

PROPERTY OWNERS ASSOCIATION OF TIERRA SANTA
BOARD MINUTES
MARCH 20, 2012

The Board of Directors of the Property Owners Association of Tierra Santa met at 6:30 p.m. in the Board room adjacent to the swimming pool. In attendance were Norma Wilson, Rusty Dargel, Larry Henry, Matt Loewen, Phil Leonhardt, Dennis Slavin, Eric Jackson, Brian Humphreys, and interested homeowners. Absent were Anne Charlton, Roy Ochoa, Eric Paiter, and Jerry Don Wilson. After it was determined a quorum was present, Brian Humphreys called the meeting to order.

The minutes of the meeting held February 2, 2012 were presented and after a motion by Rusty Dargel and a second by Matt Loewen, they were approved as presented.

Norma Wilson reviewed the financial position of the association. February ended with \$84,615 in the bank after paying \$14,439.56 in expenses. The members reviewed the expenses, wanted verification of the budget, and discussed the legal expenses and possible outcomes of the attorney's efforts.

The Board then discussed the following under "Old Business":

- A. Street Paving & Pot Holes. Temporary repairs were made for \$175.82. Efforts continue to locate a contractor who might be able to perform the repairs for substantially less than the \$14,000 initially quoted. Larry Henry suggested someone visit with Darwin Dittburner and ask for suggestions.
- B. The members reviewed the background and thoughts behind using security cameras for security purposes. It was decided to refer further study to the committee involved with the subdivision security.
- C. Brian Humphreys outlined the actions taken to further secure the gates, slow vehicles entering and leaving the subdivision, and attempts to ram the gates to open them. Speed bumps were placed to assist in these areas. Additional speed bumps were recently added to discourage drivers from driving on the opposite side of the road to avoid the bumps. The cost of the newest speed bumps and their installation was about \$1,300 and Mr. Humphreys asked that this action be ratified. Dennis Slavin so moved. Phil Leonhardt seconded, and it passed.
- D. Access to Tierra Santa from the southern levee was recently further restricted. 6" by 8 foot poles were installed in the area where vehicles were going around the gate. The cost of the installation was \$1,100. The only other unsecured access involves the gas company's easement between hole #1 and #2 tee. Jerry Don Wilson has contacted the gas company and a gate will be constructed in the near future. Brian Humphreys asked that the installation of the poles be ratified. Phil Leonhardt so moved. Dennis Slavin seconded, and it passed.
- E. Brian Humphreys discussed the plans to replace the barriers on the Border Avenue entrance with a wrought iron fence with sliding gate system. The entrance would not

have an automatic opener at this time, but would be designed to be easily added when the association felt it had adequate funds. The cost of the fence should be \$4,695.00 and will be presented at the next meeting. The members held a discussion about the reasoning, security, and cost. No action was taken.

- F. A listing of proposed fines for subdivision restrictions violations was previously distributed to the members and a few copies were available for review. The Board discussed the list and how to implement notification and enforcement. This will be referred to the appropriate committee. Rusty Dargel then moved the list of fines for violations be approved. Larry Henry seconded and it passed.

The Board then discussed the following under "New Business:"

- A. At the annual meeting of homeowners, the motion was approved to pay a board member for services while not involved with a management company. Norma Wilson pays the bills, visits with attorneys, send out dues statements, maintain the status on accounts receivable, executes closing statements on property sales, coordinates gate remotes and pool keys, answers the association's phone, and much more. It was asked if the association would have to withhold and pay taxes as well as file appropriate regulatory reports. The association would have to perform these functions. Phil Leonhardt moved to pay Norma \$500 per month beginning with January, 2012. Eric Jackson seconded and it passed.
- B. The members discussed disabling gate remotes and pool keys for delinquent homeowners. Eric Jackson moved to disable the remotes and keys with 10 days notice for homeowners delinquent for 2011 and before, and with 30 days notice for homeowners delinquent for 2012. Phil Leonhardt seconded the motion and it passed.
- C. Brian Humphreys covered the idea of a website for the association. The cost appears to be minimal and could provide a means to keep homeowners informed. It was previously suggested that the POA affiliate with the golf course site. Contact was made with Mr. Reyna and there should be discussions between the two sides. A committee consisting of Phil Leonhardt, Eric Jackson, Larry Henry, and Brian Humphreys to bring a proposal for the website and its contents.
- D. At the annual meeting it was suggested to look at solar panels to heat the pool. Phil Leonhardt has a background in this area and volunteered to research the possible cost. Phil reported his estimates for the POA pool would run about \$25,000. It was the consensus of the members that the cost was too high and no action was taken.
- E. Brian Humphreys then presented a proposal on how Public Comments might be handled at future POA Board meetings. In order to keep the length of meetings to a reasonable time and keep from taking action on matters Board members might not be fully informed, it was suggested each meeting would allow up to 5 persons to address the Board for no longer than 3 minutes each. A sheet would be available before each meeting begins and people would sign up to speak. At the appropriate time, the people would address the Board in the order that they signed. After much discussion, Norma Wilson moved to approve. Larry Henry seconded, and it passed with one dissenting vote.

Under "Other Business" the following was discussed:

- A. The idea of finding and interviewing possible management companies was discussed with some of the members concerned about the cost. It was felt we should delay action until the finances would fully support the endeavor.
- B. The following committees were formed:
 - Finance & Delinquencies – Eric Jackson, Brian Humphreys, Norma Wilson
 - Architecture – Phil Leonhardt and Brian Humphreys
 - Building & Grounds – Jerry Don Wilson, Rusty Dargel, Dennis Slavin
 - Restrictions Enforcement – Larry Henry and Phil Leonhardt
 - Newsletters & Communications – Phil Leonhardt, Eric Jackson, Anne Charlton
 - Pool – Matt Loewen
 - Security – Rusty Dargel and Larry Henry

Roy Ochoa, Anne Charlton, Jerry Don Wilson, and Eric Paiter will be contacted to determine on what committees they might like to serve.

- C. Brian Humphreys then outlined the status on the sale of the lot to Monica Vanderveer. The title company found two liens on the property. Compass Bank's lien originated from the development of the subdivision and the golf course. This lien should be released in the near future as the developer is refinancing the loans with another bank. The IRS took a lien for failure to file information returns on employment taxes. This originated while the developer was in charge of the POA. This lien should be released in the near future as it interferes with the loan refinancing previously mentioned.

The Board then opened the meeting to public comments.

A homeowner expressed his concern about keeping the Border entrance closed. He felt that access by emergency vehicles through this gate might be quicker than the other two gates. Furthermore, if a resident needed to get to the hospital quickly the Texas gate might be the fastest route. If the remote is disabled additional time might be required to exit another gate. The Board thanked him for his comments.

The Board then went into executive session to discuss delinquent accounts.

- A. The members discussed the cost and collection efforts by the attorneys.
- B. They also discussed the status of delinquent accounts where liens have been filed. Lien searches are in the process of being conducted to determine the feasibility of proceeding with foreclosure.
- C. There was a general discussion of collection procedures.

There being no further business the meeting was adjourned.