

Minutes of the ECROA Board Meeting November 23, 2021

1. Call to Order and Establish Quorum. Meeting was called to order at 7:01 p.m. at the Wilson County ESD #2 Emergency Services Building, 11381 FM 775, Floresville, TX 78114. Board members present were Caprice Ritcheson, President; Alice Hartzler, Vice President; Susan DeLoren, Secretary; Heather Vela, Treasurer; Linda Miller, Zenobia Wells, Penny LaMaestra and Lynda Aguirre. A quorum was declared. The Board members introduced themselves to the residents/members present.

2. Minutes of the last regular meeting on September 28, 2021. Approval of the minutes were tabled until the next meeting. A resident asked what topics were covered at the September meeting. Susan reported that we had the Treasurer's report; we discussed the hayride and how we would put it off because of COVID; we discussed the neighborhood Garage Sale; we talked about repairing the sign at the 181 entrance to the subdivision; we discussed burning the brush piles at a couple of the parks and removing piles of debris that were mounding up at those parks; we talked about repairing the walking path at the Misty Bend park; we talked about the pump problems at the Eagle Ridge park; we discussed the telephone that had been held in the name of one of our Board members and used by the ACC and whether that had been transferred to the Board (and it had); we discussed resale certificates and whether we needed them; we discussed the legislative actions regarding HOAs and POAs that Caprice's attorneys had sent her and how and whether those actions affected us; we talked about the state's mandates for the water companies in the state to have a plan to address the problems that arose last winter, and we discussed a declaratory statement regarding assessments that needed to be filed with the county.

3. Welcoming Committee report. Margaret Tollefson, Committee Chair, was present and reported. She has located the new offices of the Floresville Chamber of Commerce and will be gathering information from them to include in the Welcome Packets. Since Margaret is gone for the summer, there has been somewhat of a backlog, but there have been no new residents to report since last meeting.

4. Parks Committee Report. Alice Hartzler, as Vice President, is head of the Parks Committee, and she reported that she had visited the parks. There are some debris piles in a couple of the parks, and she asked for suggestions on how to handle that. Harvey Clark, resident and owner of Clark Storage on 775 and Eagle Creek Drive, suggested that we schedule a work day and enlist the subdivision residents in cleaning up the parks – shredding, picking up trash – whatever is needed. Susan mentioned that Sam Jones, head of the ACC, has spoken with a couple of people who work here at the fire station, and they offered to bring their water truck to the parks whenever we burn the brush piles. But we haven't set a date for that yet. Margaret stated that we would need to

check with the county to make sure there was no burn ban in effect, and several people remarked that currently there was no burn ban in effect.

Caprice asked about the wells servicing the ponds in the parks. Aaron Hartzler, Alice's husband and past Board president, stated that Sam was handling the one well's problems with Steven's Drilling. Aaron continued that he had forwarded Heather a couple of invoices for pump repair to be paid, but he and Alice had driven by the park a couple of days before, and the pump was not running. Caprice said that she would speak with Sam to see what had been done and why the pump was not in operation since Sam was not at the meeting to report. Caprice then asked Heather whether she had paid the invoices yet and directed her not to pay them until it could be determined that the work had been done and the pump was operational. Harvey suggested that we acquire insurance for such failures, and both Caprice and Heather said the Board carried only P&L insurance, which would not cover a pump failure. Harvey suggested we might ask for bids on insuring just equipment, and Caprice agreed we would do that. Since there are two wells, we will investigate insuring equipment for two wells.

5. Treasurer's Report. As of November 23, 2021:

Debts owed: 2 invoices to Steven's Drilling totaling \$4,721.57

The October 2021 checking account statements show:

Beginning Balance	\$ 18,028.88
Deposits, etc.	\$ 2,494.83
Checks, etc.	\$ 2,588.93
Ending Balance	\$ 17,934.78

Total Accounts Receivable as of 11-23-21 is \$27,407.40 (a decrease of \$2,127.27 since last month.

Caprice asked if Heather was going to send out past due notices on the 64 lots that were more than 2 years past due; Heather replied that those notices were going out in December. Caprice reviewed: for those that remained past due, next we would send out a certified letter stating the past due amount must be paid. If the amount remained unpaid, next we would file a lien on the property.

6. ACC Report. Sam Jones, ACC Chairman, was absent from the meeting and did not send a report, so this agenda item was tabled.

