

## **Minutes of the ECROA Board Meeting**

### **March 22, 2022**

**1. Call to Order and Establish Quorum.** Meeting was called to order at 7:03 p.m. at the Wilson County ESD #2 Emergency Services Building, 11381 FM 775, Floresville, TX 78114. Board members present were Caprice Ritcheson, President; Linda Miller, Zenobia Wells Penny LaMaestra and Lynda Aguirre. A quorum was declared.

**2. Approval of Minutes from January 25, 2022 meeting.** Minutes approved as submitted.

**3. Welcoming Committee Report.** Margaret Tollefson, head of committee, reported six welcome packets had been sent out to new residents. In addition, Margaret has met with the new head of the Floresville Chamber of Commerce and reports that the COC has new, limited office hours, 11:30-6:30, Mondays and Wednesdays. Margaret also reported that she is trying to include new information in the packets, i.e., information on the farmer's market in the park in Floresville.

**4. Treasurer's Report.** There was no treasurer's report as Heather was not present. This is tax season, which means Heather is swamped at the CPA firm where she works.

**5. Parks Report.** Alice Hartzler, V.P. and Chairman of the Parks Committee, is at home with the flu; no report.

**6. ACC Report.** Sam Jones, head of the ACC, was not in attendance. No report.

#### **7. Old Business.**

**a. Front Entrance Sign and Water Meter.** James Hamilton, who was hired to repair and refurbish the sign, reported that work on the sign has been completed. He also reported the water meter at the location, used for watering the planter, is broken, and Hamilton needs a key for the sprinkler box to control the sprinklers when the meter is repaired. After some discussion regarding the precarious condition of the sign at the Eagle Ridge entrance, Hamilton volunteered to repair that sign as well.

**b. ACC Committee Members.** The committee is looking for ACC members, as three are required to staff the committee. Caprice explained the duties of the ACC inspector and committee members in detail, then inquired whether there were any volunteers among the members present. Gail Baham volunteered to assume the duties of ACC Secretary, handling administrative duties for the committee, and Phillip Gandara expressed interest in being a committee member. Caprice explained that the committee needed a different inspector, someone who did not live in the subdivision and was willing to become familiar with the deed restrictions for the different lot sections. Mr. Gandara said he has a friend who may be interested in serving as inspector.

Ms. Baham's phone is 210-383-6185; Mr. Gandara's is 210-842-9004.

**c. ACC Easement issue.** Discussion postponed since Sam is not present.

## **9. New Business.**

**a. Electronics Recycling** – Susan DeLoren has arranged for a company to pick up all used electronics that the residents want to get rid of, working or not, that will be recycled. The electronics need to be brought to a central location (to be determined), and the company will pick it all up for free. Margaret reported that Wilson County was having a refuse drive on April 2 at the Community Center that would include electronics, and Caprice suggested that if the County would take electronics, we didn't need to have a residential recycle drive.

**b. Community Garden** – Stephanie reported that she had the Eagle Ridge Park in mind for the garden, but she was open to using any park agreed on by the Board. She described the garden as consisting of 5' x 5' plots holding native or adaptive plants that hopefully the deer would not eat, such as lantana or rosemary, as originally the plots would not be fenced. But she said she doesn't want to include any vegetables or herbs in the beginning to wait and see how the community responds. Caprice mentioned that a big drawback to the whole garden idea in a park was that none of the parks had a spigot for water access. Unless whoever was tending the garden was willing to carry water from the park's pond, the garden could not be watered. Stephanie reported that the cost of materials to build the planters would be about \$265.00, and Caprice suggested that if Stephanie were still interested in doing this, she should look at all the parks and decide which would be best for housing the garden. Stephanie should put together a more complete, detailed plan and bring it back to the next meeting.

