# Karen Villas of Babcock (Summerwind) HOA Board

# Meeting Minutes

June 6, 2014

1. Call to order

Monica Moreno called to order a regular meeting of the Villas of Babcock (Summerwind) HOA Board at 6:03 pm on June 6, 2014.

1. Roll call

The following directors/officers were present: Monica Moreno, Karen Mueller, Angela Casas, Robert Lewis and Janette Mueller

Also present were residents Andrew Martinez and Martin Salazar, at time we called to order. Multiple additional residents arrived after call to order.

1. Review of Treasurer’s Report

Monica Moreno reported current treasury status as Checking $29,482.58 and Savings $6000. CD of $5000 is maturing and discussion ensued about whether to renew or put in Savings. Decision was tabled.

Unpaid balances total is $30,326. In the last 30 days, we have collected $11,998.

A summary of where the homes in the neighborhood stand as far as what's owed was given. There are 29 houses that do not have a zero balance, and only 12 of those are more than one year behind.

Total balance for all accounts is $40,704. Our total expenses since books were turned over in April is $4,327, but not all bills have come through yet. Also, Monica Moreno is working to get liens filed as needed and that will be about a $2,400 expense. There are also some foreclosures pending. This will be additional expense to start foreclosure proceedings.

Profit/Loss summary was provided, along with snapshot of checking account.

1. Approval of Meeting Minutes

The meeting minutes from the April meeting were presented and review began. Angela Casas requested one update in New Business section. Angela Casas motioned the minutes be accepted as corrected. Monica Moreno seconded.

The meeting minutes from the May meeting were presented and review began. Approval of minutes was tabled to allow time for all board members to review.

1. Old Business
2. Surveillance System Status

New cameras were received but have not yet been installed due to focus on getting transponders installed.

1. Gate Repair/New Gate Management Status

Karen Mueller provided a list of homes without vehicle information registered and homes with transponders assigned but not installed. Also, 39 transponders that are activated for vehicles but not yet installed.

Bids being pursued to fix remaining gate problems. Looking to get 3 bids each time we have a large expenditure. One gate company indicated we have some gate loop problems, mostly at the exit gate where the asphalt is cracking. Also his machine showed entrance loops being close to 'in the red'. The 2nd company did not indicate loop problems but indicated the whole gate motor needs to be replaced at entrance. First company said motor would easily last another 5 years. Still waiting on 3rd bid. We also are pursuing the pricing for the Magnetic lock. Per Angela Casas, we need to check with Powermatic to see if anything is under warranty. Some additional discussion ensued. Agreed to also wait for 3rd bid.

1. Trees are gone from park, along with the shade they provided. Karen Mueller showed options for shade, gazebos etc. Also talked about adding a new tree back to the park, but that is $500 on up. Board decided to wait. Decision was tabled.
2. Status of Landscaping Contract

Land n Lawns has been released, but they are coming back and saying we owed them money. However, they were not fulfilling their contract, by their own admission. When we disputed, the discount they were willing to provide was unacceptable especially considering the plants they installed and allowed to die. Decision was made to allow Land n Lawns to take us to small claims court. Residents that were present wanted to engage Tom Newton, but HOA Board said that it would be too costly. Tom Newton will be at the HOA Conference to be attended on Saturday so we will get the opportunity to ask him to make a recommendation. One resident present suggested that we ask for a paralegal to perform some things for us vs. always engaging Tom. Decision was tabled pending discussion with Tom on Saturday.

1. Subdivision Lighting and Signs

Quote rec'd for light in park. Quote was rec'd from Central Electric for $400, which would include fixing the light at the gate. Karen Mueller will check with Villa Electric to see if gate light is under warranty.

