

**Westwood Landowners' Association
Board of Directors Meeting
February 13, 2020 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
Rob Pinell, Vice President
Diana Maichetti, Treasurer
Mike Pidotella, Secretary
Toni Collins, Member-at-Large

Absent: None

Open Positions: None

Quorum was present, 5/5

The President called the meeting to order at 7:05pm.

- 1) The Board Members introduced themselves.
- 2) The following meeting minutes were presented for approval:
 - a) January 9, 2020 Monthly Meeting Minutes:
 - i) The Secretary motioned to approve the minutes; the Treasurer seconded the motion. The motion carried. The January 9, 2020 Monthly Meeting Minutes were approved.
- 3) Financial Report from the Treasurer:
 - a) For month ending 12/31/2019
 - i) Total revenue: \$30,567.97
 - ii) Total expenses: \$29,325.05
 - iii) Profit: \$1,242.92
 - b) For the year 2019
 - i) Total revenue: \$400,506.49
 - ii) Total expenses: \$365,532.26
 - iii) Profit: 34,974.23
 - c) Total Money Market and Checking account balance as of 12/31/2019: \$ 396,235.01
- 4) Traffic Violations Report from the Secretary:
 - a) The number of citations or warnings issued by the constables, under contract, during traffic stops while patrolling Westwood from January 01, 2019 through December 31, 2019 was 665.
- 5) Report from Constables regarding events affecting Westwood:

- a) The constable stated that they had nothing to report.
 - b) The Secretary asked if the No Parking signs on the median on Tamina Rd. were placed there by the county and if they are enforceable.
 - i) One of the constables stated she believed they were placed by the county and are enforceable.
 - ii) The Secretary stated that members of the community have been expressing concerns and asked the constables to ticket those that park on the median.
 - iii) The constable stated that she would discuss this with the sergeant.
- 6) Old Business:
- a) Still have an open ACC Position.
- 7) New Business:
- a) Summarize Board Actions
 - i) The Board approved the following:
 - (1) 1/16/2020 – Commercial ACC application for exterior painting of a commercial building on Tamina Rd.
 - (2) 1/24/2020 – \$1011.33 for repair of the curtesy patrol truck
 - (3) 2/6/2020:
 - (a) \$23,565.32 for playground maintenance – surface preparation and installation of 12” of IPEMA certified Kiddie Cushion Mulch
 - (b) \$133.92 for Playground Signs stating Playground Temporarily Closed for Maintenance
 - (c) \$1060.36 to replace an office computer
 - (d) \$200.00 to repair vandalism at Pavilion
 - (e) Changing attorneys, retaining Cagle Pugh, Ltd. LLP
- 8) Open Forum for those members signed-up to address the Board:
- a) Kay Forbes:
 - i) Stated that she heard what she thought was 2 gun shots this morning between 3:30am and 3:45am near her house on Teakwood.
 - ii) Later she found out that her neighbor heard it as he was leaving for work and believed it was a .22 gun and observed a truck at the stop sign at Teakwood and Westwood North and believed the shots came from the truck. No description was provided.
 - iii) Kay Forbes did not report it to the Sheriff’s Department because she did not know if it was gun shots or firecrackers.
 - iv) The constables said to always report it, if you suspect it may be gunshots, so law enforcement can check it out.
 - b) David Valenti:
 - i) Asked about who is responsible for addressing the drainage problem between Westwood North Drive and Weeping Willow Drive. When he sells his house, he wants to be able to tell perspective buyers how they can address this issue. The county has told him that it is the home owner’s responsibility. He stated that at Mahogany Way there is a pipe that is only 12 inches and was not installed correctly.
 - ii) The President stated that he does not know who put that pipe at that location.
 - iii) The President stated that the county had previously indicated that they would do something to improve the drainage if the LOA would get the approval from all of the affected

- landowners for the county to go on to their property. Approval signatures were obtained from all of the landowners. Then the county decided they were not going to do anything to address the issue.
- iv) The President further stated that the plat, filed with the county, gives the county the right to access drainage easements but does not assign any responsibility to the county. The LOA has no authority to access the drainage easements. The county has determined that they cannot spend taxpayer's money for work on private property.
 - v) The Treasurer noted that the easements are on the landowner's property. Since they go between two properties, half is on each property.
 - vi) David Valenti stated that the drainage issue is not his responsibility.
 - vii) The Treasurer noted that a drainage issue on your property is your issue as the landowner.
 - viii) David Valenti stated the construction of the drainage was not done right, by the developers, and asked if people are aware of the problem.
 - ix) The President acknowledged that we are aware of the concern and noted in the past there was a drone used to survey the area. He noted that at the time he participated and video footage was obtained.
 - x) The President noted that if a landowner chooses to perform work on their property to improve a drainage issue, an Architectural Control Committee (ACC) application would need to be submitted and approved before any work could be performed. This is to protect other landowners and ensure changes do not negatively impact another property.
 - xi) The President noted that not all easements are drainage easements.
 - xii) The Secretary reviewed the plat and noted that there is no drainage easement shown in that location, only a 10 foot utility easement.
 - xiii) The Treasurer repeated that the plat gives the county the right to access the drainage easements but does assign them any responsibility. He noted that the county obtained an opinion from the State Attorney General's office stating that the county has the authority but not the responsibility.
 - xiv) David Valenti asked if he could get a copy of that information.
 - xv) The Secretary stated that this was discussed at a previous LOA meeting and the reference for the State Attorney General's opinion is documented in the minutes for that meeting. The Secretary located and printed the page from the minutes where it was discussed and gave it to David Valenti.
 - xvi) The President again noted that the county can't spend public money on private property. The way that the developer handled it was not very good. Based on the way the developer worded the plats, Westwood cannot do it. Even if Westwood got permission, we would need to be very careful with anything the LOA might do.
- 9) The President confirmed that all those that signed up to address the board have addressed the board with their comments and/or questions and opened the meeting to any other members that would like to make a comment or ask a question.
- a) A member asked if there have been any thoughts to improve water flow in Nickaburr Creek to help reduce the problem of flooding on Riverwood. He pointed out that the road is stigmatized as far as real estate is concerned.
 - i) The President stated:
 - (1) The Corps of Engineers is responsible for the creek.
 - (2) Members may clean trash and debris out. This has been done not long ago and has improved the water flow along the creek.
 - (a) The Secretary noted that the county did provide large trucks to haul off the trash, junk and debris the members pulled out.

- (3) You cannot move any dirt. If anyone moves any dirt, they assume responsibility for the creek.
- ii) The Treasurer stated that as part of the project to widen 2978 in that area, TXDOT will be doing some work on the creek outflow and adding some culverts to help improve water flow.

10) The President asked if anyone had anything they wanted to say. No one responded.

11) The Secretary motioned to adjourn the meeting; the Treasurer seconded the motion. The motion carried.

The President adjourned the meeting at 7:35 pm.