

Minutes of the ECROA Board Meeting August 24, 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 Aaron Hartzler, President; Sam Jones, Vice President; Susan DeLoren Secretary; Heather Vela, Treasurer; Linda Miller and Jerry Carpenter. A quorum was declared.

2. Minutes of the last regular meeting on June 22, 2021 were approved as corrected. Jerry made motion to approve; Heather seconded. Minutes were approved.

3. Welcoming Committee report. There was no report, as Margaret Tollefson, Committee chair, was out of town. Heather reported that she had sent retail certificates for new owners. Aaron reported he had given the website URL to one realtor who said all the information she needed was right there on the website. Aaron stated that he had spoken with the mortgage lender for one of the homeowners who was requesting a report of any delinquencies on the HOA dues for that owner, but when told we are a POA and everyone on the Board is an unpaid volunteer, the realtor said he didn't need the information after all.

4. Treasurer's Report. As of August 24, 2021 all debts have been paid current.

The July, 2021 checking account statements show:

Beginning Balance	\$ 3,085.86
Deposits, etc.	10,604.19
Checks, etc.	2,577.23
Ending Balance	11,112.82

Checking account balance per QuickBooks as of August 24, 2021 is \$ 13,254.39

Total Accounts Receivable as of August 24, 2021 is \$39,294.94

Heather reported that she had spoken with many of the property owners who were in arrears on their dues. Many had paid, and others had worked out payment plans.

Approve next year's budget for September newsletter. Heather will submit next year's budget by email to the Board, and we can vote by return email. Jerry reminded everyone that when we hold a vote by email to be sure to "Reply All" so the vote will be official – everyone needs to be able to see how everyone else voted.

5. ACC Report and Parks Committee Report. Sam stated that the ACC had received numerous complaints of high grass/overgrown yards. Aaron remarked that we had had more rain this year than in years past, so that was to be expected. What Sam has been telling the complainants is that according to the deed restrictions the only rule the Board could enforce was keeping the 15-foot easement of the lots along the road mowed. Linda mentioned that what she had seen referred to “tall grass,” and maybe that’s what people were complaining about. Sam replied that the deed restrictions for each section of the area mentioned “tall grass,” but that reference was to the easement, presumably for access to the utilities. Unfortunately, any other reference to “tall grass” was such a subjective term it was unenforceable. Does that mean 6 inches, one foot, three feet or something else?

a. Lot 218 yard complaint. A homeowner couple was in attendance who had been complaining about their neighbor’s grass height, and Sam told them that he had spoken with the neighbor about the tall grass on his easement, which he had subsequently mowed, but Sam had no power to force him to mow the other tall grass on his property. What he could enforce was rubbish piled on the property or trash or abandoned vehicles, but the neighbor did not have any of these. Sam began to speak about a neighbor seven houses down from his property, but at that point the gentleman became angry and began raising his voice and saying he “didn’t care about a house seven houses down from mine.” Aaron asked the man not to get aggressive, but the man continued to complain that he couldn’t even tell where the property line was. Sam then said that some people want their yard to “go natural,” so they purposely didn’t mow it, and some people had grass three feet tall, but they kept their easements mowed. Sam reiterated that he could enforce the easement restriction, but nothing else about “tall grass” on the property.

The woman then spoke up and asked what about the rats? Apparently she believed that rats were coming from her neighbor’s property to hers. Aaron told her rats were all over the area – even he had rats on his property, and he kept all his grass mowed. Aaron further stated that he had spoken with the sheriff regarding this couple’s complaints, and he was told that this was a civil matter, that the sheriff could not get involved, and suggested that the neighbors should work out the problems between themselves.

Sam reported that he had spoken with the couple’s neighbor several times, that he had always been friendly and polite and responsive. He stated that by not mowing his back yard he was trying to keep his carbon footprint low. Sam said that there were two perspectives here, and that the complainant and the neighbor had not tried to work out their differences and in fact had not spoken to each other at all, so Sam had done what he could by speaking with the neighbor and listening to his explanation.

The complainant then addressed how he felt his property values were being affected, and Aaron replied that this couple had protested their property taxes this year, that they had

won, and that the tax assessor had subsequently lowered the assessed value of their house because of their protest. He went on to state that when they sell their house it will be appraised for a higher value, i.e., the market value. At this point the complainant became enraged and, after loudly complaining again and threatening to call his lawyer and file suit, stalked out of the meeting followed by his wife. Sam followed him outside, in an effort to calm him down, but to no avail, and Aaron called Sam back to the meeting.

