

MINUTES OF REGULAR BOARD MEETING  
November, 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 7:02 p.m.

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

I. DETERMINATION OF A QUORUM

It was determined that a quorum was present.

II. APPROVAL OF MINUTES

On the Regular Board Minutes of October, a revision under New Business, the statement should read "the Board requested that Walt Bohn withdraw his resignation letter, to which Walt agreed." A motion was made to approve this Minutes with this revision by Mike, seconded by Steve. A vote was taken and passed unanimously.

For the Special Budget Meeting Minutes of November 2, 2009, a motion was made by Steve to accept as written. This was seconded by Marie and the vote was unanimously.

III RESIDENTIAL INQUIRIES

Resident Nan Pye stated that the lines on the parking lot need to be re-painted as they are very faint. Office Manager Lisa Walker believes that we have the machine for that purpose. She will look into this, and into the probability of it being a "Scout" project.

Scout Kyle Polansky returned with answers for the Board's questions regarding his Eagle Scout project that he presented at the last meeting. He had six solutions for the question of how the "scooper bags" would be replenished along the Greenbelt areas. Marta suggested that the installed poles be numbered so that residents could notify the Office when they were empty. Kyle also assured the Board that the bags, if vandalized and randomly scattered, are biodegradable.

A motion was made by Susan to accept Kyle's proposal with these suggested changes, and was seconded by Marta. A called vote rendered a unanimous "aye".

IV PRESIDENT'S REPORT

Glad to report that the transition of the trash collection from DVCA to our MUD has been complete. While there is not a formal proposal at this time, it is the MUD who will be entering into a trash collection contract with our residents.

On the past Sunday am there was a water break that was reported to SWW and when the

company came to do the repairs it would entail shutting off the water for a period. Walt attempted to notify the homeowners that would be affected, however in trying to use the DVCA directory to find phone numbers, found that out of all the homes affected, only two were listed in the directory. This has prompted Walt to want to include in the next newsletter an article encouraging resident's to update their information for the next directory, that is currently in the process of being revised.

In regards to the break, Susan inquired if the break was due to the "trenching" that occurred last week of that area of our common area. Steve commented that the tire marks were about two feet from the compromised valve box. The car that did the trenching evidently got stuck and used a construction sign and the valve box as leverage to free the car. Unfortunately the car was not identify and DVCA can not recoup any damages. It will be the MUD's responsibility to repair.

#### V. TREASURER'S REPORT

Finances continue to be good, the Office Manger continues to collect outstanding assessments fees. The assessment fee discussed at the Special Budget Meeting in early November have been revised to comply with our Articles regarding the formula between the Patio Home assessment in relation to the Single Family Home rate. The 2010 assessment for Single Family's will be \$600.00, and the Patio Homes will be \$680.00. This translates to a increase of \$14.00 per Single Family and \$10.00 per Patio Homes. These will begin being mailed out at the beginning of next week.

#### VI. MANAGER'S REPORT

On the request by J. Dornak for a Web blast regarding the proposed new bar to be located across from DVCA, Lisa reported that all Trustees had responded favorably to her email request. Trustee Steve Dornak excluded himself from the email vote. Lisa will forward the information to our Web Master.

A request has been made to DVCA by our local Boy Scout Troop 120 for the use of the parking lot for their annual mulch fundraiser. Lisa stated that last year the Scouts were very prompt in their clean-up of the lot after the delivery day and that the only snag had been in the removal of the stacked pallets. Mike brought up the question regarding Deed's concerns of the bags "dropped" in front yards that remained for some weeks. Marta suggested that the troop's contact person, Frances Yeane, be reminded of the guidelines of bags must be "out of sight" and perhaps on the handout sheet the Scouts use, there could be a statement that it is ultimately the Homeowner's responsibility to promptly deal with the bags. While part of the service the Scouts provide is to "deliver where you want", the Board does not want a Scout to act for DVCA and refuse to place bags in a visible location.

Since this was not on the published Board agenda, a motion was made by Eric to waive procedure and vote on this request. This motion was seconded by Marta and the resulting vote was unanimous. A motion was then made by Steve to approve the request for the Scout's use of the parking lot within the stated guidelines. Eric seconded the motion and

the called vote was unanimous.

