

HOA SOUTHERN WOODS, INC.

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Board of Directors Minutes

September 14, 2010

Buda Public Library, 6:30pm

Members Present: Doug Dear, Clark Miller, Pat Wentworth, Richard Garrett,
Mahin Musgove and Rachael Martinez
Others Present Juliette Miller as Secretary to the Board
Members Absent: Paul Kaskie
Members Proxy: Paul Kaskie proxy to Richard Garrett

A Quorum of members being present, the President called the meeting to order at 6:30 pm and moved to the items on the meeting agenda.

1. Clark Miller presented Paul Kaskie's e-mail proxy to the Board and it was accepted. The proxy is attached to these minutes and is incorporated as part of the record.
2. The Treasurer, Pat Wentworth, reported that all Directors are current on their HOA dues payments and are therefore eligible to participate in and vote at this meeting. Pat also reported that the balance in the HOA checking account is \$3,133.09 and that a total of \$990 remains outstanding in uncollected dues. It was also reported that the letter sent in early July by the Board to those HOA members with delinquent dues had been successful in that several members had mailed checks in response to the letter. Following a discussion regarding how to deal with members who are chronically delinquent on their HOA dues, a **Motion** was made by Richard Garrett and seconded by Pat Wentworth to send a second letter, the first week of October, to all members who had not paid dues in response to the July letter. The motion passed unanimously. Pat also reported that Lots 6 & 7 have been sold to James Feddeler , who currently lives on lot 28
3. Pat Wentworth made a **motion** to approve the minutes of the Board of Directors meeting of June 9, 2010 as presented by the Secretary. Clark Miller seconded the motion and the motion was unanimously approved.
4. Pat Wentworth reported that Lots 6 & 7 have been sold to James Feddeler , who currently lives on lot 28
5. The Secretary, Juliette Miller, provided a memo to the board regarding the status of the HOA easements at the front entrance for the subdivision's rock walls and landscaping on both side of West Way; the memo is attached to these minutes and is incorporated as part of the record. The Board discussed the importance of the HOA having valid easements for the front entrance and Clark Miller related that he had spoken to the owners of both lots 9 and 10 and that the owners were open to the idea of granting limited easements to the HOA for the purpose of maintaining an attractive entrance to the subdivision. The Board discussed the possible costs of obtaining the easements, including having the metes and bounds of the easement properly drafted

by a surveyor. A **Motion** was then made by Doug Dear to pursue the acquisition of easements from the owners of lots 9 & 10 to the HOA for the purpose of maintaining an attractive entryway to the subdivision at the intersection of FM 1626 and West Way. Clark Miller seconded the motion and the motion was unanimously approved.

6. The Board then reviewed the status of the “Action Items” from the previous Board meeting.

A-1 The minutes of the HOA Members meeting of 2/23/10 have been revised per the prior instructions of the Board. Rachael Martinez will review these minutes before the Secretary posts the revised version on the website.

A-2 Clark reported that Grayson Miller applied 10 buckets of Kold Flow to the cracks in the road and that the areas he worked on are holding up well, however the road area near the top of Southern Drive was not worked on as only 10 buckets were in the budget. Clark recommended that another 10 buckets be put into next year’s budget to address the problems in that part of the road,

A-3 The Board held a lengthy discussion regarding the subsidence of the road at the top of Southern drive (mainly between lots 35, 36, 22 and 23), at the cul-de-sac at the north end of Southern Drive and along West Way.. The discussion centered round whether to simply place rock fill in the bar ditches on the east side of the road or whether to address some of the causes of the problems such as the need to re-grade the bar ditches to redirect the flow of water. The cost of these repairs was also discussed and several Board members noted that the HOA does have a road repair fund that could be used for these repairs. Doug Dear, who has expertise in this area, offered to review the roads and create a specification document listing what needs to be done, so that the Board can then solicit bids and decide which repairs to pursue at this time, based on the projected costs. A **motion** was then made by Mahlin Musgrove to have Doug produce a specification document regarding work to be done on the road and that the Board will solicit 2 bids for the work and that one of those bids can be from Doug Dear, that the Board will decide after receiving the bids on the work what it wants to move ahead with at this time and that the final approval of the work order and the amount of money that will be spent will be communicated among the Board by e-mail, and finally, that the this project should be moved ahead as quickly as possible. The motion was seconded by Richard Garrett and was unanimously approved.

