

Deerfield Village Community Association

Regular Board Meeting

October, 27, 2008

The regular meeting of the Board of Trustees of the Deerfield Village Community Association was held at 4045 Deerfield Village Drive in Houston, Texas 77084. President Glenn Sommers called the meeting to order at 7:30p.m.

Trustees in attendance were : Glenn Sommers (President), Walt Bohn (Vice President), Steve Dornak (Treasurer), Sharyn Carpenter (Secretary), Marta Bott, Susan Greer, Mike Polk, and Marie Nugent.

Determination of Quorum

It was determined that a quorum had been formed.

Approval of Minutes

Regular September Board Meeting minutes – motion to approve minutes by Susan Greer, Steve Dornak 2nd passed unanimously.

Residential Inquiries

Mr. Chartouni who lives at 5038 Manorhaven is asking the board to approve his request for an 8ft fence to match his next door neighbor. Glenn explained to Mr. Chartouni the Protective Covenants did not allow the board to approve such a request, and the recently received attorney directive on DVCAs' authority to grant variances (requested as a result of the fence issues) greatly limited what DVCA thought it could do. Glenn also explained that the board would discuss options on trying to validate this restrictive directive later in the meeting. Mr. Chartouni did say that they received a call from deeds that saying that they were approved for their request. It is true that Deeds did make that call but it was further clarified that Deeds also, the next day, communicated again (by multiple avenues) and notified them that Deeds did not have the authority to make that decision, that the official response was "Not approved" and that any concerns would need to be brought to the DVCA Board.

This situation was discussed and Glenn made it clear that the board understood the situation and was sympathetic but was bound by the Protective Covenants and the very

restrictive answer of the DVCA Attorney. Glenn clarified that the residents present did understand that the official DVCA response to their Architectural Approval request for an eight foot (8') fence was "Not approved" and that they had received a letter to that effect.

He further discussed that the board was going to look into options on what they could do to see if another answer was possible. He offered that if they could be patient, the board was willing to be soft on dealing with deeds violations while this was being worked through, but could offer no timeframe as to when this might come to completion. If they needed to do something sooner, then they would need to follow the existing guidelines for fences.

Clarence Gum was also recognized and also would like to have an 8ft fence. He made a comment that if one request would be granted then all requests would have to be granted and the board could not be selective.

Glenn discussed the fact that the issue Clarence brought up made the Boards ability to grant a variance (if it gets the authority to do that) was made much more difficult as the Boards primary responsibility is to ensure the betterment and to not adversely affect DVCA as a whole, and not to any individual.

The 8' fence at the corner of Barker Cypress and Keith Harrow was brought up by the residents as a precedent and Glenn explained the current board had nothing to do with it. He also explained that past history did not necessarily negate the Protective Covenants and that the Board was legally responsible to enforce the covenants and that this board was going to do that while they were in office.

President's Report

Ike clean up is mostly done. The neighborhood saved \$75,000 -\$100,000 by using the County. Thanks to the Boy Scout troop 120 for their help. DVCA has used up the entire emergency fund due to the cleanup of IKE.

Straw Poll- 90% in favor of curbside pickup. 376 ballots were turned in.

National Night Out/Jazz on the Green was a good turnout. The beer tasting event was also a big success.

There is still a Trustee opening will put an article in the November Newsletter for applications. If no response then will wait until the annual election.

Contracts that are ending in 2008 need approval by November board meeting.

Treasurer's Report

A written report was received and given by Steve Dornak. DVCA is on budget, but the reserve fund is wiped out.

Manager's Report

Re-keying is complete. There have been plenty of communications stating the fact such as in the October newsletter, the website on the tennis courts and on the door to the Manager's office. The request for permanent key needs go through the Community Service Committee.

The Assessment payout program is in the October Newsletter.

Standing Committee Reports

Landscape

Report received and given by Jay Singleton.

Working on the rebid from Bluegrass.

Recreation Center

A written report was given and received by Peter Howell.

