



***Springs at Stone Oak HOA***  
***2nd Quarter 2021***  
***Board of Directors Meeting***  
***May 26, 2021***

# Homeowners Topics

- This is the pre-Board meeting segment in which concerns, issues, or recommendations previously identified by HOA members are addressed by the Board or Manager.
- This is **not** a discussion period.
- Topics were to have been provided to the Board or Manager by Monday, May 24 to allow preliminary research on the topics.
- Topics that cannot be addressed during this segment will be addressed later via e-mail or on the HOA website.
- HOA members “attending” this meeting may submit questions or comments via the GoToMeeting chat function.

# Homeowner Topics



***Springs at Stone Oak HOA***  
***2nd Quarter 2021***  
***Board of Directors Meeting***  
***May 26, 2021***

# Agenda

1. Call to Order, verify  $\geq 3$  Board members present (President)
2. Summary of Board actions taken without prior notice, including any actual or estimated expenditures (Secretary)
  - o Approved expenditure of HOA funds to repair residence-side of perimeter masonry wall (Apr 9, \$310)
  - o Initiated repair of pedestrian gate by gate maintenance contractor. Repairs completed May 3. (May 3, \$307).
  - o Approved March 24, 2021 1st quarter Board of Director meeting minutes (May 14)

### 3. Review Financial Reports [President, Manager]

#### **Current Assets**

As of: 5/26/2021

– Reserve Fund CD 37 (matures 9/23/22)	\$25,652.42
– Reserve Fund CD 38 (matures 9/23/21)	25,864.91
– Reserve Fund CD 39 (matures 4/23/23)	25,602.40
– Reserve Fund savings account	<u>33,187.93</u>

<b>Total Reserve Funds</b>	<b>\$110,307.66</b>
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– Operational Funds (checking account)	<u>\$20,583.95</u>
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<b>Total Current Assets</b>	<b>\$130,891.61</b>
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#### **Delinquent Accounts**

1 Delinquency, 0 Active Payment Plans	<b>\$ 468.00</b>
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### 3. Review Improvement Requests & Violation Reports [President, Manager]

#### **Improvement Requests since 3/24/2021**

- Crystal Spring – Xeriscape      Approved
- Crystal Spring – Xeriscape      Vote Pending

#### **CCR Violations – Not Cured (Not Corrected)**

All Stage 1 (initial notice of violation):

- Rubbish & debris
- Advertising
- Sodding/resodding
- Appearance
- Trash can visible
- Commercial vehicle

## 4. Unfinished Business [President]

- CCR Amendment: authority for Board of Directors to assess fines for CCR violations
- 2021 Project Candidates
- HOA Committee/Contacts Vacancies



## CCR Amendment: Fines

- Texas Wenonah Blevins Residential Property Owner Protection Act, effective January 1, 2002 provided specific procedures and timelines for HOA assessment of fines for CCR or Bylaws violations by homeowners
- HOA members approved in 2001 Article XI(B), Rules for Enforcing CCRs (Fine) and Adoption (attachment) of Wenonah Blevins Act *to Bylaws*, recorded 12/26/2007
- Texas Legislature amended Blevins Act in 2015 to add specifics for notices prior to enforcement actions prior to filing suit against an owner, charge an owner for property damage, or levy a fine for violation of CCRs or Bylaws. Amended verbiage added to Consolidated CCRs Article XXX, Enforcement.

## CCR Amendment: Fines (Con't)

- HOA attorney identified in 2017 that Springs **CCRs** do not specifically authorize Board to assess monetary fines for violation of CCRs or Bylaws: *Board cannot assess fines*
- What's needed?
  - **CCR amendment**, approved by 67% of homeowners (minimum 58 of 86), specifically authorizing Board of Directors to assess fines to homeowners for CCR/Bylaws violations
- **Consideration for Approval:**
  - Board of Directors will coordinate the generation of a CCR amendment for homeowner vote that specifically authorizes the Board to assess fines for CCR violations.
  - HOA funds are authorized for HOA attorney assistance in developing/composing the CCR amendment.

# HOA 2021 Project Candidates (alphabetical)

- Add/replace foundation soil beneath and around perimeter of 5 park picnic table concrete pads *deferred – initial solution not supported*
- Front entrance low voltage wiring fix *Board coordinator identified*  
*Solar lighting contractor demo provided May 14/15; electrical contractor evaluated existing wiring for entrance monument floodlights May 14*
- 3 SO Parkway irrigation system zones fix
- Ladder-friendly base below marquee
- Landscaping refresh. Identify sections to be refreshed/replaced over next 4-5 years. *Board coordinator identified. Proposal to begin at park disapproved; front entrance proposals provided by landscape designer May 11*
- Obtain street analysis and paving cost estimate from certified asphalt paving company, including replacement of 8 drainage ditch bollard posts [total repaving anticipated in 2022-2027]  
*Board coordinator identified*

