

**Westwood Landowners' Association
Board of Directors Regular Meeting
November 12, 2020 Meeting Minutes
Magnolia, TX 77354**

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

Members were provided information to call in to participate in the meeting as well as an email address to submit comments/questions during the meeting.

Board of Directors

Present: Julie VanderHorst, President
Rob Pinell, Vice President – By Phone
Diana Maichetti, Treasurer
Mike Pidatella, Secretary

Absent: Toni Collins, Member-at-Large

Open Positions: None

Quorum was present, 4/5

The Treasurer called the meeting to order at 7:02 pm.

- 1) The Board Members introduced themselves.
- 2) The Secretary provided the Financial Report.
As of 8/31/2020:
 - \$526,042.70 in the bank
 - \$49,630.74 in delinquent association fees
- 3) The Secretary read the Board Actions Since the October 8, 2020 meeting:
 - 10/30/2020 Approved \$350 for installation of ramps at the three enclosed mulched playground areas.
 - 11/2/2020 Approved \$476.26 to replace failed main control valve at Nickaburr pool.
 - 11/5/2020 Approved:
 - 1) To continue efforts to reduce office traffic because of Covid-19 limitation, not requiring renewing Recreation IDs for next year.
 - 2) October 8, 2020 Regular Meeting Minutes.

4) Open ACC Position:

The Treasurer stated that we still have an Open ACC position. Noting that the ACC is a very important part of the Association and that if anyone is interested in volunteering to join, the ACC would greatly appreciate it.

5) Communications Committee:

The Treasurer stated that the LOA would like to form a committee to help ensure correct, accurate and factual information is being shared within the community as opposed to inaccurate rumors, wrong assumptions and incorrect/false statements. Particularly responding to social media posts since not all board members are on social media or don't have the time to address incorrect information being posted. This committee would also work on the Newsletter as well as communications regarding needed improvements with the deed restrictions.

Those interested in joining the Communications Committee should email Cheryl at office@westwoodloa.org.

The President noted that communication is very important. It is important to get accurate information out there or point people where they can find accurate information. She has a lot of creative ideas she is thinking about using to help with this.

The Treasurer added that she would like a list of frequently asked questions established to be put on the website.

Two people expressed interest during meeting.

6) Results from requested suggestions for needed repair / maintenance of recreational facilities:

The Secretary stated that he sent out an email on November 6th that summarized and reported the information in the email responses sent to suggestions_box@westwoodloa.org during the 47 days the community's responses were being collected for ideas on how to address the issue of our aging and undermaintained recreational facilities. The following was noted:

- A total of 26 emails were received from the Westwood community.
- The responses were grouped into three main categories:
 - 1) Recreational Area Improvement Specific Suggestions and Questions
 - 2) Budget & Maintenance Fees Related Responses and Suggestions for Raising Money
 - 3) Non-Recreational Area Improvement Specific Responses
 - a. Two non-recreational area items were mentioned:
 - i. The need for speed bumps and
 - ii. Community storm water drainage problems
 1. It was noted that the November 6th email incorrectly showed that one member responded with the need to address the drainage problems. The email should have noted that two members responded indicating a need to address the drainage problems.
 - While the 26 responses received offered a lot of suggestions, they only represent a very small portion of the Westwood community. At this point we do not have a good feel for what the majority of the community would like.

7) Update on Proposed Deed Restrictions amendment for assessing fines for violations:

The Treasurer stated that the Board has been working with the attorney on the development of proposed amendments to the deed restrictions for each Westwood Section to authorize the LOA to assess and collect fines for violations.

The Secretary added that the attorney just sent new drafts on November 11, 2020. The Board needs to review these recent draft proposed amendments to ensure they are ready to present to the community.

8) Questions / Comments

- The Secretary checked for any emails sent in to meeting@westwoodloa.org:
 - Two emails received:
 - I. One from a person expressing interest in joining the Communications Committee.
 - (a) Note this person also stated their interested in the Communications Committee. Earlier during the meeting.
 - II. The Second was from another person not able to attend the meeting and also expressing interest in joining the Communications Committee. They also asked what is the process to choose the future of the tennis courts.
 - (a) The Secretary stated that there is no specific process. At this point the Board is reviewing the condition of all of the recreational facilities as well as how often they are used and the amount of money available. As stated previously we did request member's input.
- The Treasurer opened the meeting to members on the call:
 - A member asked the Board to explain what changed to now allow metal outbuildings.
 - I. The Treasurer replied that the previous version of the ACC Guidelines and Standards required the materials used for outbuilding to match those used on the house. In response to the Board's request, the attorney reviewed the ACC Guidelines and Standards. The attorney advised the Board that changes were needed to have the ACC Guidelines and Standards be in line with the deed restrictions. The revised ACC Guidelines and Standards no longer only require that materials used for outbuilding must match those used on the house.
 - II. The member asked the Board to confirm that the Deed Restrictions always overrode the ACC Guidelines and Standards.
 - III. The Secretary replied yes, when specific things contradicted one another. The deed restrictions do not specifically address the materials used for outbuildings. The ACC has the authority to establish these details in their ACC Guidelines and Standards.
 - IV. The Secretary added that the Board suspected that the scope of the existing ACC Guidelines and Standards may be going beyond that provided by the deed restrictions. The attorney confirmed the Board's suspicions and advised that the ACC Guidelines and Standards be revised to ensure that the ACC Guidelines and Standards be changed to align with the authority given to the ACC by the deed restrictions. The ACC Guidelines and Standards were revised. The new version was approved by the ACC, the Board and the LOA's attorney. The deed restrictions give the authority to the ACC for buildings.
 - V. Many metal outbuildings were allowed prior to the establishment of formal ACC Guidelines and Standards. Also, it seems that historically, some Architectural Control Committees allowed some even after the previous versions of the ACC Guidelines and Standards were established.
 - VI. Recent ACCs have been following the ACC Guidelines and Standards that were in place and appropriately denying applications for metal outbuildings as required by their

- guiding document. As the previous version of the ACC Guidelines and Standards were written, recent Boards had no choice but to deny any appeals.
- VII. During the drafting of the current ACC Guidelines and Standards, the ACC and the Board had the opportunity to evaluate the position of not approving metal out outbuildings. Based on the number of metal buildings throughout all sections of Westwood, it was decided that allowing outbuildings to be constructed with materials used in the construction of other outbuildings prominently found throughout Westwood would be within the authority of the ACC, in drafting revised Guidelines and Standards, and would not be inconsistent with the deed restrictions.
- VIII. The member stated that she has a real problem with this and that she had a lawsuit over wanting to construct a metal outbuilding. She added that she had to spend money and get an attorney and she is very irritated about how her situation was handled before.
- IX. The Treasurer stated that the LOA had to follow the advice of our attorney, at the time, in regards to the case she was referring to. The LOA was advised that we had to follow the ACC Guidelines and Standards that were in effect at the time.
- X. The Member requested to have the LOA's attorney review her law suit and call her and talk to her about it.
- XI. The Treasurer stated that her case is closed and that the member would need to work with her own attorney if she wanted to pursue anything. The LOA's attorney is not going to call and speak directly with the member about a past case.
- 9) The Treasurer asked if there were any other questions or comments. There were no additional questions of comments from those on the call.

The Secretary motioned to adjourn the meeting. The President seconded the motion. The motion carried. The Treasurer adjourned the meeting at 7:42 pm.