

FLYING L RANCH PROPERTY OWNERS ASSOCIATION, INC.
BOARD OF DIRECTORS MEETING
April 26, 2016

MINUTES

(The following minutes are a summary of the business conducted at the meeting.)

- PRESENT** Elwood (Woody) Baker, Penny Bateman, Cecilia (Cissy) Elkins, Anthony Ferragamo, Jay Gainer, Terry Peek and Terry Segura
- ALSO PRESENT** Leslie Rector, Rick Rector, Donna Witt, Diana Segura, June Baker, Roger Dunagan, Roy Rodriguez and Kathy Antwine, Recording Secretary
- ABSENT** Maggie Ferragamo, Treasurer
- CALL TO ORDER** The meeting was called to order at 6:04 p.m. There being a quorum, the meeting proceeded.
- INVOCATION** Terry Peek gave the invocation.
- APPROVAL OF MINUTES** The minutes of the March 8, 2016 meeting were approved by board members by electronic vote on March 21, 2016. Minutes were posted on the web site and at the mail box annex.
- TREASURER'S REPORT** Anthony Ferragamo presented the Treasurer's Report due Maggie Ferragamo's absence. The report included the Balance Sheet as of April 26, 2016; the Profit and Loss March 8 through April 26, 2016; the Profit and Loss January 1 through April 26, 2016; the Check Detail Report; and the Customer Contact List as of April 19, 2016. The POA has a total of \$221,258.18 in the checking and savings accounts and has received a total of \$22,768.32 in current and prior year's dues. The Net Income as of April 26, 2016 is \$69,048.66.
- Correspondence has been received from a property owner, stating that he received an invoice charging him \$50 for a late fee on his lot. He has never missed a payment since he has owned the property and requested the late charge be removed since he did not receive the invoice in January. A motion was made by Terry Segura and seconded by Penny Bateman to waive the \$50 late fee. The motion carried unanimously.
- PUBLIC FORUM** 1) Leslie Rector presented information to the board on the runoff of water onto their property on Valley Oak Drive. She said when the road was constructed it was designed to divert the natural flow of water from properties across the street down to a culvert that empties onto her property. She requested the POA correct the problem, since the value of her property has been negatively impacted.

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2) Rick Rector provided documentation of instances in which the board has addressed water runoff issues in the past on Valley View Drive and Spring Creek Circle. He is asking the board to do the same for his problem. Mr. Rector said he paid about \$1,000 for an Engineering Report that recommended the installation of an 18" retaining wall to divert the water which would correct the problem on his property. He has a bid for \$4,200 to construct the retaining wall.

Since the homeowner had built the house after the culvert was installed, and since the culvert is installed where the natural flow of water would occur, the board feels that the drainage issue is not the association's responsibility, but the property owners.

Mr. Ferragamo asked if a compromise could be reached. Since the board believes that it is Mr. Rector's duty to protect his property and since Mr. Rector believes it is the POA's responsibility, Mr. Ferragamo asked if the cost of the solution could be shared by both parties. Mr. Rector refused, asking for compensation for his hydraulic study in addition. Mr. Ferragamo then offered to split the cost of the study equally as well - \$2,600.00. Mr. Rector refused and demanded \$3,000 of the \$5,200 (\$4,200 for the wall and \$1,000 for the study). No Agreement was reached.

3) Donna Witt said the information on the Amenities Package does not include the changes made by the board for 2016. She asked if the Treasurer has contacted the State Comptroller to recover the state sales taxes paid on roads and supplies that should be returned due to the non-profit status that was granted.

EXECUTIVE SESSION

The board adjourned to Executive Session at 6:55 p.m. to discuss:

- 1) Legal Issues, and
- 2) Matters Involving the Privacy of Individual Owners/Lien Enforcement.

RESUME BOARD MEETING

The regular board was re-adjourned at 7:25 p.m. The board discussed legal issues, matters involving the privacy of individual owners and lien enforcement. The board agreed to file liens on property owners owing more than \$1,000 in past due fees.