7. Old Business.

a. Status of gravel pack of well. This will be covered with Sam relevant to Agenda item #4.

b. ACC – Content of Zoom meeting on new regulations. Sam was supposed to send each of the Board members a copy of the recording of the meeting. He has not done so. Caprice will ask him about it.

c. Garage Sale – What worked and what didn't. Alice noted that she believed it was “pretty good,” but she continued that the reason she felt it was successful is that she and Aaron had put a sign down at the end of their road, and that most people who came by did not know that the Garage Sale was even going on and came by their house because of the sign they had put up. So she believed that in the future we should put more emphasis on the advertising of the Garage Sale. Harvey suggested that the next time we should offer booths Instead of at one of the parks, we should set up booths at his place (Clark's Storage at Eagle Creek Drive and 775), because it was behind a fence, had lighting, and we could erect a large sign there saying “ECROA Garage Sale,” as everyone who drives by there can see the sign and know what's going on. Caprice noted that next year we should make sure that a Garage Sale announcement should go in the newsletter. It was agreed by the Board that we needed to start planning the Garage Sale much earlier and advertising it more extensively next year. Aaron suggested putting different color tape around the signs at the entrances, since red tape was used this time, and red tape usually announced notice of an upcoming Board meeting.

Caprice also noted that next year we definitely needed to hold the hayride, since that brought the community together and families looked forward to it, knew it was happening, and it was definitely announced in the newsletter. She suggested that perhaps we could do both the Garage Sale and the Hayride next year.

Caprice also commented on the signage. She thinks the Board should seriously consider investing in signs, such as real estate signs, that are stuck into the ground and contains a printed message, everything except the date. The date would be in a dry-erase portion of the sign so it could be changed as needed. She said we need only eight of them. Harvey mentioned that his business planned to erect a wall on his property in front of the business with an enclosed sign that could be used as a community bulletin board to announce ECROA events. This would be erected at Harvey's expense. The sign would also be used to advertise his business and that of 181 Auto, which is at the same location. Caprice asked for the business's phone number, and Henry offered 210-990-4777.

Caprice summarized the decisions the Board had agreed upon, namely that we need to start earlier to plan and publicize the event throughout the area; we have to include it in the newsletter, and we need to erect signs within the subdivision advertising it in an effort to increase participation.

Susan stated that she had a couple subjects that were old business from the last meeting but were not on the agenda.

First, we had discussed taking bids to repair the sign at the Eagle Ridge Blvd. entrance off Hwy. 181, and she had not heard any more about it. Were bids taken, and if so, who

submitted them and how much were they for? Heather asked if the bids were for a “band-aid” for the sign, and if so, how many “band-aids” were we going to put on that sign? Aaron noted that one of two things had to happen with that sign: either we would have to tear it down or completely rebuild it. Penny volunteered to work up a process to take bids to check the sign and repair it if possible, and Caprice instructed her to contact some contractors, explain the situation to them and ask them to come look over the sign, decide what needed to be done - either take it down or restore it - and submit a bid. Three to five bids should be sufficient for the Board to make a decision.

Susan also remarked that Sam had mentioned dealing with the burn piles stacking up at the parks, and she wondered if that were still an issue. There is no burn ban currently in place, and Sam has already spoken with members of ESD #2 regarding their bringing their water truck to each park as the burning was taking place, and they had agreed. This subject was tabled until we could contact Sam about it.

It was suggested that we could organize a community-wide “work day” to prepare the parks for the work that needed to be done, and advertise it to the residents electronically.

6. New Business. Caprice remarked that before we considered agenda items, she related a subject she considered had to be addressed. She pulled the management certificate that is on file for ECROA, and it’s fine except for needing a phone number, an email address, and we have to list every fee that we collect, such as a late fee on dues payments, a fee for a resale certificate, a transfer fee for the transfer of property between owners, etc. Every fee that we charge must be listed in the management certificate. Also, we have to put our by-laws on the website, state that our deed restrictions are available on the website and give the website address, and be sure to include any amendments made, including for commercial property. Once these inclusions are made, we have to file the management certificate again, and we need a recorded copy. The Texas Real Estate commission has to have a recorded copy by December first. Heather noted that an electronic copy could also be filed by that date.

Stephanie Blankenship, a commercial property owner, asked what amendments had been made to commercial property deed restrictions, and Caprice answered that she didn’t know of any amendments that had been made to those property restrictions, that the commercial property’s restrictions had been amended earlier and she was not aware of any newer ones. She thinks the earlier restrictions were just not listed. She said she would go on the Wilson County website and see if there were any in force that were not listed there.

Susan asked if the Board were going to charge late fees, and Heather answered that we did charge late fees. Susan asked the amount of the late fees, and Heather stated they were a percentage of the amount of dues that were late, i.e., if the late amount was \$60, then the late fee would be approximately \$1.31. Susan asked that if a property owner

was three years or four years behind, the amount owed would include a percentage of the total late dues? Heather answered in the affirmative.

