

March 14, 2011

Meeting called to order by Kimberly McDaniel at 6:05pm

Council members present:

Kimberly McDaniel

Jason Mabile

Jessica Braun

David Balhoff

Valerie Bingham

Ryan Skavron

Absent:

Jesse Thompson

First item on the agenda was the financial report by CPA

Dues

\$1100 was a big balance due and the homeowner paid. .

Collection rate 86%

138 homes out of 1000 have not paid

Other

Renewed Insurance for a year.

143,000 left on bank loan. Paid \$2500 in principal last month

Any other reports, CPA will provide if asked. These are just the normal reports he has always done in the past.

Entergy

We are paying them for inactive lines. Tammy Mire will call Entergy back to get them to check lines so maybe we can stop paying them.

Threshold amount for disbursement approval policy. On monthly recurring expenses, CPA will not seek approval. McDaniel made a motion for CPA to seek approval from treasurer for expenses exceeding \$100 and seek approval from the full council for expenses \$500 or greater. Motion was seconded by Balhoff. By a vote of 6 to 0, the motion carried.

CPA informed the council that we are missing a receipt for about \$30 from office depot for office supplies. CPA wanted this noted in the minutes in case of an audit.

The last 2 pages of the financial report are a reconciliation of the budget from how it was budgeted last year to what was actually paid out. Budget to actual report. Details every single dollar of how to get back to the general ledger.

## Aquatic Solutions

Motion by McDaniel to get written account of what exactly aquatic solutions does each month for the neighborhood. If they will not provide, we will cease payment. Seconded by Skavron. By a vote of 6-0, the motion carried.

Next, CPA informed the council that 445 homeowners paid their dues in full and on time. Therefore, these homes are eligible for the Visa gift card drawing. The council approved the use of an application on the CPA's cell phone which will randomly spit out numbers between 1 and 445.

1. 294, Lot SL372, Herman Plunkett.
2. 441, Lot SL715 John Landry.
3. 342, Lot SL488 Robert Starkey.
4. 190, Lot SL129 Wanda Tullier.
5. 402, Lot SL609 David and Kimberly Cliburn.

McDaniel gave an explanation as to why the council hired an attorney and why he was present at this meeting. The attorney introduced himself as Rusty Messer. A homeowner complained that he had requested certain information from the council and he still had not received a response.

## Ponds and Fountains Committee Report:

Chris Frazier and Jesse Thompson are not here, so this report is tabled until the next meeting.

## Trees Committee Report:

Pearce Cinman was not able to attend, so this issue is tabled as well.

## The third item on the agenda is Special Reports:

1. Installation of solar panels at 10843 Hillrose Avenue. Skavron made a motion to approve. Seconded by McDaniel. By a vote of 6-0, the motion was approved.
2. 10153 Springvalley Ave. homeowner is seeking to construct a porch. McDaniel made a motion that the council be provided with a sketch or more information prior taking action on this request. Balhoff seconded. By a vote of 6-0, the motion carried.
3. 2149 Hillstone Drive homeowner requested to erect an 8 foot fence to coincide with his neighbor's 8 foot fences which were constructed by the builder. HO wants to tie in to existing fences. The deed restrictions say fences may not be taller than 6 feet. Motion by Balhoff to restrict the fence to 6 feet. Seconded by Skavron. By a vote of 6-0 the motion carried. Skavron made a motion for the council to send a letter to the neighbors to 2149 Hillstone Drive to inform them that they are in violation of the deed restrictions and they shall remove their 8 foot fences. Motion was seconded by Mabile. By a vote of 6-0, the motion carried.

4. Mr. Macaluso addressed the council regarding the availability of the clubhouse restrooms. He would like the restrooms to be available year round. He suggested the council look at installing temporary gates which can be locked, so that the pool is roped off so there will be no safety or insurance issues. McDaniel explained that presently, the Insurer will not allow us to keep bathrooms open when water is not swimmable. Skavron made a motion for the HOA representative to obtain 3 estimates to build a fence in compliance with the insurance. Bingham seconded the motion and by a vote of 6-0, the motion carried.
5. Mr. Lunkin addressed the council and apologized for his behavior at the February meeting. First, he requested a definition of “many” as it relates to suspicious persons. McDaniel explained that the number could be anywhere from 5 to 10. However, if the issue is security related, a constant contact notification is sent when as few as 2 concerns are voiced. Mr. Lunkin said he was the suspicious person and he wanted to know how he came to be labeled “suspicious.” McDaniel explained that the HOA received an email from a HO that a “suspicious person” knocked on her door and held himself out to be with the HOA. The security of all residents is an urgent issue so at 10pm a constant contact email alert was sent.

Next, Mr. Lunkin spoke about the attorney present. He asked why the council was using his money to threaten to sue him. He also wanted to know who the attorney represents. The council responded that the attorney represents the Association.

Next, Mr. Lunkin asked how many members of the council were aware of the letter he received from the attorney. The council replied that they were all aware. Another homeowner read the letter aloud. Mr. Lunkin stated that one email address contained in the letter was not his and the other is, but he has only sent 6 emails from that account and he only sent emails to persons who requested them.

Next, Mr. Lunkin spoke about the January election. He said that all were not notified of the election. The budget and ballot were not mailed. More than one vote per lot was allowed and the meeting was not set until 8 days prior. Also, the eligibility of voters was not confirmed. Therefore, this is not a legally elected council.