COMMITTEE REPORTS

STANDING COMMITTEES

Architectural Control: Terry Peek reported the following ACC requests for construction received by the ACC:

- 1) An addition on a house on Edgewood Circle has been approved.
- 2) A vinyl fence on Spring Creek Circle is approved.
- 3) A project was approved for an addition on a home on Glen Valley Circle. There are concerns from neighbors questioning whether the addition meets the covenants because the structure is not connected to the house.
- 4) An application has been received for the addition of a patio on a home on Edgewood Circle.

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COMMITTEE REPORTS,

(Cont'd.)

Nominating: Jay Gainer reported that she has plans to contact possible applicants to encourage them to run for a board position.

By-Laws: Penny Bateman will establish a committee to review and update the By-Laws and Covenants. She is also working on a policy on the bid process.

Covenants: A motion was made by Terry Segura and seconded by Terry Peek to combine the By-Laws and Covenants into one committee. The motion passed with one nay. Penny Bateman will chair the committee.

Roads: Anthony Ferragamo reported the roads in Phase 1 will be chip sealed on May 3, 2016. There is a problem with water standing beside the new road that is being built on Valley Oak Drive which will eventually cause the road to fail. Roger Dunagan recommended that a ditch be dug all around the circle so the water can runoff onto the fairway. The ditch will cross property belonging to the Ranch, so they will have to agree to this plan. A motion was made by Terry Peek and seconded by Terry Segura to meet with the owners of the Ranch to consider the installation of a spillway across the lots that they own. The motion carried unanimously.

In order to avoid these problems in the future, Roy Rodriguez recommended the POA require a permit from the contractor assuring the slab is above the flood plane or the road.

Mr. Ferragamo said the board has to make a decision on repairing the "S" curves. It will cost \$11,250 to repair all three curves. He suggested the POA consult the attorney to determine if money can be spent due to the non-profit status of the POA. A Roads/Mowing Workshop will be scheduled the first week of May.

Trees: Terry Segura reported that the board members and volunteers removed the large tree on Oak Hills Drive for a total of \$400. The expense was from the oil and fuel used to operate the chain saw and remove the wood. He said a contractor will be used in the future to remove large trees, but the POA will continue to remove small trees as needed.

Mowing: Terry Segura said Rusty Dowda is continuing to mow road sides, common areas, and individual lots. A motion was made by Terry Segura and seconded by Terry Peek to purchase an edger not to exceed \$400. The motion carried unanimously.

Social Activities: Jay Gainer said she is continuing to work with John Goode on updating the web page for the POA. She said the POA is planning to set up a Facebook Page which would be easier to add information and facilitate communication with property owners. Another email will be sent to property owners to remind them of the mixer scheduled for Friday, May 13, 2016.

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COMMITTEE REPORTS,

(Cont'd.)

Reclamation of/or Filing of Liens: Anthony Ferragamo said the board agreed to file liens on properties owing \$1,000 or more and are not on a payment plan.

OLD BUSINESS

Discuss Hiring a Law Firm to File and Collect Liens: Anthony Ferragamo said our attorney recommended the POA seek out counsel for liens and non-profits. A motion was made by Anthony Ferragamo and seconded by Penny Bateman to contract with Greg Cagle who is a Partner with Savrick, Schumann, Johnson, McGarr, Kaminski & Shirley, LLP to provide legal services for the POA. The motion passed unanimously.

NEW BUSINESS

Beautification – Bluebonnet & Indian Blanket Seed Drill: Anthony Ferragamo recommended the POA purchase wild flower seeds to distribute on POA properties as a part of the Beautification Plan. More information will be provided at a later date.

Flying L POA Facebook Page: Anthony Ferragamo reported that he has developed a Facebook Page for the POA. He said this would be an informal way to facilitate communication between property owners and board members. Penny Bateman suggested the POA develop a Social Media Policy before the Facebook Page is opened up to the public. A motion was made by Penny Bateman and seconded by Terry Peek to develop the Social Media Policy for the Facebook Page before informing the community. The motion carried unanimously.

Discuss in Hiring Services of Greg Cagle: The board voted to contract with Greg Cagle to provide legal services to the POA regarding liens and non-profit organizations.

ADJOURNMENT

A motion was made by Penny Bateman and seconded by Terry Peek to adjourn the meeting at 8:05 p.m. The motion passed unanimously.

Respectfully Submitted,

Kathy Antwine, Recording Secretary