

# The Woods of Wimbledon Civic Association, Inc

P.O. Box 15109, Spring, Texas 77391-1509

## Board of Directors Meeting Minutes

May 18<sup>th</sup> 2017

Location: Cypress Creek Christian Community Center, 6823 Cypresswood Drive, Spring, TX 77379

Prepared by Graham Sherlock, Secretary

Board Members Present: Graham Sherlock, Allen Baker, Barry King, Don Shackelford, Bonnie Shows, Linda Intschert.

Board Members Absent: Michael George (resigned), Joel Carter.

1. The meeting was called to order at 7.00pm
2. Quorum was achieved.
3. Guests present: Darryl & Laura Walton, Etti Teele, Mark Shows.
4. Secretary's Report
  - a. The minutes for the April meeting were reviewed. One addition was requested: 3g. Joel volunteered to determine if the county is responsible for the sign and if there are any regulations regarding position & height.
  - b. Barry moved to approve the minutes, providing the addition is made. Linda seconded. Unanimously approved.
  - c. The meeting to discuss document storage was not held and will be scheduled for a time prior to the June meeting.
5. Treasurer's Report.
  - a. Income and expenditure are in line with expectations.
  - b. Income is within 1% of budget, due in part to settlement of outstanding dues from 2016.
  - c. As of May 18<sup>th</sup>, 116 homeowners have paid in full for 2017, six are on payment plans and five have not yet paid or requested a plan.
  - d. One lien from 2016 has been settled. Three are outstanding. The non-payment for 2017 is applied to the liens.
  - e. The collection process will begin for the two homeowners who have not paid their dues for 2017 or requested a payment plan.
  - f. The outstanding lien from 2012 is now being paid via a payment plan.
  - g. Governance fee expenditure is at twice the amount allocated in the budget. This is for legal expense not associated with collections.
  - h. There is one new homeowner in the neighborhood.

- i. Barry moved to approve the Treasurer's report. Graham seconded. Motion carried unanimously.
- 6. Vice-President's Report
  - a. The ACC requested the Board seek and pay for a legal opinion regarding a new pool construction.
    - i. The homeowner asked if it is permitted to build the pool deck within the set-back; the pool itself is outside the set-back, as shown by a plan shown during the meeting.
    - ii. Because of time pressure, a request had already been made to our attorney for a legal opinion. It was argued that this is premature. Graham moved to rescind the request. Linda seconded. Unanimously approved. Don will write to the attorney and request that she does not do this work.
    - iii. It was argued that a pool deck is not a building. Graham made a motion to recommend approval of the homeowner's request on the strict condition that no above ground or below ground structure is built within the set-back and that a pool deck is not considered a building. Barry seconded. Unanimously approved.
      - 1. *After the meeting's conclusion, it was noted that pages 8 & 9 of the deed restrictions specifically state that entry steps and unroofed terraces are not considered part of a building.*
      - 2. *The ACC were advised that, if they are still unsure whether a pool deck is permitted within a setback, they should contact Harris County and request a copy of their regulations regarding set-backs.*
  - b. The HOA President, Mike George, has resigned from the Board.
  - c. It was noted that Texas law permits the Board to appoint a Board member but not an officer. The Board agreed to canvass homeowners and bring a list to the next meeting of those willing to serve as an at-large member for the remainder of the year. If no replacement is appointed, the Board is reduced to seven members. Five are needed to form a quorum.
  - d. It was agreed that, in the case of the President's resignation, it is normal for the Vice-President to assume the role of President. Don agreed to serve as President.
- 7. Administrative Reports and/or committee updates.
  - a. In his resignation letter, Mike requested the documents and decorations be collected as soon as possible. *After the meeting, Don collected them.*
  - b. Barry offered to store the documents, decorations etc. at his premises until the end of the year to give the Board time to find a permanent storage solution.
  - c. The wall maintenance will be discussed at the June meeting.
  - d. Barry reported on the request for a second legal opinion to clarify the meaning of Fiduciary Responsibility.
    - i. Four lawyers were identified with expertise in real estate law. One was deemed unsuitable, one was unavailable and one of the remaining two agreed to provide an opinion for a \$300 fee.

- ii. Approval to pay a fee was already given during the April meeting.
  - e. Bonnie presented proposed grammatical changes to the website. The Board agreed to study them and give feedback within one week.
  - f. Discussion of the ACC. The Board agreed that the deed restrictions state that the ACC is required to be elected and acknowledged that none of the present members have been elected. Some members of the Board were uncomfortable with debating a motion to force an election and it was agreed that the Board would wait and see if ten or more homeowners petition for an election as permitted by the deed restrictions.
8. Old Business Items.
- a. The discussion regarding policy on deed restrictions will be included in the June meeting.
  - b. The repair to the damaged deed restriction sign. The sign has not yet been repaired or replaced.
9. New Business Items. There were no new business items.
10. Executive session. During the executive session it was decided to begin collection proceedings against the two additional homeowners who have not paid their dues or requested a payment plan. The attorney is to be instructed that explicit Board permission is required before they proceed with each step of the collection process.
11. Public Comment. There were no public comments.
12. Motion to adjourn. Barry moved to adjourn at 9.07. Bonnie seconded. Unanimously carried.

The next meeting will be held at Cypress Creek Christian Community Center, 6823 Cypresswood Drive, Spring, TX 77379 on June 15<sup>th</sup> at 7pm