

**Westwood Landowners' Association
Board of Directors Meeting
May 9, 2019 Monthly 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 WWLOA office at 7:00pm.

Board of Directors

Present: Pat Troy, President
Diana Maichetti, Treasurer
Mike Pidotella, Secretary

Quorum was present, 3/5

Absent: None

Open Positions: Vice President
Member-at-Large

Call to Order: President called the meeting to order at 7:03pm

- 1) President reviewed the meeting process:
 - a) First, the Board will address the consent items on the agenda. Members were asked to hold all questions and comments until the open forum portion of the meeting. All members will have an opportunity to speak during the open forum.
 - b) Initial part of the open forum, members that indicated they would like to address the Board, on the sign-in sheet, will have 3 minutes each.
 - c) Remainder or open forum, all members will have an opportunity to ask their questions or make any comments during the remaining portion of the open forum. Each member will have 3 minutes.
- 2) The Board Members introduced themselves.
- 3) Consider and Approve Meeting Minutes:
 - a) The Secretary presented the minutes of April 11, 2019 Monthly Meeting for approval.
 - b) The Secretary presented the minutes of April 29, 2019 Special Meeting for approval.
 - c) The Treasurer motioned to approve the meeting minutes, the President 2nd. The motioned passed unanimously. The minutes were approved.
- 4) Financial Report - The Treasurer:
 - a) Have not received the March financial report from the CPA.
 - b) As of April 30, 2019:
 - i) \$256,981.40 in the bank
 - ii) \$63,870.59 in receivables

- c) The President motioned to accept the financial report, the Secretary 2nd. The motioned passed unanimously. The financial report was accepted.
- 5) Traffic Violations Report - The Secretary:
 - a) The number of warnings and citations issued by the constables, under contract, during traffic stops while patrolling Westwood from January 01, 2019 through March 31, 2019 was 180.
- 6) Report from Constables regarding events affecting Westwood:
 - a) Nothing new to report.
- 7) Deed Restrictions Exploration Committee (DREC) Update – The Secretary:
 - a) The next DREC meeting will be on Tuesday, May 14, 2019 at 7:00pm.
 - b) Will continue to review the proposed amendments for Outbuildings.
 - i) Asking people to come to the meeting prepared to discuss best approach to establishing a maximum allowable size. Need to hear everyone’s thoughts on assigning a maximum size and/or basing it on a maximum allowable area of a lot that may be covered and all other suggestions.
- 8) Old Business:
 - a) Pool / Pool House – The President:
 - i) Pool house repairs were completed. They came in under budget and as scheduled.
 - b) Open ACC Positions – The President:
 - i) Still have an open position on the ACC.
 - ii) The ACC is the Architectural Control Committee.
 - (1) Review applications to approve or deny them based on the ACC Guidelines and the Deed Restrictions.
 - (2) Meets the 1st and 3rd Thursday of each month at 9am.
- 9) New Business:
 - a) No New Business was presented.
- 10) Open Forum for those members signed-up to address the Board:
 - a) Dennis Schoppe
 - i) Mr. Schoppe stated that the Association used to pay to have Tamina mowed. Is it possible to have the center esplanade mowed by the Association? The county is not mowing it frequently enough.
 - ii) The President stated that we found some past quotes for that work but it was never put into any contract and no one was doing it.
 - iii) The President stated that it is not WWLOA property and he is not sure why you would want to spend WWLOA money to mow county property.
 - iv) Mr. Schoppe stated, because the county does not keep it mowed. The county may mow it once a year but that is not enough.
 - v) The President stated that WMPID has plans to curb the medians and put in trees, etc. in the median. He has seen the plans.
 - vi) The President said that while WMPID has not made the final decision to go forward with this plan, he believes it will happen. The WWLOA started discussing this with WMPID after last year’s annual meeting when Tom Grayson suggested we pursue it with WMPID.

- vii) Mr. Schoppe stated that he has called the county to report damage being done to Tamina Rd. by big trucks going in and out of the business.
- viii) The President stated that the roads are county property and not the WWLOA's.
- ix) Mr. Schoppe repeated that the WWLOA used to mow it.
- x) The President stated that he has records of prices to do that work but has not found any record of the WWLOA having a contract that included mowing on Tamina Rd. He repeated that WWLOA maintenance fees should not be used to maintain county property. It would not be fair to the members.
- xi) Mr. Schoppe stated, it is county property, but it's our subdivision. The WWLOA mows the ditches in front of the pools and that is count property.
- xii) The President agreed that the county does not mow the ditches in front of people's property. The land owners maintain that area along with the mowing of their yard.
- xiii) The President stated that if WMPID does what they have planned it should improve the property values along Tamina. Our hope is that if the property values go up, the land that the pipe company is sitting on is going to be worth a lot more money and we hoping that they decide to move somewhere where that can buy some cheaper land.
- xiv) The President stated that WMPID is also considering and looking at plans to convert 1488 into an actual Parkway where the suicide lane would be replaced with a median having landscaping and defined turn lanes.

