

Regular Board Meeting.
March 26,2007
7:30 PM

The regular meeting of the Board of Trustees of the Deerfield Village Community Association was held at 4045 Deerfield Village Dr., Houston, TX 77084 at 7:30 p.m. Trustees in attendance were Glenn Sommers (President), Don Driggs (Vice President), Marie Nugent (Secretary, Bob Henry (Treasurer), Dan Karsten, Carolyn Dinger, Mike Polk , Susan Greer and Dennis Hughes.

The meeting was called to order at 7:30 p.m. by Pres. Glenn Sommers.

Glenn Sommers appointed Nan Pye to be Parliamentarian as a voluntary position. Eight members were present. Carolyn Dinger arrived late and brought the minutes of the Feb. mtg.

I. Quorum

It was determined that a quorum had been formed

II. Approval of the minutes.

Minutes of the February 26,2007 meeting were reviewed. Dennis Hughes asked that a correction be made to the minutes. Correction was made and initialed by the President. Spelling error was also corrected. Don Driggs asked that approved minutes be signed and dated by the Secretary and the President. Susan Greer moved to approve the minutes as amended. Dan Karsten 2nd the motion. Minutes were approved.

Minutes for the Annual Meeting were not completed yet so were not received or approved. Will handle at next meeting.

III. Residential Inquires

- Nan Pye asked who signed the two checks to Laird Landscaping.
 - Dennis Hughes and Don Driggs acknowledged signing the checks.
 - First check \$9321.48 signed 2-19-07
 - Second check \$9336.56 signed 3-06-07
 - Signees for DVCA are Don Driggs, Bob Henry and Alan Philips (elected Assist. Treasurer).
 - Glenn Sommers needs to sign a signature card for the bank to be authorized.
- Kay McGuyre asked..there was a Jan. Mtg vote where 7 trustees Voted yes, 1 voted No and 1 abstained, to put a hold on the Landscape contract. What happened? Why were checks signed? Why was the 2nd check signed?
 - Glenn Sommers stated that Laird Landscaping was to get 1/3 down and 2/3 upon completion. He contacted the Board Attorney to get a refund of the Second check. We do not have a copy of the first or second Checks at this time.

Security.

Report received.

MUD 136 did not include the Deerfield Security Contract into their 2008 budget.

Glen asked for pros and cons, pro would be a third shift.

Will need to pursue it for the next budget (April 1, 2008)

MUD Board will consider it if DVCA presents a written request to MUD.

Need to plan now for MUD budget.

Concern with men's night tennis league. Capt. Let people in, not asking if they were residents or non-residents. Tues. night league must follow our security rules to avoid vandalism.

Pool Committee.

Concrete poured to date.

Pavestones will take a couple of weeks to complete.

Susan Greer asked about the Special Mtgs. Why was there no Trustee in attendance?

Susan Greer read the by-laws. Pool Comm. Mtgs.were changed w/o proper notification. Melinda Hughes had no comment.

Susan Greer told Pool Chm. she did not abide by the by-laws on Mtgs.

There are only 2 consistent members "attendees" on the Pool Comm.

Susan Greer is the assigned Board Rep to the Pool Comm.and was not told about the Special Mtgs.

Susan Greer then gave copies and made the motion documented in Attachment 1.

Marie Nugent seconded the motion. Discussion on the motion was as follows:

- Dennis Hughes said no motion could be made because it was not in the by-laws.
- Mike Warrick,a resident/lawyer said that the Board could make the motion.
- The Trustee Rep is a non voting member,and attends all meetings according to the by-laws.
- DVCA By-laws supercedes all Committeee by-laws.
- The Swim Pool Comm. changed the by-laws and code of conduct.
- Fran Tankersley said she told Chick Parkinson that she had attended 3 consecutive meetings and was then a member. To which, Chick congratulated Fran. Fran was not invited to any of the Special Mtgs. Chick said Fran did not inform him of her being a member. Another attendee verified Fran telling Chick she was now a member and his acknowledging it.
- Chick disagreed and walked out of the meeting.
- By attending 3 meetings it shows member intent.

Motion was made, seconded and approved to end discussion and to vote on the original motion.

Motion passed: 6 for, 2 against (Don Driggs, Dennis Hughes) 1 abstained (Bob Henry).

Note: All by-law changes need 10 days notice.

The member concerns over actions and policy of Swim Pool Comm. was given by Fran Tankersley and signed by Fran Tankersley, Jim McCoy, Beverly Girbach, Nike Sommers, Marie Nugent, Kay McGuyre and Greg Bonefas.

Glenn Sommers made a motion that was seconded and passed to have the Board go into executive session.

After the Executive session was completed, the public board meeting was restarted.

Glenn Sommers gave copies and made the motion documented in Attachment 2. Mike Polk seconded and the vote was taken with the following results.

Motion passed: 6 for, 2 against (Don Driggs, Dennis Hughes) 1 abstained (Bob Henry).

Mike Polk gave copies and made the motion documented in Attachment 3.

Marie Nugent seconded the motion and vote was taken with the following results.

Motion carried: 7 for, 1 against (Dennis Hughes) 1 abstained (Don Driggs)

The Subcommittee will be Mike Polk, Dan Karsten and Glen Sommers.

