

MINUTES OF REGULAR BOARD MEETING

September 28, 2009

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 Walt Bohn called the meeting to order at 7:05 p.m.

Trustees in attendance were: Walt Bohn, President, Steve Domak - Treasurer, Susan Greer - Secretary, Marta Bott, Marie Nugent, Mike Polk and Eric Toureilles. Trustees Sharyn Carpenter and Glenn Sommers were absent, but had given their Proxy Votes to Walt Bohn.

I. DETERMINATION OF A QUORUM

It was determined that a quorum was present.

II. APPROVAL OF MINUTES

There were no minutes of the August meeting to approve, they will be included in the next regularly scheduled Board Meeting packet for review and approval at the October meeting.

III RESIDENTIAL INQUIRIES

There were no residential inquiries, but Trustee Marie Nugent asked to read a letter dealing with a matter between her and another resident in the neighborhood. After reading the letter, Marie made the following motions:

- 1) A motion that the letter be included in the Minutes of this Board Meeting. President Bohn asked if there was a second. Trustee Eric questioned just what this statement was about. That he was not aware of this issue. Marie responded that it was regarding a statement of mediation. There being no second, the motion died on the table.
- 2) A motion that the letter be included in the Deerfield Newsletter. Trustee Steve asked why Marie was bringing these motions. Marie responded it was part of an agreement. A call for a second was made with no response. The motion died on the table.
- 3) A motion that the letter be published and posted along with the published minutes on the glass wall of the DVCA office for six consecutive months. Again a call for a second was unanswered. The motion died on the table.
- 4) A motion that the letter be placed on the Swim Pool notice board for six months. Once again when asking for a second, there was no reply. The motion died on the table.
- 5) A motion to remove the approved March 2007 Board Minutes and all attachments from the DVCA website. Again, after the President asked if there was a second on the motion, there was no response. The motion died on the table.

Marie stated that she had no other motions to bring forth to the Board.

IV. PRESIDENT'S REPORT

Walt reported that the County had begun the long anticipated cleaning of the drainage ditch. When Walt had visited with the operator of the backhoe, he stated that the grate area and the length of the ditch would be cleared of the vegetation.

V. TREASURER'S REPORT

Steve reported that the State of DVCA is still good. That another CD had matured and had been rolled over into a new one for 1 year and 9 months, at a rate of 1.5%. Unfortunately with today's economy, the rates are not good, a little higher than 6 months ago, but not much.

Mike questioned the budget sheet line item of "unearned assess" as to what it entailed. Steve and Finance chairperson Andrew said that would be assessments not collected, and should be listed as a liability.

A further report of the upcoming budget review would be deferred to Andrew during the Finance Committee report.

VI. MANAGER'S REPORT

Lisa first inquired into if the Board would want to renew the contract with Star Tex as the electrical provider. The present contract ends Jan 10, 2010, and at present we are paying 6.4 cents a kilowatt. Mike suggested that we should look into it and asked Lisa to call the provider's contact person to see what they would offer to us for renewal.

Then there is a matter regarding a house that has been delinquent in assessments for over 3 years and had been on the delinquent Harris County tax records. Lisa found that the back taxes on the property had been paid and did the Board now want to try and collect our back assessments. A motion was made by Steve that DVCA go forth with a lawsuit to collect the arrear assessments. Eric made a second to the motion and a vote was taken. The vote was unanimous.

Lisa reported that there are still a few homeowners that she can not contact and inquired of the attorney what could be our next steps. He suggested a) do a title search, b) file a petition against the property c) file a lawsuit. When that happens the action following the lawsuit would be a) citation to the lawyer, b) owner has 20 days to answer. If owner answers everything stops and efforts would be made to resolve. If no answer then the matter goes to the courts and DVCA could sell the property. Lisa will document the demand letters and start with title searches.

Of the 2009 assessments, there are only 10 remaining? The older ones are slowly coming off the books.