Mr. Messer stated that there are legal channels and procedures for challenging the election. Mr. Lunkin stated that he has 140 signatures on a petition to call a new election. He was upset that at the February meeting the council ratified the election. He also stated that the budget was not voted on by homeowners at the annual meeting. The CPA responded that the budget was finalized 2-3 weeks prior to the meeting.

Balhoff stated that he is here to volunteer to help. He supports a new election and yes, protocols were not followed. McDaniel stated that she has been involved with the council for 3 years. She attended annual meetings and observed how things were conducted. Agreed that there was not a proxy system or a sign in sheet. McDaniel worked with Mr. Lunkin for a few months, but he stopped coming to meeting and when they set

the annual meeting, he didn't come. The rest of the council was struggling regarding procedures, so they conducted the meeting in 2010 to the best of their knowledge. The 2010 Council was elected and worked successfully all last year. In November of 2010, the council mailed to all homeowners postcards with the annual meeting date and time. The location was not yet determined because the library has strict rules regarding reservations of rooms. When it became evident that the library could not be reserved, email notifications and constant contacts were sent to homeowners notifying them as to the location. The 2011 annual meeting held and about 35 people attended.

Mr. Todd Labroussard stated that he did not want money wasted. He stated that he could throw a pretty good party for \$500. He questioned the free sno cone days and instead suggested that the council purchase ice cream from Sam's and people would be just as happy. He suggested that the budget be posted and easy to find. He asked in the HOA was in debt and should it be paid off? He also suggested giving money back to the HO's by decreasing dues. He questioned why we couldn't support more businesses owned by homeowners. He would like for neighbors to cater food and provide entertainment. He suggested keeping our money here and not giving it to everyone. He also stated that communication between homeowners should never be thwarted. He also wants the council to purchase pine straw ourselves instead of using a landscaping company who charges \$50,000. McDaniel explained that the council asked Green Up to add pine straw and ant killer to the overall bid this year.

A homeowner explained that we have a Whitney bank loan from Clark Taylor that we are paying off. Mr. LaBroussard questioned the management fees and mileage and it was explained that those were only for the CPA and Representative and could be revisited. He also inquired about the nomination procedure and stated that he didn't get a notice election. He believes that regular mail is the best option. He also suggests that more information be placed on the website, especially the 8<sup>th</sup> filing, the budget and meeting notices.

Another homeowner stated that the council should adopt rules of order and let all homeowners present speak for 3 minutes. Braun stated that at the February meeting the council voted to implement Robert's Rules of Order, but it is very hard to enforce. He continued and noted that around the first lake all vegetation had been burned. He would like someone to look into this because the bank is now eroding. He also suggests that a balance sheet be available at each meeting.

Mr. Galvez stated that he wanted to volunteer to use his expertise on the lakes committee and he was ignored. He stated that he would like to find cheaper alternatives to what is being spent on the lakes and on social activities.

CPA does do monthly reports and the website will be updated with all financial reports and budgets.

Balhoff made a motion to redo the 2011 election. Valerie seconded. Mr. Messer stated what the proper procedure to conduct an election includes. He stated that it could possibly take 3 meetings to get the proper number of people present to vote.

A homeowner said volunteers are needed to print out information and take to every house because some people may not have computers. Also suggested we purchase a message board and put at the front of the subdivision to advertise activities. Signs along Bluebonnet were also suggested. The council suggested that local ordinances be checked before any signs are placed.

Mr. Messer suggested that if the council votes to hold a new election, the present board should stay active and take care of day to day business until a new election is held. Mr. Messer also suggested the council think about enacting new bylaws.

Mr. Galvez suggested looking at all deed restrictions and consolidating them. New council needs to seriously look at deeds. He suggested that requiring 50% present to vote is crazy.

A homeowner questioned why there are only 7 people on the council. McDaniel explained that the 2010 council started with 12 people, but by the end of last year, only 5 were active. The council decided that with a smaller council it is easier to conduct business in a timely fashion. At the 2011 general meeting a motion was made that the council consist of 7 persons. A vote was taken and homeowners were advised to vote on 7 persons.

McDaniel spoke about all of the controversy and the fact that the council did the best it could at the time of the election. She is here to serve and be part of this community. Her name has been dragged through the mud and she would appreciate some professional respect. McDaniel stated that her intentions are good and for the best interest of the neighborhood. She noted that the council repeatedly asked for volunteers last year, because there were none and fewer than 10 homeowners attended monthly council meetings last year. Negativity is discouraging to all involved, so she would like to use the energy in this room to move forward and be positive.

A vote was taken and Balhoff, Mabile, Braun, Bingham voted yea and Skavron and McDaniel voted nay. By a vote of 4-2, the motion carried.

A homeowner questioned how bids are solicited and he suggested we do like the office of state purchasing. He is a contractor and he would like to advise homeowners in matters relating to his expertise.

Balhoff offered to look into purchasing lane rope for the pool.

Mabile made a motion to make the new forum the official forum of the HOA and establish a forum committee consisting of homeowners and two members of the council.

Balhoff seconded. By a vote of 3-2 the motion carries. Balhoff, Mabile and Braun voted yea. Skavron and McDaniel voted nay.

There was a substitute motion to address the existence of a new forum at the next meeting. However the motion died without a second.

Balhoff made a motion to rescind the letter sent by Mr. Messer to certain homeowners regarding the forum. Mabile seconded the motion. Mabile and Balhoff voted yea. Braun and McDaniel voted nay. Skavron abstained. Therefore, the motion failed.

Braun made a motion to adjourn which was seconded by Skavron. By a vote of 5-0, the motion carried.