

**Westwood Landowner's Association
Board of Directors Monthly Meeting
February 11, 2021 Meeting Minutes
Magnolia, TX 77354**

The Board of Directors of the Westwood landowner's Association (WWLOA) convened in an audio 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.

Present: Julie Vanderhorst, President
Diana Maichetti, Treasurer
Denise Dowling, Secretary
Rob Pinell- Vice President – Absent
Toni Collins – Member at Large– Delayed, arrived later in the evening.

Quorum was present, 3/5

President called the meeting to order at 7:16pm.

A) Board members introduced

B & C) Approval of January 14th, 2021 meeting minutes and Financial report for January 2021 will not take place tonight. There are discrepancies from the accountant's reports for both December 2020 and January 2021, that the Treasurer needs to have clarified by the accountant. Until that happens, we are holding off on approving reports. The board will update the members as soon as we have our questions answered.

D) Board Actions:

1. Approved a commercial application that was pending a "no impact" letter.
2. Approved the local Boy Scouts request to use the open outside park for their meetings.

E) Discount Tire Recap

There have been some questions about Discount Tire. Yes, there is a Discount Tire going in at the corner of 1488 and Westwood North. The ACC at first denied their application, the landowner appealed to the Board, and the board was split 2/2 which again denied the application. The property owner then filed a lawsuit against the LOA.

These lots were platted in 1977 by developer as commercial, so no matter what, a business would need to be built there. Discount Tire did agree to keep a line of trees that backed up to resident lots and agreed to not sue for their attorney fees from the lawsuit.

The LOA consulted with their attorney, with the advice that the LOA could not support a denial in court and would most likely lose the case. Our attorney advised the LOA board that if the board did not approve the Discount Tire application, the financial fallout from the lawsuit would be catastrophic to the LOA and its members.

F) Open questions and comments from landowners:

1. Email from Jenny L.: Had heard about someone improving Tamina Road, with lights, sidewalks, etc. Did we have any update? The board members did not know of any improvements. However, that is what WMPID is for, so Secretary will contact them. Will see if anything is in the works and get back to Jenny.
2. Jerry L.: Wanted to know what the board has done about the complaints he had submitted. The Board has done all they can do within their authority. Treasurer explained that since his complaints fall under the nuisance restriction, per the courts,

only a person directly impacted can do anything illegal. Also, a nuisance complaint must be more than a visual issue. To do anything else, we need to amend and update deed restrictions.

3. Mike P.: Does the board have an update or game plan regarding the amendment about the fine schedule? Mike noted that the amendment has been posted on the WWLOA's blog since November 2020. The board said that they are working out some details before starting to get the 51% signatures needed. The board wants to be able to have answers ready for questions that they believe will be asked by the landowners.
4. Mike P.: Has there been a resolution on the water line for Discount Tire? The issue regards the fact that Discount Tire is 2 lots and running down the middle between them is a water line. To build their building, they will need to have that moved, a structure cannot be over a water line, in case of repairs. President said she talked with the water company, and at this time Discount Tire has yet to finalize the water line issue with the water company.
5. Melissa: Will Discount Tire have an entrance or exit from Westwood North Dr.? Yes, they will have both, they will also have a right-turn only exit into 1488. She then asked about having speed bumps to help with traffic. The county owns the roads and has stated many times over the years, that they will not allow speed bumps in Westwood. The reason is that it slows and damages emergency vehicles. Her last question was about the Westwood sign on Discount Tire land, will they remove that? Treasurer stated that we have no easement for the sign, but that they have been allowed there for years with permission from the landowner. Member at large stated that if they remove the sign, we will have a good court case to have it retained on the property. Discount Tire did not say anything about removing it.
6. Diana M: The board has received some complaints about chickens on people's property. Per our deed restrictions for all sections, under section 3, number 8, **No horses, cows, poultry, or livestock of any kind other than house pets, may be kept on said property. No lot in this subdivision shall be used for the commercial breeding and feeding of any animals or birds.** Because of this, the landowners who have chickens will be sent a deed restriction violation letter and need to relocate their chickens. If the landowners want to allow chickens, they need to have the deed restriction amended to allow them, and 51% of the landowners need to also approve. This will need to be done in each section.
7. Mike P.: The LOA did in the past have a deed restriction committee looking into updating the deed restrictions. He noted that some of the issues that were discussed he still has the paperwork at his home. If interested, contact the LOA office, and they will get a contact message to Mike.
8. Melissa: How much advance notice would the landowners get before an amendment is voted on? Member at Large stated that the board will try to give at least 30 to 60 days before a vote is taken. The board wants all landowners to be able to view and discuss any deed restriction changes before the LOA tries to get the votes. It was noted that once the 51% threshold has been reached, either for or against, getting more signatures is no longer needed.

G) Motion to adjourn the meeting was submitted by Secretary, motion seconded by Treasurer. Meeting was adjourned at 8:19pm.