1. Neighborhood Parking/Towing/Restriping of Subdivision

Crime, Safety and Enforcement Committee made proposal that we institute fines for yard/home violations. Karen reviewed the details of the proposal. Angela Casas indicated it was state law that we'd have to send them notice first and give them 10 days to remedy before levying fine. Lots of discussion ensued. Lots of time was wasted and no real progress was made. Karen suggested we leave it with the committee to solve. Resident in attendance said set a specific date each month for property walk-through and that way people know. Decision tabled to allow time to talk with attorney tomorrow and also to take back to committee.

Re-Striping of streets is pretty much done. Need to fix stripe at gate and buy the stencils to say Visitor and Resident. Resident suggested we put a stripe on the exit side also so people don't go in the middle and block both lanes. Martin Salazar wanted to pay a professional to come and remove the old stripes. Also, Fire Lane stencils do still need to be done.

1. Status on Audit/Taxes

Still gathering documents to have audit completed. Sent first round of documents to CPA and requested that they reach out to us if they are missing anything prior to marking it "missing".

Taxes for past years still outstanding; awaiting 2013 taxes from CPA to mirror and complete other year's taxes. Monica Moreno mentioned doing the Annual Meeting in April to give existing board time to close out the fiscal year. We need to check Declaration to confirm it doesn't require January for the Annual Meeting.

Janette Mueller confirmed that a contractor that makes over $600 is required to receive a 1099 from us and HOA required to get a w9 from any hired person/contractor. Otherwise, HOA could be subject to significant fines from IRS. Monica is requiring W9 as well as insurance from anyone hired now.

1. Closing of Water in Common Areas to determine reason for excessive bills

Still waiting for new SAWS bills to come in to confirm problem is solved.

1. Review of Bylaw Changes

Only thing outstanding was Financial limit for Board. Angela Casas indicated this is in Declaration. It was mentioned that we need to follow-up with Tom to originally see the best way to increase the size of the board so that members are staggered and entire board is not replaced every year. We can attempt to talk to Tom at conference Saturday. Extensive discussion ensued. Assign places 1,2,3,4,5. Places 1,3,5 are one year terms and 2,4 are 2 year terms for the first election after Bylaws change. Then all go to 1 year terms.

j) Scanning of Documents - Board agreed to take advantage of free shredding at Conference tomorrow for the items that have already been scanned. Some discussion ensued about the financial reconciliation that's underway. Good progress has been made and more documents are being provided tonight so hopefully we can conclude the reconciliation.

k) Neighborhood Parking/Towing

Questions about street parking came up on Nextdoor. Per Property Code, we should not be parking in streets at all. When the fire occurred in the neighborhood years back, the Parking Resolution was put in place to allow the street parking but avoid double parking. Street parking was intended for visitor's only and only when visitor parking is full. Between 1-6a a visitor parking in the street must have a visitor tag on their mirror. After review of the Parking Resolution there was some confusion about the 1-6am rule. Angela Casas indicated street parking during the day should not be an issue if people follow the rules and avoid double-parking. Board agreed that they did not think that was the spirit of the resolution to limit visitor street parking to hours of 1-6a. Declaration talks about when residents are allowed to park on the street. Should say that if visitor parking is unavailable 24x7, then a visitor can park in the street. The 1-6a rule was intended to require the visitor tag when parked in the visitor parking between 1-6a. Some discussion about residents using the visitor parking ensued. There were incidents in the past for the Board Members that were issuing the violations, so noone wants to issue the violations now. We did meet with a new towing company that would be willing to issue the violations for us, but they will use their own violation stickers. Extensive discussion ensued.

Some questions and discussion ensued about the practices of Bexar Towing. They are in violation of TDLR regulations because they are not hitching the vehicle prior to leaving the neighborhood. Extensive discussion ensued. Bottom line we need to resolve the ambiguity with the 1-6a and visitor street parking in the Parking Resolution.

Some discussion ensued about the Single Family Home rule and how to enforce it.