VII. STANDING COMMITTEE REPORTS

- A. Swim Pool Committee - Attendance for September has not been as good as last year, the Committee will review the numbers when deciding the calendar for the upcoming year, The Committee has been approached with giving their input to the Board regarding setting guidelines for Social Membership personnel and that will be discussed in the next meeting. A written report was submitted.
- B. Recreation Center - parties have been very well attended, the Labor Day party had over 140 people, the best in it's history. Beer tasting tickets are selling well, three more days before the price increase. The Committee has been told by local real estate companies that the activities offered are a good asset to our community. A written report was submitted.

- C. Tennis Committee - There are still problems with the gates and some of the lights, the Committee is working on solutions. Other than a few problems with League tennis participates and our facilities, there was not much to report. A written report was submitted.
- D. Community Services - There has been vandalism again on the ice machine and the Committee brought forth a proposal as a solution. The proposal is for a re-working of the area that houses the ice machine. Since the area is shared by the electrical meter it can not be "walled in" as there has to be access for electrical readers. The proposal is to section the area with two gates and relocate the ice machine so that the access would be from its side, not facing forward. This limited access thru the gate will protect the lock and opening for the ice bin, also access keys would only be issued with rentals of facilities. The Committee would like Board approval for the bid to Environments Unlimited for \$1,860.00 Walt asked if the budget would support this expense.

Chairperson Tara responds that there is sufficient amount. Marta made a motion to accept the proposal as written and submitted. Mike had a question regarding materials used as the SCS proposal listed hardy plank. Lisa stated that it would be hardy plank and that she would make sure the proposal stated that on the work order. Mike then seconded the motion and a vote was taken. The vote was unanimous. A written report was submitted.

- E. Deeds Committee - Knotty Green: numerous complaints from neighborhood, questions as to exactly what is DVCA property and what is homeowner's lot as their vegetation is on both sides of walkway and outside the fence line. Also with the Landscape Committee beginning to work this entrance and side property, the homeowner's trees, bushes, plantings will be in the proposed DVCA landscaping. Deeds would like to approach the homeowner, but would like guidance from the Board_ Susan asked how we can ask them to remove when it's been there for years. Trish said that the property has become unsanitary and is a hazard as it obstructs car's views when pulling out onto Keith Harrow. Laynetta contracted the City, they said nothing they could do since it did not obstruct the stop sign. Walt proposed that we present the question to the attorney; if county property can we remove the plantings? Item tabled for now.

Foxdale: Proposal to send to attorney to begin lawsuit against property. Committee stated how seven letters have been sent to homeowner from March 2009 to September 2009. Last letter gave 5 days to contact office regarding letters, still no response from owner. A motion was made by Eric to send the property to the attorney for lawsuit action. A second was made by Marta, the vote was taken and was unanimous.

Deerfield Village: violations are not resolved even after attorney phone call. Thirty day letter has been sent, with no response from homeowner. Proposal for a motion for the formal attorney letter be sent to property owner demanding resolution. Susan made the motion to have the attorney sent the demand letter, to be followed by lawsuit action if no resolution. The motion was seconded by Marta and the resulting vote was unanimous.

Chantry Drive: Committee has sent letters, the attorney has made a phone call, and a demand to letter to respond to the office, with no response. The homeowner did take care

of one item, the graffiti, but the fence is still an issue. The Committee is requesting a motion for sending an attorney letter. After viewing the photos of the "repair" of the fence (one picket across open space), Mike made a motion to send the attorney letter. This was seconded by Eric and a vote was taken. The vote was 8 for and 1 against, the motion passed.

The Committee asked for a new member approval. Deeds has an opening due to a resignation for personal reasons and were recommending an applicant. A Motion was made by Steve to approve the applicant; it was seconded by Eric and followed by a unanimous vote.

The last time of business was an AA form submitted for approval. Deeds was seeking Baud advice as it was hesitate due to a protective covenant issue. The request is to install an 8 foot flag pole on homeowner's corner lot. Susan made a motion to approve the AA form as submitted. Steve seconded the motion, a call from questions brought forth many questions and discussion. Steve withdrew his second and there being no others the motion died on the table. The Board suggested that the committee go back to the homeowner and find out more details.