Marie Nugent receipted Dennis Hughes 2 No votes at Dennis' request.

NEW BUSINESS

Glenn Sommers motioned to table New Business. It was seconded and passed. 7 For 1 Against (Dennis Hughes) 1 Abstained (Don Driggs)

OLD BUSINESS

Mosquito spraying..Jay Singleton explained why it does not work well
Dan will take it to the Community Services Comm. And ask to relook at
Peter Howell will prepare reasons why it is good to do

Motion to adjourn.

Carolyn Dinger motioned.

Susan Greer seconded.

Motion passed..unanimous

Submitted by: Marie Nugent Date: 4/23/07
Approved by: [Signature] Date: 4/23/07

ATTACHMENT 1

Motion for Swim Pool Committee Special Meetings and By-Law Changes

Due to:

the fact that the Swim Pool Committee By-Laws Section V requirement that for special meetings notification to all members was not followed; and

the fact that the actions described above would disenfranchise the current group of "honorary" members who are working to attend enough meetings to become a "voting" members.

I move:

to not accept, and to nullify, the Swim Pool Committee Special Meetings and minutes dated March 3rd and March 15th, 2007; which are included in the March 26, 2007 Board Packet;

to not accept the Swimming Pool By-law revision approved at the March 15, 2007 Special Meeting and submitted to DVCA on March 15, 2007;

to not accept the code of conduct for pool meetings adopted at the March 3, 2007 Special Meeting; and

to ensure that all members are allowed to express their view on any topic as it is being discussed, as required in the SPC By-Laws.

I also make a motion that the DVCA Trustee Board maintain strict oversight of the Swimming Pool Committee meetings and actions until such time that the DVCA Trustee Board is convinced that the interest of DVCA and its members are being observed by the Swimming Pool Committee. This action will be accomplished by ensuring that at least one Trustee Rep (Susan Greer or her designate if she is unable to attend) is to attend all Swimming Pool Committee meetings, including any Special Meetings, and report back to the board during the Swim Pool Committee report at the regular monthly DVCA Board Meeting. All actions of the Swim Pool Committee will be communicated in a monthly report of the SPC meetings and the DVCA board will approve or disapprove all actions before any further action is taken by the Swim Pool Committee and it's Members.

ATTACHMENT 2

As a result of the perceived breaches of proper conduct surrounding the Laird Landscaping Contract and the perception that individuals were not acting in the best interests of DVCA, or according to good legal, business and fiduciary practices, and the fact that the DVCA Board is obligated to protect the members and the Association, the following measures are recommended to the board. As more information becomes available about these perceived breaches, the Board will update these actions as appropriate.


I move that the following actions be taken:

1. Dennis Hughes' signature authority for DVCA be immediately rescinded. Legally this is the case today as he is no longer President, but the Manager and Trustees need to ensure that all institutions where such authority has presided are notified and the authority revoked.
2. Dennis Hughes, Melinda Hughes and Jim Boarman be immediately removed from any involvement on the Laird Landscaping, Inc. Contract that was signed on 2/16/2007 and the DVCA Pool Renovation Contract with Hancock Pool Services, Inc. They are to have NO communications with Laird Landscaping, Inc. or Hancock Pool Services, Inc. about this or any other DVCA related contract with either entity, without the express written approval of the DVCA Board or DVCA President, after the time of their notification. They are to produce and transfer all files, information and correspondence with Laird Landscaping, Inc. or Hancock Pool Services, Inc. (including any deliverables received from either entity, ie. the Architectural drawing from Laird that DVCA paid for) to the DVCA Manager within 3 business days of notification. The DVCA Manager will formally notify the above parties of this in writing as soon as possible after this meeting both via email and by USPS Certified Return Receipt service.
3. The DVCA Manager shall communicate the changes in number 4 above to both Laird Landscaping, Inc. and Hancock Pool Services, Inc.
 - a. Laird Landscaping - Send an email and USPS Certified Return Receipt letter documenting the decisions made by the DVCA Board on March 26, 2007
 - i. That the individuals above no longer represent DVCA and all interfacing, direction and communications are to go through the DVCA President and Board.
 - b. Hancock Pool Services - Call and send an email documenting the decisions made by the DVCA Board on March 26, 2007
 - i. That the individuals above no longer represent DVCA and are removed from the Owners list of designated Representatives (Section 7.1.5 of Contract). The new names for the list will be determined by the DVCA Board of Trustees communicated as soon as available. Until then all interfacing, direction and communications are to go through the DVCA President and Board

ATTACHMENT 3

Motion for Dealing with the Landscaping and Pool Renovation Projects

I move that a three-person subcommittee of Trustees be established to manage the completion of the Swim Pool Renovation and Landscape project. The subcommittee will have the full board authorization to make any and all decisions required to complete the projects, including any changes deemed necessary to complete the project at or under budget in a timely manner. Any additional non-budgeted expenses will require full Board approval. The subcommittee may use the expertise of other DVCA members, committees and the DVCA attorney to assist in the completion of these projects.

A handwritten signature in cursive script, appearing to read "Mark Rich".