Some discussion ensued about trying a different towing company. HOA Board agreed to investigate. If we decide to release Bexar Towing, we need to give them 30 days notice. Monica will continue talking with Altex Towing. Karen Mueller asked Kim Orsinger to join the Crime, Safety and Enforcement committee. She agreed. Decision was made to give Bexar Towing their 30 day notice. Need to make the Parking Resolution clearer before hiring new towing company. Monica had provided a map, but residents were saying that it was in conflict with the Parking Resolution. Karen Mueller motioned that we give Bexar Towing their 30 day notice. Monica Moreno seconded. Motion carried. Discussion ensued about Bexar Towing violating the hours on their contract and whether we could release them without notice since they are violating the contract. Discussion about them potentially being retaliatory once they receive their notice ensued. Angela Casas suggested that we make a push to educate residents. Additional extensive discussion ensued. Karen Mueller reported talking to 311 and they indicated the Municode doesn't apply to us, but the Property Code does apply. One change agreed upon for the Resolution was that it should clearly state no double- parking 24x7 but tag is required from 1-6a. Some discussion ensued about residents parking in the street ensued. Angela Casas quoted the governing document indicating no resident can ever park any kind of vehicle in the common areas (aka streets). Need to add this reference into the Parking Resolution. Additional extensive discussion ensued including the reference to contemporaneous usage in the Declaration. We need to better define contemporaneous usage. Angela Casas agreed with residents that Parking Resolution should have the statement about residents never being able to park in the street. Suggestion made to give edited Parking Resolution and adopted Map for new towing company. Angela Casas motioned we correct noted Parking Resolution discrepancies and add definition for contemporaneous parking for residents to the Parking Resolution. Monica Moreno seconded. Motion carried. More discussion ensued about residents using street parking and what driveway extensions could be done for residents near fire hydrants.

l) Review Calendar of Upcoming events

Item tabled

m) Fence Repairs

Discussion ensued about fence repairs being done on Cavelier Post. Card obtained and Karen Mueller will check with them to see if they'll give us a discount. Main fences that need repair is on Cavelier Post so maybe if we get the residents a good discount they will motivated to fix the fence.

n) Changes to Other Governing Documents

Already discussed. We just have the Declaration outstanding to review. We did away with Travel Resolution, but Monica Moreno indicated the trips do add up and we may want to consider re-adopting at least part of that resolution. Angela Casas motioned to re-adopt the mileage and parking piece of the Travel Resolution. Monica Moreno seconded. Motion carried.

**New Business**

a) Monica Moreno suggested considering Property Mgmt company. Angela Casas suggested maybe just doing a Property Manager vs. Property Management company. Some discussion ensued. Angela Casas suggested that maybe even someone from the neighborhood could serve in the role since they have a vested interest. Residents present agreed. Board agreed to start preparations to explore a Property Manager for next year's budget. Discussion about what the Property Manager would do ensued. Residents agreed that Property Manager should have office hours and rules about when they will respond (ie. by next business day). Angela Casas made a motion that we prepare to go back to a Property Administrative Manager. Monica Moreno seconded. Motion carried. Resident in attendance recommended hire the Property Administrative Manager prior to the April Meeting so that it's not a new Property Administrative Manager along with a brand new HOA Board all at once. More discussion ensued. Need to come up with qualifications and duties/job description. Monica Moreno suggested taking a Property Mgmt contract and just tweeking it. She will take that action. Suggested target of September.

Some discussion about how Property Administrative Manager would serve. Would they have access to HOA funds? Resident suggested providing a pre-paid debit card to serve as petty cash for them. They would be a contractor vs an employee.

b) Discussion about over-reimbursement to Jesus De La Pena, mostly about Dinner reimbursements. Attorney indicated in order to recoup those funds we'd have to go after his estate. The amount is $542. Those in attendance agreed it was not worth time and energy to go to Small Claims court.

1. Schedule next meeting for 6p on 7/14.
2. Executive Session
3. Not needed.
4. Adjournment

Monica Moreno adjourned the meeting at approximately 8:43pm.

Minutes submitted by: Karen L. Mueller, Secretary