A written report was submitted.

- F. Finance Committee - Andrew passed out the preliminary budget for the new fiscal year. Submissions from all the committees have come in at around 4 % higher than last year's budget, with actual reserves at 1% less. An increase of 3% in "normal" conditions would not be unreasonable, but with the economic times, the committee is working to try and keep the individual committee's budgets at the same rate of last year's to prevent an increase in homeowner's assessments.

Our current assessments are still below what we could have charged according to the national CPI, and Andrew does not foresee as good return of assessments as we saw last year. The budgets will be sent to all committees with a request for the members to look toward reduction to try and keep the budget the same as last year's. There will be \$20 thousand to be cut to keep the expenses the same. The request will be to return their budgets as soon as possible as a special board meeting will probably be a special meeting in October for Baud review. Hopefully the budget will be ready for approval in December.

There has been a problem with the Office Manager's books lining up with the Management's books, Andrew and Lisa will be going committee by committee to try and find the problems.

A written report was submitted.

- G. Landscape Committee - The budget issues from last month have been resolved; the Maintenance contract showing of 64 thousand was really 51 thousand so there is extra in the budget. Walt questioned if there was overpayments made to the company, but Lynetta assured the Board that DVCA had only paid for contracted mowing and trimmings.

The newest project is for landscaping of the entrance of Keith Harrow and Danebridge. The Committee submitted a proposal of \$9,794.89 to Mike's Complete Landscaping for

approval. A motion was made by Mike, seconded by Marta. During the question time inquires were made into if the homeowner issue brought by Deeds would impede the project. Laynetta stated that the Committee would go ahead with or without the removal of those plantings as it would not interfere with the new plan. However any over hangings of tree branches over the fence from that property would be cut and removed. Eric asked if that expense would be covered in this bid proposal. Laynetta stating that expense would be under the tree trimming budgets. A call for a vote brought a unanimous return. A written report was submitted.

H. Security Committee - there was not a representative, but a written report was submitted.

VIII. OLD BUSINESS

- A. Watering of MUD property: Questions had arisen regarding the watering responsibilities of MUD property. We now have the name of the personnel responsible and Landscape Committee will be in contact and work out the details.

IX. NEW BUSINESS

- A. Proposal of posting on website the protesting of El Cid Spa; This business nearby DVCA on Clay Rd. is a business of dubious "spa" practices. The business was raided by the Sheriff's Vice Department, but a sign on the door still says "remodeling". The proposal was for a notice where residents could sign a petition to oppose the business.

Trustee Steve has found more information regarding the business, taxes have not been paid according to the Harris County Appraisal records. While it is billed as a "spa", when Steve visited and asked for a brochure, they were unable to provide a listing of services. Although there have been no resident complaints made to the Office Manager, the business has been somewhat under the radar until the raid and arrests made.

While the Board does have concerns of this "business", after discussion it was decided to adopt a "wait and see" attitude before we go to the residents with a web blast.

- B. Proposal of Committees developing a description of their activities for the Newsletter; In an effort to generate new volunteers, Walt is proposing that we "spotlight" one committee a month with a description of their activities. This would give residents an idea of how, and why, the committee works within the neighborhood to keep DVCA the prime community it is. And how without our committees, a Management company would be required, which would mean an increase in fees and possibly a decline in services.

Walt asked the Trustees to present this at the next meeting of their committee, and to work up the paragraph they would submit for their Newsletter submission. It was decided that we would go in alpha order, so Trustees, be prepared!

X. Executive Session


At this time a motion was made by Mike for the Board to retreat into Executive Session. This was seconded by Eric, and the vote was unanimous.

A motion was made by Susan to return to the regular Board meeting, seconded by Marta. A called vote was all in favor.

XI. Adjournment

There being no further business Mike made a motion to adjourn the meeting. This was seconded by Eric, and all were in favor. The meeting was called by Walt at 8:50 pm.


Secretary


PRESIDENT