There is a proposal for Artificial "Snow" for the children's holiday (Christmas) party. Steve Dornak made the motion to accept the proposal and Walt Bohn 2nd passed with 7 yes and one opposed.

Security Committee

A written report was received.

Security camera to shine under the pavilion to prevent people from writing on the picnic tables. Walt Bohn will let the committee know. It has been observed by the security committee that there are homes that need address numbers painted on the curb so the constables and fire department can know more quickly which home to go to in a emergency..

Swim Pool Committee

Report was received and given by Peter Howell.

Peter Howell submitted a proposal from A-Beautiful pools to extend the contract to 2010, the board favored the bid from A-Beautiful pools and authorized Peter Howell to go forward with the negotiation to include a 3rd year at the same rate. Marta Bott motioned to accept this action and Walt Bohn 2nd. Passed unanimously. SPC will provide an actual contract for Board Approval at the November meeting.

Tennis

A written report was received and given by Mark Tinne

Some damage due to IKE-lights, poles. The committee is planning to resurface the courts in 2009.

Community Services

An extension was negotiated for one additional quarter with Allied Waste with Curbside Pickup only.

November 4th begins curbside.

In 3 months the board will either sign a 3 year contract with Allied or with a new provider. A motion was made by Marta Bott to approve the extension letter from Allied Waste for 3 months which also includes recycling with curbside service, Mike Polk 2nd the motion, passed unanimously.

Deeds Committee

A motion was made by Steve Dornak to approve 3 new committee members, Marta Bott 2nd the motion. Passed unanimously.

Received a written report by Trish Yarturo.

The deeds committee presented their sheet on Major, Moderate and Minor infractions; the board told the committee to use it this month and will look at their report next month.

The response from the Attorney Rick Butler was discussed on the fence issues and the Protective Covenants.

At that moment, Susan Greer called for an executive session, Marta Bott 2nd the motion, passed unanimously.

Executive Session was conducted

Susan Greer made the motion to move out of executive session, Marta Bott 2nd the motion, passed unanimously.

Steve Dornak made a motion for Glenn Sommers to go back to the attorney for better clarification on paragraphs not answered in the letter DVCA wrote asking specific questions. Also to get a second opinion from another attorney, after the clarification from Butler, if the clarification is not acceptable and still leaves open questions that a second opinion may be able to address. Mike Polk 2nd the motion, passed unanimously

Financial Services

Report received and given by Andrew Jackson.

Proposed 2009 budget was received by the committee to review before the board meets for its budget meeting.

There will be a budget meeting on November 10th to discuss and approve 2009 budget.

Old Business

Volunteer Appreciation Event – agree to permanently table as a dead issue

Volleyball Court suggestion – agree to permanently table as a dead issue

How to deal with/communicate Delinquent Assessments- Tabled until spring, cannot name names but can post addresses. Will consider if we should post addresses in the spring after we see how collections have gone.

Approved Vendor List- Lisa Walker is taking care of this.

Any Ike related issues- the tree on Heathersage who pays for the removal. Homeowner is asking DVCA to pay for it.

Will look at a plan to re-fund the DVCA Emergency Fund

New Business

Trustee Election

Planning and selecting the committee for the Annual Election of Trustees was done. The Committee will be made up of Marta Bott (Chairman), Lisa Walker (Vice Chair) and Susan Greer. They will follow the By-laws Article V and get the required communications and plans in place. Walt offered assistance based on his experience from last year. Steve Dornak made the motion to accept the committee as described, Mike Polk 2nd the motion and passed unanimously.

Mike Polk requested to be allowed to look into better Electric Rates since the cost of gas has gone down. Board agreed and Mike will provide input at the November meeting.

Adjournment

Mike Polk made the motion to adjourn at 10:16pm, Susan Greer 2nd; all passed.

Submitted by: Sharyn Carpenter

Date: 11-24-08

Approved by: [Signature]

Date: 11-24-08