# HOA 2021 Project Candidates (alphabetical)

- Power wash park sidewalks and curb *previously deferred – SAWS water restrictions in effect until May 20 did not allow power washing of sidewalks*
- Repaint metal railings at park, Pearl Spring, and Crystal Spring drainage culverts; street sign bases; fire hydrants *Board coordinator identified*
- ~~• Replenish engineered wood fiber (“kiddie mulch”) in playground *completed May 7*~~
- \*\*Purchase and reinstall toddler and adolescent swing sets at park
- \*\*Replace 3 BBQ grills at park *Board coordinator identified Grills determined to be ok structurally, refurbish vice replace possible*

*\*\*Supported by Reserve funds*

## 4. Unfinished Business [President]

- CCR Amendment: authority for Board of Directors to assess fines for CCR violations
- 2021 Project Candidates
- HOA Committee/Contacts Vacancies
  - Architectural Review Committee: 1 vacancy (4 of 5 filled)
  - Pet Waste Station Maintenance: 1 vacancy (2 of 3 filled)

## 5. New Business [President]

- Overvoltage electrical problem at front entrance.
- Review of ideas/recommendations from landscape maintenance/design contractor for front entrance area landscaping improvements/refresh
- Consideration for approval: Suspension of 2012 HOA Board Resolution, “Reasonable Late Charges for non-payment of Assessment” and develop revised Resolution
- Consideration for approval: Develop for homeowner approval at 2022 AGMM a revision to Bylaws Article 4.02, Board of Directors: Number, Tenure, and Qualifications

## 5. New Business [President]

- Overvoltage electrical problem at front entrance.
  - Electrical contractor discovered 240v AC at entrance monument GFCI outlets on May 14 (should be 120v). Could not identify fault; returning to continue diagnostics to find and fix fault
  - Irrigation system maintenance discovered on May 24 the front entrance irrigation system controller was damaged by over-voltage. Same problem occurred in early January 2021, resulting in controller being replaced in March. Not covered by warranty due to over-voltage.



# Front Entrance Area

## Landscape Improvement Project 2021 - Proposed



Project Zone 1



# Front Entrance Area

## Landscape Improvement Project 2021 - Proposed



Project Zone 2

# Front Entrance Area

## Landscape Improvement Project 2021 - Proposed



Inside Entrance



Inside Exit

Project Zone 3

# Front Entrance Area

## Landscape Improvement Project 2021 - Proposed



Monument Island –  
Looking Towards Gates



Monument Island –  
Looking Towards SO Parkway

Project Zone 4



# Front Entrance Area

## Landscape Improvement Project 2021 - Proposed



Project Zone 5

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- Consideration for approval: Develop for homeowner approval at 2022 AGMM a revision to Bylaws Article 4.02, Board of Directors: Number, Tenure, and Qualifications

# Reasonable Late Charges

- Current Board Resolution approved by BOD March 7, 2012, Special Board Meeting, recorded March 9, 2012
- In addition to CCR Article XXXV, Covenants for Assessments, monthly 12% per annum late fee:
  - \$25 late charge for 1<sup>st</sup> month delinquency
  - \$50 late charge for 2<sup>nd</sup> month delinquency
  - \$100 per month late charge for 3<sup>rd</sup> – 11<sup>th</sup> month delinquency
  - \$25 late charge for 12<sup>th</sup> month delinquency (based on 2021 assessment)
  - Max late charges for each assessment period = total assessment amount for year delinquency began
  - *Resolution has never been implemented (3 HOA Management Companies)*
- **Consideration for approval:** Suspend 2012 HOA Board Resolution, “Reasonable Late Charges for non-payment of Assessment” and develop revised, supportable Resolution

## 5. New Business [President]

- Overvoltage electrical problem at front entrance.
- Review of ideas/recommendations from landscape maintenance/design contractor for front entrance area landscaping improvements/refresh
- Consideration for approval: Suspension of 2012 HOA Board Resolution, “Reasonable Late Charges for non-payment of Assessment” and develop revised Resolution
- **Consideration for approval:** Develop for homeowner vote at 2022 AGMM a revision to Bylaws Article 4.02, Board of Directors: Number, Tenure, and Qualifications

# Bylaws Article 4.02

## Board of Directors: Number, Tenure, and Qualifications

- Original Article 4.02, March 6, 1998: *The number of Directors may be increased or decreased by majority vote of the Members but never below three (3).*
- Article 4.02 amended at Special Board meeting, March 7, 2012: *There shall be five Directors. Each Director shall serve a term of two years.*
- **Consideration for Approval:** Revise Article 4.02 through approval by a majority of homeowners attending/voting in the 2022 Annual General Member Meeting. Proposed revision = original text, *The number of Directors may be increased or decreased by majority vote of the Members but never below three (3).*

Rationale for revision: Increasing difficulty in obtaining an adequate number of candidates for election to the Board of Directors at annual member meetings. 3 current Directors term of office expires at the 2022 AGMM. Revision will provide the flexibility, if needed, to have the BOD comprised of 3 homeowners without violating our governing Bylaws.



# Agenda

6. Association Manager comments
7. Executive Session (**Board members and Management only**)
  - o Status of delinquent accounts and violations (Manager)
  - o CCR violations
8. Adjournment

