

Deerfield Village Community Association

MINUTES OF SPECIAL BOARD MEETING

September 24, 2019

A special meeting of the Board of Trustees of the Deerfield Village Community Association was held at 4045 Deerfield Village Drive in Houston, Texas 77084. Purpose was to address items from the Deeds Committee. President Eric Toureilles called the meeting to order at 7:04 PM.

Trustees in attendance were Eric Toureilles (President), Brent Burris (Vice President), Bruce Bott (Secretary), Terry Gray and Bob Shortle. Chris Saldana (Treasurer), Dave Flick and John Murphy did not attend and did not provide proxies.

Members of the Deeds Committee attending were Glenn Sommers, Colleen Vera, Marie Nugent, Elaine Mills and Bill Potscavage. DVCA staff attending were Catherine Guiberteau and Deborah Plattsmier.

I. DETERMINATION OF A QUORUM (6 required)

Eric determined there was not a quorum. All attendees introduced themselves.

II. DEEDS CHAIR COMMENTS

- a) Glenn provided an overview of the Deeds Committee purpose and duties.
- b) Glenn reviewed the April 9th Deeds report to the Annual Meeting of the Members and accomplishments since. These included newsletter articles, regular staff meetings, the development of custom Architectural Approval forms, items identified for rapid approvals, the Deeds Restriction Quick Reference, a modified inspection and monitoring process and the approval of updated outbuilding and fence standards.
- c) Current Committee issues include the need for more support and direction from the Board, timely handling and communication back to the Committee on issues raised to the Board, and more consistent classification of issues.
- d) Two fundamental issues that impact the Committee are (1) vague and inconsistent protective covenants, and (2) weak means of enforcement.
- e) A request was put forth to form a Deeds/Board special committee to update and consolidate the Deerfield protective covenants.

III. REVIEW BOARD DEEDS PROBLEM LIST

- a) A-9 - No further action. Close

- b) B-10 - Board to address on 10/7. Eric will discuss potential next steps with Gainer. Bob requested that the Board and/or Deeds formally document the conditions of this property.
- c) C-11 - No further action. Close.
- d) D-12 - No further action. Close.
- e) E-13 - Action on hold (perimeter fence).
- f) F-14 - Deeds to check on property status and report. Board to address on 10/7
- g) G-15 - No further action. Close.

IV. REVIEW DEEDS PROCEDURES AND MONITORING PROCESS

- a) Reviewed Deeds Primer, Deeds Restrictions Quick Reference, the process of how issues come to the Committee, a draft of the Violations and Actions table, samples of the protective covenants and the letter sent to all Deerfield residents in the Spring of 2019.

V. REVIEW AA PROCESS

- a) No review.

VI. GUIDANCE AND NEXT STEPS


- a) Glenn read and then distributed a draft of recommendations on how to move forward with Deeds (attached). This document will be reviewed with the Deeds Committee during their October meeting and a final version will be issued to the Board at a future date.


VII. EXECUTIVE SESSION

None.

VIII. ADJORNMENT

By agreement from all attendees the meeting adjourned at 10:01 PM.


Submitted by: Bruce Bott
DVCA Secretary


Accepted by: Eric Toureilles
DVCA President

Attachment

Recommendations on how to move forward with Deeds

1) Monitoring should be done by the Deeds Office Manager (DOM)

- Board hired the DOM to do this.
 - For consistency and fairness
 - And to alleviate the time commitment Deeds members
- Why should the Deeds members redo the section again?
 - If committee trumps the DOM – why have one?
 - If not – why ask members to spend the time?
- Either the DOM or the Deeds committee should do the monthly proactive monitoring – not both
 - The Board has decided to pay for a DOM to do this
- Deeds Committee members should be available if DOM wants a second opinion
- This allows for the highest chance of fairness and consistency
 - Deeds members do not all have the same viewpoints which adds back in inconsistency in the monitoring
- Having the DOM monitor allows for the most timely sending of letters after a violation is observed (less than a week)
 - Adding in the Deeds members to do follow ups, adds up to 2 weeks of lag time and sometimes a 3rd driveby to ensure the violation still exists
- There is confusion/inconsistency on how Deeds members do follow ups
 - Just check up on what DOM has identified?
 - Redo the route a second time looking for more issues?
- The DOM does all the follow-ups after the issue is approved
- A Board Rep should manage the DOM on all aspects of the monitoring process to ensure that Board policy is being followed
- In this scenario all escalations about monitoring issues will end up at the Board level so the Board can understand and address any monitoring tweaks or changes that should be made
- The Monitoring process and its' details (including what should be considered a violation) is a Board responsibility, so having a direct link between the DOM and the Board is critical

2) Complaints by residents should be jointly looked at by Deeds Committee members and the Deeds Manager

- To ensure proper balance between the reporter and potential violator

3) Deeds Committee should continue to own the AA process and decisions for all standard AA requests

- Board should be brought into any non-standard or unique AA requests
- Board needs to provide guidance on how to, if it is deemed important, ensure AA's are completed by residents

4) There needs to be an oversight / management function over all follow-ups and letters and possible enforcement actions

- This is quite time consuming and very important to do right
- The Board should own this function.
- Should be a Board Rep or someone who has very strong skills and is an experienced business person with strong communications skills.
- The person/function that does this should hold the PA card for the DOM

5) The letters and follow-up process should be part of the DOM's job

- The DOM has the best understanding of the violation and how to describe it
- The DOM has a more flexible schedule to get the letters out timely without impacting other DVCA job responsibilities
- Keeping this at the DOM level protects privacy and confidentiality of the resident and helps protect the Office Manager (OM) from having a bias towards the resident.
- The DOM and oversight function has a more flexibility as when to meet (not only outside of office hours) and should not need to be interrupted by other normal office functions
- Having both the OM and DOM both involved in the letter and follow up process is both inefficient and costly. Changing this will save several hours per week, and sometimes more.
- Having the DOM do the letters minimizes or eliminates the chance that letters do not get written and mailed because other office functions took priority