Lisa reported that other scout troops, both Boy and Girl, have requested the use of our facilities for their meetings. The Board agreed that if the building was not already previously engaged that it would be fine for such use, and agreed with Lisa's suggestion that with use, came the provision that the troop would provide some service to our community in exchange.

In regards to the electrical service that has been an on-going concern, Lisa suggested that since rate quotes seems to be mercurial and have a tendency to disappear before the Board can assemble for a vote, the Board elect one person to have the authority to approve service for DVCA. After discussion Glenn made a motion that Walt and Steve be authorized to make any changes within a 24 hour period from receiving a quote for charges. This was seconded by Marta and an unanimous vote resulted.

At this time a motion by Susan to return to the posted agenda was made, seconded by Eric and approved by all.

## VII. STANDING COMMITTEE REPORTS

### A. Swim Pool/Recreation Center.

Chairperson Peter Howell put forth the new revision of the Swimming Pool Rules after the incident of a resident using chewing tobacco in the pool. These new rules will be posted in the DVCA Directory and signage within the pool area will be revised before the opening of the new season. Glenn made a motion to accept these new rules as written. This was seconded by Eric and the resulting vote was unanimous. A written report of the monthly meeting was submitted.

As Chair for the Recreation Center, Peter reported that unfortunately the Babysitters for Shopping program did not have any volunteers, so it would not be provided. The Skating Party seemed to be a moderate success with 31 individuals participating. A written report of the monthly meeting was submitted.

### B. Tennis Committee

Chairperson Nan Pye stated that there were no proposals to submit, and that she would attend to the recent problem of the lights on Court 1 and 2. A written report of the past meeting was submitted.

### C. Community Services

The committee had been approached by a group requesting use of the facilities for meetings, akin to our allowances for other groups that benefit the community, i.e. the weekly bible study group, the meditation group, bunko and bridge groups. This group, originally called "Deerfield Voice" changed their name to prevent confusion in that DVCA was not sponsoring the group nor did they represent DVCA as a whole. The group, now know as Christian Crusaders, requested use of the facilities as a means to

meet and give informational format to any person who wished to attend. Their mission statement is to bring God back to government, schools and communities. The contact person, Colleen Vera, was present to speak to the Board regarding their position. There was *much* discussion regarding the separation of "church and state" , the political nature of the group, and such. The committee had approved the request for one meeting, but sought the Board's advisement on a long-term position.

Glenn commented that Article 7 of our Incorporation state that facilities can not be used for propaganda of any groups, or otherwise attempting to influence legislation and there is a fine line between giving information and organizing political action. Marta inquired as to how DVCA would be able to police the group to prevent it from progressing from informational to organizational. Walt inquired as to if this group was primarily DVCA residents or others. Chairperson Tara stated that she understands the premise that it has to be kept to informational only, and that the committee would be monitoring the group.

After more discussion, Glenn made a motion that the group would have use of the facility with the understanding that it was for informational purposes only, and that if it progressed to grass-roots political organization, the group would be banned from use of DVCA facilities. This was seconded by Susan and a vote was called. The resulting vote was 7 for and 2 opposed. The motion passed.

Chairperson Tara stated that the new Directory is on track for January distribution. Brian is currently working on the DVCA Website and is making good progress on removing old information and keeping current data only. The committee is also still working on upgrading of the facility restrooms and hope to have more information next meeting.

Walt made a request that someone from Community Services attend a presentation that our MUD will have regarding a system that would provide via web alerts of emergency notices. This system could be available to DVCA.

A written report was submitted.

#### D. Deeds

The proposal for action on an on-going problem was submitted, but the Board elected to defer it to an Executive Session. No report was submitted by the committee.

#### E. Financial Services

Chairperson Andrew stated that the committee is still working on the budget and audit numbers, but seems to be ok. Expenses were \$486, and budget was \$497.00. His only concern is that the Landscaping budget line for November seems to be out of line, they are over budget for tree trimming. Part of this is the vast amount of dead pine trees that are having to be removed from our common areas. The discrepancies seem to be tied to the lines of "disaster funding" or "budget".

The audit firm has submitted their final budget and Glenn made the motion to accept the

audit report as written. This was seconded by Marta, and an unanimous vote resulted.

A written report was submitted by the committee.

#### F. Landscaping

There was not a representative from the committee, but a written report was submitted.

