

Monument Hill Property Owner's Association

Minutes of August 11, 2022

Board of Directors Meeting

Directors in attendance: Mark Hermes, Mike Wallace, Travis Anderson, Dustin Kadlecek, John Etue, Tracy Head

Directors absent: None

Visitors: None

Meeting called to order: at 6:32 p.m. by President Mark Hermes.

1. **Public Comments:** None

2. **Approval of minutes from June 16, 2022 meeting:** A motion was made, and seconded, to approve the Minutes from the June 16, 2022 regular board meeting as presented. The motion passed.

3. **Treasurer's Report:**

a. **Financial Reports for June & July:**

~ Combined bank balance:

- as of 6/30/22: \$27,891.91 which reflected a decrease of \$2,459.11
- as of 7/31/2022: \$33,578.40 which reflects an increase of \$5,686.49

~ Extraordinary expenses:

For the month of June:

- The Hartford (Insurance) \$ 833.00
- Harland Clarke (FSB deposit slips) \$ 69.13
- Intuit (FSB check printing) \$ 135.99
- Lori Steffek (reimb postage) \$ 44.28

For the month of July:

- None

b. **Budget goals discussed** - General discussion. Account usually keeps around \$30,000 in the account. Biggest expenditures can be unplanned occurrences such as debris pick up following storms and attorney's fees when necessary. Difficult and somewhat unrealistic to budget for bigger items with limited revenues and future cost increases.

c. **Delinquent dues +90 days:**

	6/30/2022	7/31/2022
1-30 days	\$24.96	\$850.30
31-90 days	\$300.00	\$0
Over 90 days	\$751.39	\$1,021.39
Total	\$1,076.39	\$1,871.69

~ The property located at 201 Richard Rd (shown owned by Alice Rodgers Estate but, according to her son, HUD now owns the home) was assessed an additional \$30.00 for 3rd quarter POA dues which

bringing the now past due account balance to \$540.00. When the property finally sells, all past due amounts should be collected prior to closing.

A motion was made, and seconded, to approve the June and July 2022 financial reports as presented. The motion passed.

4. **Board Orientation:**

- a. Board Notebook – General discussion about the notebook each board member receives from Lori. Useful way to stay organized from meeting to meeting. Also helpful to reference actions taken at previous meeting as well as restrictions and bylaws.
- b. Purpose of Board – John presented basic ideas and goals of the board. The purpose of the board is to oversee the common assets of the POA, manage its finances, run business affairs, enforce and set rules, and see to the maintenance and upkeep of the area. All residents have an important role to play in a community's success, but board members have a particularly vital job. The POA is responsible for the maintenance of items that are not the individual homeowner's responsibility. Someone has to represent those interests to ensure the assets of the community are maintained and replaced at the appropriate time, that the community's budget is well funded, and that home values are kept at an optimal pace.
- c. Procedures and limitations for enforcing deed restrictions – John reviewed deed restrictions. The board does the best it can do within the limits afforded the Association by the Texas Property Code and the Texas Supreme Court. There are complaints of varying nature throughout the Association, including those of a more severe nature, such as vacant properties needing upkeep and short-term rentals. While short-term rentals are undesirable, the board has very little recourse since the Texas Supreme Court limits POA restrictions and enforcements. The Association's By-Laws and Restrictions are written in such a way that is wide open to interpretation, making enforcement of the restrictions difficult. Some property owners comply upon receiving a complaint/violation letter, while others do not. The only enforcement avenue available to the Association is via Small Claims Court which can be costly, if done frequently, and leaves the Association open to counter suits. Most property owners do the right thing by being encouraged to be good neighbors.
- d. Meetings governed by the Property Code (not Texas Open Meetings Act) – The Association's meetings, while not subject to the Texas Open Meetings Act, are subject to the Texas Property Code. We must post meeting agendas at least 6 days prior to the start of a meeting, and we do. If the Board needs to discuss something not included on the posted agenda, they may.
- e. Arrangement for clerical services through Water Board Employee: Lori doesn't work for the POA. She's an employee of the Water District. The Association contracts with the Water District for clerical services. She doesn't have to attend our meetings. She has a lot to do for the POA, such as making calls, sending out letters, all aspects of accounts payable and receivables (quarterly billing), property owner interface and record keeping. The POA could not do this without her. She's done an outstanding job. She's available by phone, text or email any time, including weekends, anytime she's needed.

5. **Association Business:**

- a. Selection and Appointment of the Association's Officers 2022-2023
 - i. Mark Hermes stepped down as Board President.
 - ii. New board members were welcomed: Dustin Kadelecek, Travis Anderson, John Etue (serving his second term)

iii. Nominations:

John Etue nominates Mike Wallace as President. Mike has done tremendous work on the board.

Mike Wallace nominates John Etue as President, recognizing he is busy with a rigorous traveling work schedule and young children. The board recognizes that the President needs to be available to conduct business for the Association and to discuss things with Lori.

John Etue made a motion, seconded by Tracy Head, to nominate Mike Wallace as MHPOA Board President. The motion carries unanimously. Mike Wallace accepts.