Caprice asked what we charged for transfer fees, and Heather answered there was no transfer fee. Caprice stated there should be, that we should charge a \$75.00 transfer fee, which was the industry standard for other HOA's and POA's. She said there should also be a fee for a resale certificate. Susan moved that we institute a transfer fee and a fee for a resale certificate; the motion was seconded by Heather, voted on and passed unanimously. After some discussion, the Board agreed to charge \$75.00 for a transfer fee and \$150.00 for a resale certificate. Alice moved that the Board charge these amounts for these documents; the motion was seconded by Linda and passed unanimously.

a. Discussion of ways to contact homeowners. Heather noted that we do not have an email list for the residents. She has been collecting email addresses as she spoke with residents about other subjects, but she was far from having a complete list. Caprice suggested we put a blurb on the website requesting residents submit their email address so we can send out the newsletter and announcements electronically, we can address emergencies like what happened last winter and we can save a huge amount of dues money compared to mailing things out. Zenobia volunteered to write the notice to be posted to the website, and Susan will post it.

b. Inspection of Aqua Texas facilities by licensed inspector. Caprice asked Aaron if he had been able to contact the company's representative for this area. Aaron reported that no, he had not been able to reach the company's rep who he believes is named Rhett, but he did have contact information for him. Caprice asked that Aaron send that information to her so she could arrange for the inspection, and Aaron agreed to do so.

Caprice's son has all the license requirements to conduct the required inspection, and Caprice will talk to him about conducting our inspection. Caprice wants to get this inspection done before it gets too cold this winter.

c. Contingency plan in case of another water disaster. After last winter's water outage Aqua Texas promised all sorts of communications with the residents of the areas they service including setting up panels of representatives of ECROA to work with the company. According to Aaron, this idea ran into trouble with state laws governing such ratepayer panels, and so far nothing has been organized.

After discussion it was suggested that a sign such as the real estate signs discussed earlier could be placed next to each mailbox kiosk sending people to the website as well as sending their email address to the ECROA email address, which could then be forwarded to Heather for her list of resident email addresses. Caprice volunteered to check on the price of the signs, including frames, for enough signs to post one at each entrance into the subdivision and one next to each mailbox kiosk.

d. Discussion of roles of board members and duties. As a regular Board member, that is, not an officer, one doesn't have assigned duties. It's up to each member to take up duties as they volunteer for them or as they are assigned by the Board.

Officers have assigned duties related to the office they hold, but regular Board members can do things they are interested in, such as taking the lead on a pet project they bring to the board for consideration or working on a team to accomplish a specific task, like posting signs announcing Board meetings or special events.

Caprice brought up the necessity of having two more members on the Architectural Control Committee (ACC) to serve with Sam, who is head of that committee. The ACC is supposed to be a 3-member committee, plus an outside inspector, and right now Sam is its only member. The ACC stands apart from the Board, and ACC members can not be Board members. The ACC conducts their own business, and the only contact they have with the Board is when they report violations of deed restrictions to the Board so the Board can take whatever action it deems appropriate. The ACC positions are voluntary, and the committee has no funding. For instance, if violations of deed restrictions need to be sent to an attorney for action, the ACC can not send them. The ACC must come before the Board to explain the violation(s), and the Board will decide whether to send the case to the attorney.

Alice commented that because she was Vice President she was also the head of the Parks Committee, and she wanted clarification about what that entailed. Caprice told her that included everything to do with the parks. For instance, she should check on the pumps to make sure they were actually circulating water in the ponds, and if they weren't, to arrange for having them repaired. She should check on the condition of the parks sporadically and arrange for trash to be picked up, walking trails repaired, whatever needs to be done to keep the parks clean and safe. She could arrange work days among the residents to address such issues as they arose or on a set schedule, however she wished to arrange doing what she deemed necessary.

Stephanie Blankenship was at the meeting representing 181 Auto, an auto repair shop on the property with Clark Storage at Eagle Creek Drive and Hwy. 775. She said she had heard of complaints that 181 Auto has cars sitting on that property overnight, and that should not be allowed. Aaron noted that since this was actually Harvey Clark's property, he should be the one to address the complaints of the neighbors. There followed a discussion of the deed restrictions for that property, and Stephanie said that the deed restrictions noted that a car repair shop was allowed on that property, but said nothing about the number of cars that were allowed to be there or for how long. Stephanie was just concerned about the gossip among the residents, which Aaron told her to ignore. If the neighbors has problems with the businesses at that location, they were free to air their grievances at a Board meeting.

At 8:10 the meeting was adjourned.