Forum:

1. A resident asked a question about whom to notify when there is an environmental concern like dead animals, burning materials other than yard debris, septic smell issues, etc.
 - Since the LOA has limited authority owners should contact the county.
 - The Constable advised owners to contact the Montgomery County District Attorney's Office and ask to speak with Dennis Ward with the environmental division.

- The phone number is 936-539-7800.
 - The Constable advised that if it is after business hours and something that can't wait to call the Constable's office, Sheriff's office, Fire department or 911 as needed.
2. Don Lanman stated that the Bylaws on the website are outdated and asked if there are any other documents on the site that are out of date.
- The Vice President stated the Deed Restrictions and the ACC Guidelines are the most current ones.
 - Mike Pidotella noted that there is an old Fee Schedule Resolution that needs to be removed since it will be inconsistent with and superseded by the revised Bylaws. He plans on taking it off the website.
 - Mr. Lanman also stated that he heard that the pool houses will not be cleaned out before the start of pool season.
 - The Member at Large stated that the pool houses get cleaned out and sanitized prior to the start of pool season.
3. Ricky Baack asked what we can do to make our Deed Restrictions stronger for commercial properties.
- He raised concerns about the appearance of the area along Tamina Road in section 1.
 - The Treasurer explained that the only ones that can change the Deed Restrictions for a section are the land owners in that section and it requires 51% of the land owners in the section to want the change.
 - The Member at large suggested it would be good if there was a comprehensive approach where all concerns are addressed at the same time.
 - Mr. Baack raised concerns about there being insufficient parking at the commercial properties.
 - Specific concerns were raised about the Allstate building and Farmers Market parking on Saturday's with people parking on the esplanade.
 - The Vice President will review their file to check to see what was approved.
 - Mr. Baack stated that to open a business, the Deed Restrictions require you have a paved parking lot for a commercial property and they don't have it.
 - The Treasurer stated that you have to go with how the Deed Restrictions were written at the time that they were written.
 - The time they were written, in 1979, paved meant asphalt, concrete, rock hard surface. At that time, rocks were considered a hard surface.
 - The Vice President noted the ACC Guidelines define paving as either asphalt or concrete and that these types of inconsistencies have been frustrating.
 - Mr. Baack asked if we can get No Parking signs put up and mentioned that people are cutting through the esplanade.
 - The Vice President stated that it is county property.
 - The Constable stated that according to Texas traffic as long as the vehicle is parked with traffic and not facing traffic they are ok as long as they are making an effort to get off the road and are not causing a traffic hazard and vehicles can pass safely through there then it is fine.
 - The Constable also stated that any signage for No Parking would need to be made through the Commissioner's office.

- The Constable mentioned that cutting through the esplanade is a class C misdemeanor but they have to see it. You can't just call and report it with a license plate.
4. Mariam Mastin asked if there were any other people from sections 1 & 2 in the room and said that if they could get people together and work with the Drainage Committee Co-Chairman in those sections, they can put something together and go door to door to update the Deed Restrictions.
- The Treasurer stated that the volunteers can be from any section.
 - The Member at Large said that they would like to do a comprehensive approach where the Board and ACC works together with the community to help ensure the documents do not conflict with each, don't end of missing something and that the language is plain and easy to understand to the best of our ability. Working together we can go door to door, section by section, one time and get them rewritten.
5. Elisha Pettus stated that Diana and she went door to door in section 4 and got over 53% of the signatures to allow metal buildings to be built in section 4. She asked why it did not get on this agenda.
- The Treasurer said that they are waiting to hear back from the attorney. His email came about 6:00pm and the agenda had to be out by 5:00pm.
 - The Board is trying to set a special meeting for Tuesday to address that.
 - The Member at Large reminded everyone that if you are going to put any structure (4 walls and a roof) on your property, along with ACC approval, you have to go to the county and get a building permit.
 - To get the building permit you need to provide a septic plan to ensure there is no impact to your septic system and the spray fields and that any required modifications are approved.
 - Any needed septic system changes will require engineering plans and a permit. This will need to be completed before the ACC can review your application.

9) Adjournment:

The Vice President adjourned the meeting at 8:35pm.