A-4&5 The sprinkler system at the front entrance is now working but still needs to be insulated to prevent future problems. The landscaping work still needs to be done. Clark volunteered his family to get it done soon

A-6 Clark has talked to Joel Villafranca (lot 10) regarding allowing the HOA to tie into his electricity feed to power the lights and sprinkler system at the front entrance. Mr. Villafranca has agreed to this in return for being credited with 1 quarter of his HOA dues each year. As previously agreed, the HOA will pay the labor and material costs for the connection of the electricity feed and this will allow the HOA to remove the Pedernales electric meter that currently serves that circuit and costs the HOA a minimum of \$40 per month.

A-7&8 Clark has not yet talked to Ken Jowers about making a bracket to protect the “eye” on the gate but will do so. Since the keys to the number access pads at the gate

cannot be found Clark requested that we contact a locksmith to cut new keys so that the members will be able to perform future maintenance. Richard Garrett made a **motion** to hire a locksmith to cut new keys for the gate number access pads. The motion was seconded by Doug Dear and was unanimously approved. The gate still needs to be painted and since the Miller boys are not going to do it, several members of the board said they would be happy to pitch in and get it done.

A-9 Nothing has been done regarding improvements to the website

A-10 Delinquent dues were discussed earlier in the meeting.

A-11 Mahlin Musgrove reported that he has worked with HOA members Juliette Miller and Ken Jowers regarding suggestions to revise the current Bylaws and copies of the work so far were provided to the board. However there are a few items that Mahlin is still working on so the draft of the suggested changes is not yet complete. The Board suggested that Mahlin continue to work on the revisions and that at such time, in the near future, when the revisions are complete, he should call a special meeting of the Board, specifically for the purpose of reviewing the proposed changes.

A-12 Doug Dear reported to the Board that in a recent conversation with Mr. McCauley, he was told that Mr. McCauley has sold the RV which is parked on his property and that he hopes the new owner will move is ASAP.

A-13 Doug has not yet organized a meeting of the HOA members who live along 1626 but intends to do so in October. Doug brought the Board up to date on the possible time line for the FM 1626 improvements stating that after all property acquisitions it will probably be about 2 years before actual improvements start

7. Clark Miller reported on the cause of the recent gate issues. Both number access pads have recently failed to work as a result of losing their programming during electrical storms. Clark felt that this was probably due to the loss of a grounding wire and that he intended to check into it. The Board also agreed that it was time to change the gate code again to prevent non-residents from coming through the subdivision. Clark said that he would change the code, probably this weekend and would e-mail the new code out to everyone.
8. Clark will send a letter to Brian Vickery, via his attorney as requested; inquiring about various road signs that the board believes Mr. Vickery has in his possession as the Board would like to reinstall them.
9. Setting a new ACC and addressing new covenant violations was tabled until the next BOD meeting
10. National Night Out. The Board agreed to host another neighborhood gathering based upon the success of last year's cook out and instructed the Secretary to send an e-mail out to the HOA members asking for a volunteer to organize the event.
11. Clark noted that he would begin preparation of the 2011 HOA budget to be presented to the board at its December meeting and that any suggestions from the Board should be e-mailed to him soon.

12. There was a brief discussion regarding the possibility of placing small signs at the entrance to the subdivision, for a short time each quarter, to encourage the members to visit the HOA website to read the Board Minutes; no decisions were made at this time.
13. Clark & Mahlin reported that the City of San Marcos is sponsoring another drive through hazardous waste collection this Saturday September 18th that is open to all Hays County residents. The Board instructed the Secretary to send an e-mail to all HOA members informing them of this helpful event.
14. The next Board meeting will be at the Buda Public Library on Tuesday December 14, 2010 at 6:30pm

The Board completed its agenda business and Pat Wentworth made a **motion** to adjourn the meeting at 8:10 pm, the motion was seconded by Mahlin Musgrove and it was approved unanimously.

Respectfully,
Juliette Miller
Secretary

Memo

Date: 7-8-2010

To: File

From: Juliette Miller

Re: HOASW – Easements for the front entrance signs

I checked all of the HOA files trying to find the easements that were granted to the HOA for the front entrance signs. There is a file in the HOA records which explains:

The original developers were supposed to get easements from the owners of Lots 9 & 10 at the time of sale. In 1997 they apparently did get Ernie Hart (lot 9) to sign one and we have a copy of it, complete with metes and bounds and Ernie's notarized signature. However we do not have the original and there is no evidence that it was ever filed with the county. I checked the County records on line and could not find a listing for it.

The developer never obtained an easement on lot 10. Mark Fesser (lot 10) was sent a similar easement document by the home owners association in 1999 with a request that he sign it. There is no evidence that he signed it or returned it and I could not find evidence of it in the counties on line records.