

**FLYING L RANCH PROPERTY OWNERS' ASSOCIATION
BOARD OF DIRECTORS MEETING
September 23, 2021**

MINUTES

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

- PRESENT** Woody Baker, Mark Gill, Bob Haueter, Glen McComb, and Diane Segura
- ABSENT** John Simmons
- ALSO PRESENT** Rick & Nancy Rowton, Steve & Rayla Childers, Brenda Zubieta, Leslie Rector, Maurice Doublet, III, Brian & Nancy Caldwell, Cindy & Doug Stevens, Lynn Haueter, June Baker, Liz Lawlis, Treasurer, and Kathy Antwine, Recording Secretary.
- CALL TO ORDER** The meeting was called to order at 7:00 pm. by Bob Haueter, Chairman. There being a quorum present, the meeting proceeded.
- INVOCATION** The invocation was given by Doug Stevens.
- PLEDGE OR ALLEGIANCE** Cindy Stevens led the Pledge of Allegiance.
- APPROVAL OF MINUTES** A motion to approve the minutes of the July 7, 2021 meeting was made by Glen McComb and seconded by Woody Baker. The motion carried unanimously.
- TREASURER'S REPORT** Liz Lawlis, Treasurer, presented the Treasurer's Report to the Board. The report included: the Balance Sheet (Cash & Accrual Basis) as of August 31, 2021; the Profit & Loss Actual vs. Budget, January through August 31, 2021; the Unpaid Bills Detail Report as of September 23, 2021 and the Budget for 2022. The POA has \$87,977.19 in the Checking Account at Wells Fargo Bank; \$30,331.86 in the CD at the Texas Hill County Bank; and \$56,498.61 in the Reserve Account at the Texas Hill Country Bank. The Net Income on August 31, 2021 is a negative balance of \$-8,703.95. The board will need to make a budget amendment to cover the expense to pave Flying L Drive and the shredder that was purchased. A motion was made by Glen McComb and seconded by Mark Gill to accept the Treasurer's Report. The motion carried. Ms. Lawlis said she needed to add two more bills to the Unpaid Bills Detail Report: \$65 to Marlon Santos to repair a tire on the tractor and \$294 to Rusty Dowda for mowing expense. A motion was made by Diane Segura and seconded by Glen McComb to pay the bills as presented. The motion passed.
- PUBLIC FORUM**
- 1) Steve Childers provided a report from the PUD.
 - The PUD has ordered generators for all their facilities and they are working on financing at this time.

- There will be some more valve work done the week of October 4– 7, 2021 in the area behind the 19th Hole and the Villas. This will give them the ability to control the area by shutting off the water immediately if there are any problems in this area. A water outage and a boil order will be in effect during that week.
- Tomorrow they will begin work on the sink hole on Edgewood Circle. A previous repair was done, but it reappeared and it is getting much worse, so they will need to determine where the water is going.
- The Dollar General has signed a letter of intent to build a store outside the entrance to the Ranch on Wharton’s Dock Road. They have asked the PUD to provide water to them, but no decisions have been made about providing water at this time. The PUD plans to work with the community to determine whether or not the store is wanted. The survey was done today on the property and they plan to get approval for a septic system and water well. He said the project it is in the early stages and the community may want to organize a committee to fight it.
- The PUD has recommended Judd Ryan replace Austin Christenson on the ACC Committee. They have also requested having sign-off capability on all new construction and remodels submitted to the ACC. The PUD would look only at easements and septic, as another set of eyes working with the POA, to prevent inconsistencies going forward. The Attorney for the POA said the utility easement is for all utilities and the sign-off would be difficult to do and would delay the process of approval by the ACC.

2) Leslie Rector presented several issues to the board:

- She said the vote on the Community Park at the May meeting wasn’t done properly. It was not on the agenda and is considered a type of capital improvement. As a result, the May minutes will need to be amended and the “Development of a Community Park” placed on the next agenda for legal voting.
- She said the Executive Session on today’s Agenda is still not compliant with State Law and should include only the topics that will be discussed and a short reference given for each item to be discussed. (Mr. Haueter said he has consulted the attorney on this matter and he has advised that the POA is in compliance with State Law.)
- The low water crossing at Valley Oak Drive and Spring Wood Circle has not been cleaned out and water continues to back up 30 feet or more onto residential property.
- She expressed a concern that the roadsides are not being sprayed in a timely manner. The POA has the equipment to do the spraying and a commercial applicator license is not needed to spray the roadsides, since the 30-foot roadway is owned by the POA. A more consistent maintenance plan is needed to keep our roads free of grass and weeds.
- She said the Resort Gate on Airport Drive is illegal. The gate needs to be moved back to the Resort property line because it blocks a portion of the road noted in the 1997 Agreement which is subject to ingress and egress.

- The board acted irresponsibly when it approved the funds to share the cost of paving Flying L Drive with the Resort. She said the Resort does not own Flying L Drive from the entrance to Brown Saddle Circle and the POA has an easement on all of Flying L Drive guaranteed by the 1997 Agreement, so there was no valid reason to share the cost of paving Flying L Drive.

Mr. Haueter said the Ranch and the POA Board have determined, with the advice of our attorneys and in consultation with the owners of the Resort that; a) Flying L Drive from Wharton Dock Road to Brown Saddle is owned by the Resort; and b) in return for a permanent easement to the POA residents to access Flying L Drive, the cost of maintaining Flying L Drive is to be a shared expense between the Resort and the POA.