The board thanked Mark Hermes for his four years of dedicated, day in, day out service to the Board and the Association.

Mike asked for nominations for Board Vice President; someone who can run the meeting in place of the President, and/or take over meetings when needed.

Tracy Head made a motion, which was seconded, to nominate John Etue as Board Vice President. John Etue accepts. The motion carries unanimously.

Mike Wallace made a motion, which was seconded, nominating Tracy Head to continue in her current role as Board Secretary. Tracy Head accepts. The motion carries unanimously.

Mike Wallace made a motion, which was seconded, to nominate Dustin Kadlecek as Board Treasurer. Dustin Kadlecek accepts. The motion carries unanimously.

Mike Wallace made a motion, which was seconded, to nominate Travis Anderson to serve as Restrictions Director. Travis Anderson accepts. The motion carries unanimously.

- b. Designation of Architectural Control Committee (ACC) Members: It was reported that Lori emailed the three current members of the ACC concerning their desire to remain on the committee and received no response in return. Mike asked Mark Hermes if he would be willing to head this committee. Mark accepted. An additional two members will be needed to complete this committee.

6. **Old Business:**

- a. Maintenance procedures for esplanades with Mr. Martinez: Mike suggested having a procedure for when things need mowing. He also suggested having one point of contact for Mr. Martinez. John Etue was designated as the "contact person". He will get in touch with Mr. Martinez when esplanades and entrances are needing attention.
- b. Update on responses to demand letters send in June & July: five letters were mailed to property owners concerning their outstanding dues. Two property owners have remitted payment.
- c. Country Club Ct (Cornwall) building permit and construction: Construction on the Cornwall home has ceased, and their permit has expired. Equipment has been left unsightly, littering the side of Country Club Ct. Property owner has indicated to his neighbors he has run out of funds to complete construction. In order to resume construction, due to their expired permit, the property owner will need to re-submit a building approval request to the architectural control committee, including the payment of an additional building permit fee. The board will send a letter to the property owner indicating that a new permit is needed before construction can resume, equipment needs to be removed within 45 days and, if not removed, the Association will have it removed. All fees incurred as a result of the equipment

removal will be the responsibility of the property owner. Mike will coordinate with Lori on the letter and getting it out as soon as possible.

- d. 201 Richard Rd (A. Rodgers Estate) property update: Since this property has reportedly been handed over to HUD, as a result of a reverse mortgage, John would like to run information by the congressional office about an inquiry with HUD to help with discussion on the home, and/or further action taken concerning the property. Also discussed was the need for mowing at the property. John will contact Mr. Martinez to have him mow it and the Association will bill the property account 1.5 times the cost incurred, as allowed in the deed restrictions.

7. **New Business:**

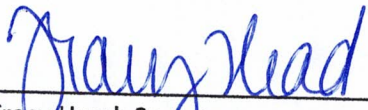
- a. Procedures for preparation of meeting agenda: Any items that needs to be placed on the agenda should be emailed to Mike and copied to Lori.
- b. Bank Account Signatories and Execute Resolution Designating Signatories: a minimum of two bank account signers are needed. There was discussion concerning those board members who didn't wish to be on the bank account and a lack of control when all board members are approved as signers.

A motion was made, and seconded, to designate Mike Wallace and Dustin Kadlecek as bank account signatories at the Association's financial institutions. The motion carried unanimously. The Bank Account Signatory Resolution was executed.
- c. Complaint received concerning 211 Rolling Hill Drive pool pump placement: an emailed complaint was received concerning the newly installed pool pump, which is too close to the fence and noisy to the property owner at 216 Summit Dr. The property owner at 211 Rolling Hill Drive did not request a permit to move his pool pump to a new location and the pump is already installed. The board's options are limited. Travis will look into the complaint and report back to the board. The property owner did agree to run the pool pump only during the daylight business hours.
- d. Complaint received concerning the number of pets/barking dogs at 312 Country Club Dr: The property owners at 312 Country Club Drive is building a new wood privacy fence and the problem has been resolved.
- e. Building approval request 103 Carmen Ct (Foley) – backyard shed: A motion was made, and seconded, to approve the new shed as a replacement for a deteriorated shed currently in the same location. The motion carried unanimously.
- f. Building approval request 195 Park Dr (Barnes) – wood privacy fence: A motion was made, and seconded, to approve the installation of a new wood privacy fence at 195 Park Drive. The motion carried unanimously.
- g. Building approval request 217 Summit Dr (Vasek) – wood privacy fence: A motion was made, and seconded, to approve the installation of a new wood privacy fence at 217 Summit Dr. The motion carried unanimously.
- h. Yard of the month: Sam Gunn is no longer doing yard of the month. The board will bring recommendations to the board at the September meeting.


The next regular board of directors meeting is scheduled for Thursday, September 8 at 6: 30 p.m. The meeting will be held at the Association office, located at 100 Country Club Drive, La Grange, Texas.

A motion was made, and seconded, to adjourn the meeting. The motion passed.

The meeting was adjourned at 7:34 p.m.



Tracy Head, Secretary



Mike Wallace, President