

## **WATERWOOD IMPROVEMENT ASSOCIATION, INC.**

### *DIRECTOR'S MEETING*

*February 20, 2017*

#### **CALL TO ORDER**

Jack Zimmermann, President, called the meeting to order at 9:00 a.m. on Monday, February 20, 2017 at the WIA Office. Jack Zimmermann served as Chairman of the meeting. Directors present included: Rick Brown, John Charlton, Bob Lane, Debbie Nicholson, Sandy Singletary, and Lynn Spencer. Director(s) absent: Mike Bercu. Others present were Chuck Bordo, Teresa Brown, Sally Charlton, Douglas Dick, Al Goldsmith, Janas Goldsmith, Lisa Hayman, Mimi Kotz, Deborah Maldonado, Johnny McGee, Steve McNeeley, Carol McVay, Earl McVay, Joe Moore, Pat Nabers, Sam Nabers, Marcia Netzinger, and Bruce Perea.

At this time, President Zimmermann briefed the board on filling the board vacancy with WIA member Pat Nabers. Director Lane made a motion to select Pat Nabers to fill the unexpired term of Jack Cliff. Motion seconded by Director Charlton and passed.

President Zimmermann adjourned the regular meeting at 9:05AM and called to order the Special Meeting.

There being no further business, President Zimmermann called for a motion to adjourn. Director Lane made a motion to adjourn the Special Meeting at 9:31AM. Motion seconded by Director Charlton and passed.

#### **MINUTES PRIOR MEETING**

Director Charlton made a motion to approve the January 16, 2017 Directors Meeting minutes. Motion seconded by Director Lane. President Zimmermann requested that Bylaws and Covenants the word subdivision be made plural to read subdivisions. Motion passed with correction.

#### **EXECUTIVE DIRECTOR'S REPORT**

WIA Executive Director Joe Moore reported that 107 payments had been received thru January. He also reported that recoveries were \$3,566.53 thru January. Also, \$420,000 bonds had matured and the line of credit had been reduced by \$450,000.

#### **ARCHITECTURAL CONTROL BOARD**

Director Nicholson reported that two (2) Small Improvement Project Applications were approved.

#### **AUDIT/FINANCIAL**

Director Singletary went over the monthly financial statements and presented the 2017 Proposed Budget. Director Charlton made a motion to approve the 2017 Proposed Budget. Motion seconded by Director Brown and motion carried.

President Zimmermann reported that Director Singletary would be chairing the Audit/Financial committee and WIA resident Larry Maas has agreed to join that committee.

### **COMMUNITY COMMUNICATIONS**

Director Brown reported that they are looking for new news and that all newsletter articles must be received by 5:00 on the first day of each month to be included in that month's newsletter.

### **COMMUNITY SOCIAL EVENTS**

Director Singletary reported that the Spring Fling will be held on April 29 and food will be served from 11-1. The meal will be catered by Smokey Moe's and there will be a dessert contest again this year.

### **LIAISON TO COUNTY AND STATE GOVERNMENT**

In the absence of Director Bercu, there was no report.

### **LIAISON TO EMS AND VFD**

Director Lane distributed the EMS report. He also reported that repairs to the station are in the final stages. He also reported that the fire truck was repaired for \$5,800.

### **LIAISON TO MUD**

Director Spencer reported that the MUD district is working with the WVFD to have the fire hydrants painted the correct color for code standards.

### **MAINTENANCE**

Director Lane reported that the maintenance crew is continuing to work and that the committee will be touring the subdivisions soon to look at upcoming maintenance projects.

### **REAL ESTATE**

Director Singletary read a report on the Community Park from WIA member Tom Readal that approximately three (3) weeks had been lost due to the rain but they are continuing to move forward. She also reported that Mr. Readal is encouraging the neighborhood to sponsor benches, picnic tables, and shrubbery to enhance the park area.

### **LIAISON TO SECURITY**

Director Brown reported that security patrolled 4833 miles in January and had fielded approximately forty-two (42) calls.

### **UNFINISHED BUSINESS**

None.

### **New Business**

None

**Questions from Residents**

WIA member RJ Macha requested information concerning the status of the bulk heading at The Beach area.

At 10:30 am, the board entered into an executive session.  
Regular meeting reconvened at 12:27 pm.

Concerning the ACB Appeal by WIA resident Bruce Perea, Director Charlton made a motion to overturn the ACB approved Small Improvement Application that was submitted for a fence, where twenty-four (24) feet of the fence was approved at 42 inches. Director Charlton’s motion is to allow Mr. Perea to increase that section to six (6) feet. Motion seconded by Director Lane and the vote was five (5) for and two (2) against. Motion carried.

Director Charlton made a motion allowing preapproved six (6) foot fences that are built in the subdivision that have added kick plates and spacing at the bottom of the fence, making them over 80 inches be left at the built height. Motion seconded by Lane and passed.