When Sam returned, Aaron stated that by looking at the tax assessor's records, this couple's house had appreciated in value every year, and that their neighbor's property had looked the same from the day they had moved in. Sam replied that the part of the deed restrictions that the complainant was referencing was the part relating to "rubbish" on the property, which Sam believed was trash or a large burn pile containing refuse other than yard waste. But there was no rubbish on the neighbor's property; it was just tall grass that the complainant believed was harboring rats and other pests.

Aaron alerted all Board members, because of the complainant's threat to sue us as he left, that if any of us received any correspondence from him, written, emailed, or otherwise, it should be forwarded to the ecrpoa@gmail.com address or mailed to the mailbox so it could be kept for our records. Jerry reminded Board members that if the complainant carried out his threat and actually filed suit, as soon as we were notified, our insurance company should be contacted and apprised of the suit. That way, the insurance company would take over. It would cost the Association \$1000 (the amount of the policy's deductible), but if we turned the matter over to the attorneys, the costs would soon become astronomical. All the Board members indicated they understood.

b. Rooster complaint update. Aaron asked if anyone had investigated the complaint regarding the rooster whose crowing awakened neighbors at 4:00 a.m. and then the rooster crowed all day. No one had investigated, because no one knew where the rooster was housed. The Board had no address or description of the property, and even the complaining neighbor did not know where the rooster lived. Susan spoke up and stated she had spoken with the complainant just a few days before, and he had said he "hadn't heard it lately." So apparently the rooster's owner had gotten rid of the bird. Aaron suggested we abandon the issue.

c. Suggestion to close parks due to cut locks/gate latch being removed.

Sam reported that all parks' locks had been replaced as well as the gate latch, and he considered the matter handled. There had been no further problems so apparently this problem had been a one-off event.

Sam suggested that the Board consider having a subdivision-wide yard sale in the not-too-distant future to be held at the Misty Bend park. The Board members should be thinking about how it could be organized, when it could be held, and how we should

publicize it. We could set it up at the next Board meeting. Jerry mentioned that Eagle Creek Estates has a neighborhood yard sale every spring, but they do it a different way. Everyone in the Estates has a yard sale in their own yard on the same day, and customers travel around the neighborhood from yard to yard.

Sam also mentioned that he planned to have the paint and other materials' costs identified to repair the subdivision sign at Hwy. 181 and Eagle Ridge Drive by next meeting. He also said that if any Board members had any tools that could be borrowed to do the work or anyone would like to help paint the sign, to please let him know.

6. Old business from previous meeting.

a. New bookkeeper. Jerry asked if we had settled on Heather's company to do our bookkeeping. Susan stated that yes, we had, and suggested that we pay Proline Accounting the same amount we had been paying the previous bookkeeper, \$550/month. Aaron moved that we hire Proline Accounting to do the Association's bookkeeping, and Linda seconded the motion. The vote was unanimous to do so.

b. Aqua Customer Advisory Council request/info. On hold pending legal advice.

c. Four open BOD spots. We have at least one and perhaps two nominees for the Board. Susan stated that we need to do something further to recruit more nominees and suggested posting a notice on Next Door explaining the need for enough Board members for a quorum and the consequences if we don't have them, i.e, the requirement to hire a management company and the costs involved in doing so, which will necessitate a sizable increase in dues.

Also, Jerry reminded Sam that he needed to submit a nomination form, as his term expires this October.

d. Property tax protest. Heather recently received a letter from the Wilson County tax assessor's office stating that we had missed our date for the office to hear our protest. Aaron called them and told them the dates and times he had called their office asking about the status of our protest, and he was told repeatedly that it was under review. We had never been apprised of a court date when our protest was to have been heard, and Aaron had requested that we be notified by mail. They replied that they had sent us an email, but no email had been received either, neither in the inbox nor the spam folder. Consequently, Aaron was given an opportunity to refile the protest, and he will receive a new date for them to adjudicate the protest. Aaron will email Susan a copy of the letter requesting the protest be reheard so she can put it in the file.

7. New Business.

a. Nominations' chair. Heather will act as nominations' chair.

b. Current president leaving. Once Aaron's employment investigation has ended, in 6-9 months, he will be free to rejoin the Board.

8. Attending residents' comments on any item not on the agenda. Future residents named Juarez are building a house at 531 Cherry Ridge, and Sam had not been able to answer some of their questions without seeing their plans so he asked them to attend the Board meeting and bring their plans. He will meet with them immediately after the meeting.

Jerry stated that a few years ago he arranged for Consumer Cellular to supply the Board's telephone, and he had it set up in his name and the bill for the service comes to him. Since he will be leaving the Board at the end of this term (October), some other arrangement needs to be made. Jerry was advised to call the company, change the name on the account and have the bill amount automatically taken from the bank account.

9. Adjourn. At 8:03 Aaron moved to adjourn and Heather seconded. The vote in favor of the motion was unanimous.