

Monument Hill Property Owner's Association

Minutes of February 13, 2020

Board of Directors Meeting

Call to order: Meeting was called to order at 6:34 p.m. by Board President, Mark Hermes.

Directors in attendance: Brenda Benes, Mark Hermes, Darlene Gilmore and Cleo Schneider. Absent Board Member was Dawn Cowen. Administrator Lori Steffek was also in attendance.

Appointment of Secretary: Motion was made by Board member Darlene Gilmore for Treasurer Brenda Benes to act as secretary in the absence of Dawn Cowen, secretary. Motion was approved.

Public Comments: None

Order of the Day: Attorney Ben Schovajsa was welcomed to the meeting. He brought maps of the Frisch Auf! and Bluff Haven subdivisions in order to assist the MHPOA with questions regarding boundaries of the MHPOA, and other specific questions. He did advise the Board of his fee of \$200.00 per hour with an estimate of an initial five to eight hours to provide answers in regard to the enforcement of restrictions, changes to the restrictions and an explanation of why some property owners along Country Club Court are not assessed property owner dues.

President Mark Hermes explained that a committee had been put together to review the restrictions for the MHPOA prior to the ten year deadline in 2018. Those changes were to be presented, and voted on, at the 2018 MHPOA Annual Meeting. The recommendations were given to a local attorney to have them drawn up and ready prior to the meeting. However, they were not received from the attorney and the deadline passed without the Association being able to implement those changes. It was at this time in the meeting that it was acknowledged by both the office administrator and Mr. Schovajsa that the restrictions on file at the County Clerk's office do not reflect changes made for a number of years. Apparently, those changes were never legally filed. In light of this acknowledgement, Mr. Schovajsa advised that, according to law, any restrictions other than those on file, would not be legally binding. He will research to see if anything can be done to allow the MHPOA to enact the restrictions previously approved or any other changes that can be made. He will also look into what constitutes a "nuisance" as termed in the restrictions and possible ways to enforce any violations. He advised that he will also look at why some homes on Country Club Court are in the MHPOA and others are not. Mr. Schovajsa also advised the Board that this will take time and he may not be able to answer our questions for several months. The Board thanked him for his attendance and the regular meeting proceeded upon his exit at 7:34 p.m.

Approval of Minutes: Motion was made by Brenda Benes to approve the minutes as submitted for the January 9, 2020 meeting. No corrections were made. The motion passed.

Treasurer's report: Brenda Benes

Total cash assets in the Prosperity checking account as of February 13, 2020, were \$50,283.91.

Delinquent accounts in the 90+ category were \$599.69. Two property owners, who were significantly past due state, made either a full payment or made arrangements to pay their past due amounts, thus avoiding further action in regard to Small Claims Court.

Motion, by Darlene Gilmore, was made to receive the reports as submitted Motion was seconded by Cleo Schneider. The motion was approved.

Restrictions Report: Darlene Gilmore

Darlene reported that the same property owners are consistent in regard to the upkeep of their property and/or lack of response to letters of violation. One such violation is the trailer parked on Carmen Court. No definitive action was taken to have the trailer towed. Cleo Schneider made a motion to receive the report.

Deer Committee Report: Cleo Schneider

Cleo advised that the MHPOA used all of the deer tags provided by Texas Parks and Wildlife. A summary of all harvesting done by the contractor was given for the POA'S records. The Game Warden has requested that two deer counts be done and Cleo has these counts scheduled.

Old Business: Mark Hermes

Mark reported that Ducek Electric will take over the completion of the lighting of the entrance signs. George will continue to work on the signs. The brick columns are scheduled for completion and the contractor has purchased the bricks.

The MHPOA Board agreed to table any further discussion of restriction changes until further information is received from attorney Ben Schovajsa.

New Business: Mark Hermes

The MHPOA approved the renewal of the contract for Lori Ssteffek, Office Manager for the FCWCID and the MHPOA.

A proposal was made by administrator Steffek for Heartland Payment Services to provide a method for those wanting to pay their MHPOA dues via credit/debit card or e-check. It was explained that the POA would not be charged a fee for accepting credit/debit cards, but those using the service would be assessed a 4% convenience fee to Heartland; e-checks would be assessed a \$1.00 transaction fee. A terminal would not be housed in the office and transactions would either be done online via the payment portal at the Association's shared website with the water district or by calling a dedicated toll-free number. The POA would not assume any liability for possible hacking issues. Heartland does require that a MHPOA board member be the point of contact person and advised that the social security number of the board member would be needed, and that it might involve a credit check of the designee. Motion was made by Cleo Schneider that MHPOA board member Brenda Benes be the contact person. The motion passed.

It was also acknowledged for official records that email approval was given, prior to the meeting, for homeowner's Hamlin to have a fence installed on their property.

Adjournment:

Darlene Gilmore made a motion that the meeting be adjourned. The motion passed and the meeting was adjourned by President Mark Hermes at 8:17 p.m.

Brenda Benes, Acting Secretary

Mark Hermes, President