Walt reported that in regards to the corner lot at the Danebridge entrance, the County representative Linda Gaskien, had stated that she would be in contact with the homeowner about the plantings on the street side of the sidewalk and side yards that could present a hazard to visibility for motorist. While there, she also noted that our new plantings of some crepe myrtles were also a visibility concern, so the landscapers removed those trees.

#### G. Security

There was not a representative from the committee, but a proposal had been submitted regarding the Contract for the Patrol services. Glenn made a motion to accept this contract as written. A second was made by Eric and the resulting vote was unanimous. There was not a written report from the committee for the previous month's meeting.

### VIII OLD BUSINESS

Walt submitted a proposed policy regarding flag pole installations on private yards in DVCA. Glenn suggested one revision to have the statement read: "A maximum of two flags may be flown, however only the flags of the United States or Texas may be flown." Glenn made the motion to accept the policy as revised. This was seconded by Steve. At Walt's request for questions, Eric inquired as to how this would apply to someone who might re-purchased the house after installation, and tried to fly other flags. Glenn responded that it would then be considered a Deed's violation as it is being incorporated into our policies. A call for a vote resulting in an unanimous decision.

### IX. NEW BUSINESS

A. On the proposal of MUD's new trash contract, Walt inquired as to what happens with our current hauler as residents paid in advance on last month's billing, what if they refuse to collect since DVCA is going with a new hauler. Glenn stated the company would stand to lose it's standing by defaulting on their contract, and did not think it was a possibility.

Lisa stated that she had received an email from the President of the MUD regarding one that he had received from a resident claiming that they did not need trash collection and would still want to "opt out" of any contracts. The President wanted to know if DVCA had allowed "opt outs" as now that the trash was a MUD concern that would no longer be available. While Deeds only state that the property must stay in a "safe and sanitary" condition, there is nothing that says a resident must have trash collection. And our Community Services Charge of DVCA mandates that individuals enter into contracts with providers and DVCA only negotiates terms of contracts. So MUD would have to

address any residents who tried to "opt out" of their billing of trash collection.

B. For the proposal of a new computer system for the association's office, Steve brought some preliminary information. While the budget allows up to \$3100 for a new system, the prices in this information seem to be high. Lisa wanted to express her appreciation for the efforts of Steve for this starting investigation. Eric volunteered to take this and see what more he could find, and bring the required three bids to a future Board meeting.

C. The Guest usage proposal was read and discussed. Suggestions were made to revise the agreement: a) the dollar amount should be stated on the agreement, b) the statement to read "the fee will be equal to the yearly maintenance fee set for a Single Family Deerfield Resident", c) the published rules will be given along with this agreement, d) on form the address *and* subdivision will be included, e) the title of the agreement will read "Deerfield Village Guest Membership Agreement".

A motion was made by Marta to accept this agreement with the revisions stated. A second was made by Eric and the resulting vote was unanimous.

D. The incident of the lines being cut in the Patio Homes was discussed with many opinions and counter-points. The main issue, the corrective action by MUD to repair the situation. The resulting points: a) since MUD had stated they would repair to prior condition, Walt will attend the next MUD meeting and request that they honor that statement, b) that while there are other "above-ground" splices with "water-tight" junction boxes in the Patio homes and our Greenbelt lighting, DVCA would like the repair to "return to prior condition", and c) in fairness to MUD there was a three week delay in our electrician determining if it was in fact a MUD or DVCA responsibility, hence the delay by MUD to repair.

#### X. EXECUTIVE SESSION

At this time a motion was made by Glenn to enter into an executive session. A second by Marie and unanimous vote followed.

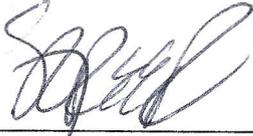
At the end of the Session, a motion was made by Susan to re-enter the regular meeting. A second was made by Eric and the resulting vote was unanimous.

A motion was made by Walt that the Board authorize our attorney to make a phone call to the homeowner in regards to their violation of Deed's covenants of the paint issue. This was seconded by Mike and the resulting vote was unanimous.

At this time Walt made a motion that the Board not hold a December meeting in deferment to the Holidays. This motion was seconded by Marta and all were unanimous in their vote.

As there was no further business to attend, Glenn made the motion to adjourn. A second was made by Eric and all voted unanimously for adjournment. The meeting was called

adjourned by President Walt Bohn at 9:30 pm.



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Submitted by Secretary  
Susan Greer



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Accepted by President  
Walt Bohn