President Zimmermann then spoke strongly against the building of the fence before the ruling of the ACB appeal.

There being no further business, a motion was made by Director Lane to adjourn the meeting at 12:41 p.m., seconded by Director Charlton, motion carried.

\_\_\_\_\_  
Date

\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

Copies of approved and signed minutes are available at the WIA administrative office  
***{Preliminary Minutes – Until approved at the March 20, 2017 WIA Board Meeting}***

**WATERWOOD IMPROVEMENT ASSOCIATION, INC.**  
**SPECIAL MEETING OF THE DIRECTORS OF**

*February 20, 2017*

**CALL TO ORDER**

Jack Zimmermann, President, called the meeting to order at 9:05 a.m. on Monday, February 20, 2017 at the WIA Office. Jack Zimmermann served as Chairman of the meeting. Directors present included: Rick Brown, John Charlton, Bob Lane, Debbie Nicholson, Sandy Singletary, and Lynn Spencer. Director(s) absent: Mike Bercu. Others present were Chuck Bordo, Teresa Brown, Sally Charlton, Douglas Dick, Al Goldsmith, Janas Goldsmith, Lisa Hayman, Mimi Kotz, Deborah Maldonado, Johnny McGee, Steve McNeeley, Carol McVay, Earl McVay, Joe Moore, Pat Nabers, Sam Nabers, Marcia Netzinger, and Bruce Perea.

WIA resident Earl McVay distributed information concerning the Chapter 211 Amendment and Enforcement of Restrictions in Certain Subdivisions. After some discussion and explanation, Director Spencer addressed the board as follows:

**Motion 1.**

Director Spencer made a motion: I move the Board of Directors, being the governing body of the Association, conduct the Chapter 211 election by submitting a Ballot to the Members for an election, with the last day that a ballot can be received by the Association at its office, either by receiving through the mail or by hand-delivery, is 4:00 p.m., Thursday, April 27, 2017, and the election ballots to be counted prior to the Special meeting of the members of the Association on Saturday, April 29, 2017, said election to be conducted pursuant to Section 211.004, Texas Property Code, a copy of which will be attached to the Minutes of this Special Board meeting. Motion seconded by Director Singletary and vote was unanimous.

**Motion 2.**

Director Spencer made a motion: I move that, pursuant to Section 211.004(c), not later than the 30th day before the date a ballot for a vote under this section must be received to be counted, the Secretary shall mail to each affected property owner a notice that includes: (1) the exact wording of the amendment procedure; and (2) the date by which a property owner's ballot must be received to be counted. Motion seconded by Director Lane and vote was unanimous.

**Motion 3.**

Director Spencer made a motion: I move that, pursuant to Section 211.004(d), the Association shall pay all costs of: (1) printing and mailing the required notices and ballots; and (2) canvassing, tabulating, and certifying the vote. Motion seconded by Director Lane and vote was unanimous.

**Motion 4.**

Director Spencer made a motion: I move that, pursuant to Section 211.004(e), a property owner may not cast more than one vote, regardless of the number of lots the person owns. If more than one person owns an interest in a lot, the owners may cast only one vote for that lot. A person may not vote if the person has an interest in a lot

only by virtue of being a lien holder. Motion seconded by Director Singletary and vote was unanimous.

**Motion 5**

Director Spencer made a motion: I move that, pursuant to Section 211.004(f), a ballot cast under this section is secret and may not be counted unless it is placed inside a ballot envelope that is placed inside another envelope that bears the signature and printed name of the property owner casting the enclosed ballot. Motion seconded by Director Lane and vote was unanimous.

**Motion 6**

Director Spencer made a motion: I move that, pursuant to Section 211.004(g), the President is authorized to appoint the following persons as the election canvassing committee for the election: Earl McVay, Lynn Spencer, and Lisa Hayman; Earl McVay is appointed as the Committee chairperson to canvass and count the votes and determine the outcome. Motion seconded by Director Lane and vote was unanimous.

**Motion 7**

Director Spencer made a motion: I move that, pursuant to Section 211.004(h), if the amendment procedure receives the number of votes required under Section 211.004 (b), the election canvassing committee chairperson shall certify the result to the presiding officer of the Waterwood Improvement Association, Inc. The presiding officer shall then file in the real property records of each county in which all or part of the subdivision is located an instrument that indicates the procedure was adopted. Motion seconded by Director Lane and vote was unanimous.

There being no further business, President Zimmermann called for a motion to adjourn. Director Lane made a motion to adjourn the Special Meeting at 9:31AM. Motion seconded by Director Charlton and passed.

\_\_\_\_\_  
Date

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President

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Secretary

Copies of approved and signed minutes are available at the WIA administrative office  
***{Preliminary Minutes – Until approved at the March 20, 2017 WIA Board Meeting}***