**c. Accident involving the mail kiosk at Hwy. 775 and Eagle Creek Drive.** A resident inadvertently mistook his accelerator for his brake and smashed into one of the roof supports of the kiosk, which resulted in the need for a new support pole and a new roof. The man had insurance through USAA, and he has filed a claim for the needed repairs. We were able to obtain only one bid for the repairs, but the entire structure needs to be replaced as it buckled under the impact. Caprice spoke to USAA after the claim was filed. They didn't seem to have a problem with there being only one bid so the claim has temporary approval. Caprice reported that on the basis of the temporary approval she went ahead and had the bidder remove the entire structure so it would not collapse on a resident attempting to retrieve his mail, which could have resulted in a lawsuit. And as soon as the claim is finally approved and the check for repairs issued, the bidder will be completing the structure's replacement. A special shout-out Thank You was extended to Stephanie of 181 Auto, located on that intersection, for a timely reporting of the accident.

**d. Business not on the agenda.** Linda stated that when she arrived for the meeting, the firemen were eating in the room and had to quickly clean up the premises so the Board meeting could take place. They need a schedule of the Board's meeting dates. Caprice said they had been given a list of meeting dates and she had called a few days before this meeting to remind them. They will be given another schedule.

Richard Frye appeared before the Board to present pictures of deed restriction violations he had located and to question raising the HOA dues in view of the costs for real estate certificates being implemented. Caprice assured him that if the Board has to hire an outside company to act as ECROA's ACC, the association dues will have to be raised to cover the cost as we do not issue near enough certificates to cover a company's fee.

He also asked if all the IRS questions that had come up earlier in the year had been resolved, and Caprice either answered yes or referred him to the treasurer for the answer to specifics.

He then asked about security for the parks, stating he had been at the Eagle Ridge park a while ago and that the gate to the park was open and the lock for the gate was missing. Caprice answered that Sam had reported that the park was now secure, but further questions should be directed at the parks committee, Alice and Aaron Hartzler.

Next Richard asked about ownership of the "lakes" [ponds] in two of the parks. Caprice answered that there was no private ownership of the ponds. Some residents owned property that extended down to the pond's edge, but the water itself was not privately owned; all residents can fish there, either from the bank or from a small boat.

Richard also asked if it were true that any dues outstanding for four years or longer were not collectible. Caprice answered that yes, that was state law. Asked for a citation for the state law, Richard was told it was S1588, which covered all the HOA revisions in the current law.

Richard next asked whether the HOA currently had an ACC. Caprice answered that yes, we had the beginnings of one and all positions on it were currently being filled.

Richard then brought up the shed that had been erected on the property line on the lot where the self-storage facility was located at Hwy. 775 and Eagle Creek Drive. Caprice answered that the property owner had said that the previous ACC chairman had given him a variance for the shed, but Caprice had not seen it. Richard replied that he did not want to listen to hearsay about the owner having permission to build on the fence line. He wants written proof that permission was granted. He then began to complain about the storage facility's lighting being too bright at that same location, and how he would hate to live on that corner with that light shining so bright all night.

Richard also brought up a problem with a lot that had both a site-built house and a mobile home on it, and that was against the deed restrictions. Caprice answered that these problems would be addressed when the ACC was fully staffed and up and running.

Richard continued to complain about the ACC and lack of enforcement of deed restrictions, from ATVs driving on neighborhood streets (he was told to call the sheriff, that this was not an HOA matter) to hunting being allowed in the subdivision [no longer true], to roosters being in the area. He was asked to be on the revitalized ACC, but declined. He repeatedly stressed that we had been in this position of needing to hire an outside management company before, but that was not done, and here we have the same types of problems existing that are not being solved. After some further discussion and general complaints regarding the ACC's lack of action, Richard left the meeting.

Caprice responded that she believed that by reconstituting the ACC, many of these problems would be corrected.

After Richard left the meeting, a general discussion was held on the complaints Richard had voiced. The Board agreed that his complaints were legitimate, and the ACC had been derelict in its duties in addressing deed restriction violations. Caprice repeated her belief that when the ACC was reorganized and new members were in place, the problems he had brought up as well as future violations would be addressed and corrected.

**10. Adjourn.** Meeting was adjourned at 8:13p.m.