COMMITTEE REPORTS

STANDING COMMITTEES:

Architectural Control: There are several new houses under construction at this time. The committee has also approved two screened-in back porches. In the process of remodeling a home on Flying L Drive, it was discovered that the underlying structure of the house was unstable, so the home had to be demolished.

Nominating: The term of three board members will expire this year and an election will be held to fill the positions. More information will be provided at the next meeting.

By-Laws & Covenants: No report

Roads: At the last meeting, the board and the Resort agreed to share the cost of paving Flying L Drive from the tennis courts to the tee box on the 17th hole of the golf course. All the funds for roads have been expended this year.

Mowing & Trees: Mowing has been done as needed and a shredder has been purchased for the tractor. There were three trees that were destroyed during recent storms and they were removed.

Social Activities: Sally Reyes has done an excellent job as the chairman of this committee. She will no longer be able to continue due to health problems. Penny Bateman has volunteered to organize the Community Yard Sale and it is scheduled for Saturday, November 13, 2021. The picnic tables for the Community Park will be purchased soon. More information will be provided at the next meeting.

Finance Committee: No report

OLD BUSINESS

Website Property Owners' Directory: The Directory has been compiled with the name, address, phone, and email of all the property owners. As soon as the password is determined, the directory will be available on the website for property owner access only.

Waiver of Late Fees: On April 6, 2021, an electronic vote was approved by the board for a waiver of late fees in the amount of \$50 for Section 5A, Lot 25. The owner has a new address and did not receive the invoice for payment of dues. The motion carried. On August 2, 2021, an electronic vote was approved by the board for a waiver of late fees in the amount of \$150 for Section 5A, Lots 7,8,9. The owner passed away and his spouse was unaware of the payment for dues, since he handled all their business. The motion carried unanimously. On August 12, 2021, an electronic vote was approved by the board for the purchase of a shredder for the tractor in the amount of \$2,295. The motion carried.

NEW BUSINESS

Review of 2021 Legislative Laws: Mr. Haueter highlighted the recent changes in Texas State Law that pertain to the POA, specifically Senate Bill 1588.

Accept Resignation of Board Member: On September 1, 2021, Zach Galm submitted his resignation from the board, which was approved by the board by electronic vote.

Appointment of New Board Member: The board has received applications to fill the open position from Brian Caldwell, Leslie Rector and Brenda Zubieta. They were given the opportunity to speak to the board. Mr. Haueter thanked the applicants for their interest, and based upon their resumes, they are all qualified and would do a good job. A motion was made by Mark Gill and seconded by Glen McComb to nominate Brenda Zubieta. A motion was made by Diane Segura and seconded by Woody Baker to nominate Brian Caldwell. Brenda Zubieta was elected by a vote of 3-1. She was invited to take her seat on the board.

ACC Committee Members: The Texas State Legislature has passed a law saying that a board member cannot serve on the ACC Committee. Zach Galm resigned his board member position, since he felt he could better serve the POA on the ACC Committee. Based on the State Law, the new ACC Committee members are: Zach Galm, Chairman, Judd Ryan, Rick Rowton, Doug Stevens, and Philip Jaeger.

Nominations for January Election: The board received a calendar indicating the dates of events that must take place leading up to the Annual Meeting on January 15, 2021. The Notice of Election will be mailed to all property owners on October 15, 2021; the deadline to submit an application to run for the board is November 15, 2021; and the ballots for the election will be mailed on December 15, 2021.

Budget for 2022: A copy of the proposed budget for 2022 was provided to the board. Liz Lawlis said the proposed budget for 2022 is the same as last year. Since the cell phone fees have increased, she suggested that budget item be changed to reflect the increase. A line item in the amount of \$4,900 will be included in the 2022 budget for the Community Park.

Approve 2022 Dues Rate: A motion was made by Glen McComb and seconded by Woody Baker to approve \$160 for the annual dues for 2022. The motion carried unanimously.

Budget Amendment: A motion was made by Woody Baker and seconded by Diane Segura to move \$34,795 from the Wells Fargo Checking Account to pay the following invoices: \$32,500 for paving Flying L Drive and \$2,295 for the shredder. The motion carried unanimously.

ADJOURN TO
EXECUTIVE
SESSION

The board adjourned the regular meeting to go into Executive Session at 8:45 p.m. to discuss Enforcement Actions, Late Fees and Collections.

RE-ADJOURN
REGULAR
MEETING

The regular session of the board resumed at 9:10 p.m. and the following actions were taken:

- 1) A motion was made by Glen McComb and seconded by Diane Segura to file tax liens on the following properties: Section 8, Lot 6; Section 12, Lots 19 & 20; Section 15, Lot 42; and Section 8, Lot 18. The motion carried unanimously.
- 2) A motion was made by Mark Gill and seconded by Glen McComb to turn over to the Bandera County Attorney's office the collection action on a check that was returned as "frozen/blocked" on the owner of Section 3, Lot 34. The motion carried.

ADJOURNMENT

A motion was made by Diane Segura and seconded by Woody Baker to adjourn the meeting at 9:10 p.m. The motion carried unanimously.

Respectfully Submitted,

Kathy Antwine

Kathy Antwine, Recording Secretary