11) The President opened the meeting to any members having a question of comment:

- a) Member raised a concern about a lot that is always very wet and smells bad.
 - i) Member stated it was reported to the county and was tested and found to be from the septic system.
 - ii) Member stated that we are all supposed to maintain a contract for the maintenance of our septic and asked if the WWLOA maintains a list of violators.
 - iii) The Treasurer stated that the county manages the septic maintenance contracts.
 - iv) The President stated that neighbors need to keep reporting septic system concerns to the county. He asked the member to see him after the meeting and he would give them a name and a phone number of a person in the county Health Department.
- b) Same Member further stated concern about people stockpiling wood on their property in the easements causing rats as well as other problems.
 - i) The Treasurer stated that the easements are on the landowner's property.
 - ii) The President stated that we could talk with them about it.
- c) Member raised a concern about a vacant house on Wedgewood Drive.
 - i) Member stated he has been here several time about this.
 - ii) Member stated there is a construction trailer and equipment. It has been going on for 10 or 12 years now.
 - iii) The President stated he was not aware the house was vacant now.
 - iv) Member stated that every now and then you see someone come there for a day or two.
 - v) Another member stated that they use the house for day-laborers. Sometimes 12 – 15 people.
 - vi) Member stated that he has had the Sheriff and Constable out 2 or 3 times. They told him that there something going on that is not right but right now he did not find any evidence to be able to do anything.

- vii) The President said that you are probably not going to like my reply. There is not a lot we can do about it. Sorry, our deed restrictions are that bad. They have been that bad for 40 years. We are trying to get them changed. Our attorney told me, the best thing we can do is to get something in our deed restrictions that allows us to have a fine schedule. We have a fine schedule in our bylaws but there is nothing in our deed restrictions authorizing us to enforce it. We need to get something in our deed restrictions that gives us the right to create a fine schedule and enforce it. We can send them letters and go talk with them. At some point the only thing we can do is take them to court. By the time we get them to court, we could be up to \$5,000 to \$6,000. All they need to do is move that trailer off the lot for a few days and then they can go to court and say my trailer is not on the lot. Now there is no deed restriction violation and we spent a lot of your money for nothing. We also need to have something in our deed restrictions that allows us to get attorney's fees. The way it is now, we can spend \$20,000 taking someone to court and we are lucky to be awarded \$5,000 for our attorney's fees.

- d) Member asked who maintains the grass around the Westwood signs at the entrances to our neighborhood.
 - i) The Treasurer stated that mowing the grass around the Westwood signs is in our contract with the landscape company we use to maintain our common areas.
 - ii) The Treasurer further stated that Westwood does not own the land that the signs are on. We have an agreement with the property owner.
 - iii) The President noted that we are reviewing all of the contracts we have with our contractors and getting bids to see if we can get a better price or additional service for the price.
 - iv) The Secretary noted that we are starting this pool season with a new company to maintain our pools. The last company was only familiar with residential pool equipment. We recently discovered that our commercial equipment has not been maintained properly for commercial pools and pool equipment. The new company handles pools for Apartments, HOAs, etc. and has already identified needed changes.

- e) Member asked if there is work or studies being done about flooding in Westwood.
 - i) The President responded that we are working with the county, WMPID, Army Corps. Of Engineers, and State Representatives. We don't know where it will go, but there is a lot of studying going on.
 - ii) Member asked if there has been any talk of using any Westwood property as a retention pond.
 - iii) President responded that he has talked about it. As an example the big reserve in section 4.
 - iv) President shared that we have been trying to talk with Corps of Engineers for some time and we just had an opportunity to talk with them by conference call. There is a federal program that allows for them to pay a large portion of the costs associated with the initial study and work required. A public entity, such as the county, is required to partner with the Federal Government for this program. We have just begun looking into this new federal program. The President just got an email from the Corps of Engineers, yesterday, with the follow up information from the conference call.
 - v) The President acknowledged the efforts of the Drainage Committee for a lot of work being done.

- f) Member asked what period of time the map showing flooded properties covered.

- i) Secretary and Treasurer replied that represents the impact from flooding since the period known as the tax day floods in 2016.
- ii) Member stated that there are houses near her that she knows have flooded and are not identified on the map.
- iii) The Secretary noted that there may be locations that flooded and the WWLOA was not notified. The Treasurer added that some residents did not want their flooding indicated on the map.
- iv) She pointed out drainage concerns near her house and noted that she had water in her garage during the tax day floods. She showed pictures from a recent rain event. She stated that she called the county and they came out and told her that it is not a county issue.
- v) Secretary pointed that these areas are drainage easements and are located on landowners' property. Much of the flooding issues we have are related to the problem with these drainage easements not being maintained. The drainage easements are how the water gets out of our neighborhood. The LOA does not have the authority to go on private property to fix these issues and regularly maintain the drainage easements throughout Westwood. When Westwood was first developed, Landcraft gave permission to the county to access the drainage easements. This is documented on the plats on file with the county and available on our website. However the county, while having the authority to dig and maintain them, chose not to spend county money on private property. This is one of the areas, previously mentioned by the President, we are working on.
- vi) The President stated that the county is responsible for maintaining the front ditches. In the past, the county did clean and grade the front ditches on a regular basis. They would take several days and do all of Westwood. Westwood residents complained that they did not want their ditch dug because it messed of the grass in the ditch and made it difficult to mow. The county told us that they got tired of the complaints and stopped their program of regularly maintaining the front ditches. Now the county will only come out to dig and grade the front ditch if the landowner specifically requests the county to do it. The county will then dig that specific ditch, not the entire street since the other landowners did not request it. The information to request this is available on our website. The President said that he would like to see people get together and have everyone on both sides of their street sign a petition to have the county grade and dig the front ditch along the entire street.

12) The President asked if anyone else would like to say something. No one replied.

13) The Secretary made a motion to adjourn, the Treasurer 2nd. The motioned passed unanimously. The President adjourned the meeting at 8:00pm.