

**FLYING L RANCH PROPERTY OWNERS ASSOCIATION
BOARD OF DIRECTORS MEETING
September 15, 2020**

MINUTES

subject to change pending board approval

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

PRESENT

Woody Baker, Bob Haueter, Glen McComb, Garry Schneider, and Diane Segura

ABSENT

Amanda Christenson and John Simmons

ALSO PRESENT

Larry & Sybil Marsh, Doug & Cindy Stevens, Frank & Sally Reyes, Rick & Nancy Rowton, Dwayne S. Smith, Dora Schneider, Mary Pollard, Brenda Zubieta, Sandy Bredlau, Penny Bateman, Liz Lawlis, Treasurer, and Kathy Antwine, Recording Secretary

CALL TO ORDER

The meeting was called to order at 7:03 p.m. by Bob Haueter, Chairman. There being a quorum present, the meeting proceeded.

INVOCATION

The invocation was given by Lynn Haueter.

**PLEDGE OF
ALLEGIANCE**

The Pledge of Allegiance to the Flag was led by Doug Stevens.

**APPROVAL OF
MINUTES**

A motion was made by Glen McComb and seconded by Woody Baker to approve the minutes of the July 14, 2020 meeting. The motion carried.

**TREASURER'S
REPORT**

Liz Lawlis, Treasurer, distributed copies of the Treasurer's Report to the board members. The report included: the Balance Sheet (Cash & Accrual) as of August 31, 2020; the Profit & Loss Monthly & YTD January through August, 2020; the Profit & Loss Actual vs. Budget January through August, 2020; and the Unpaid Bills Detail Report as of September 15, 2020. The POA has \$114,835.90 in the Checking Account at Wells Fargo Bank; \$30,060.40 in the CD at Texas Hill Country Bank and \$56,413.95 in the Reserve Account at Texas Hill Country Bank. As of August 31, 2020, the POA has a Total Income of \$130,927.45; Total Expenses of \$152,963.93 for a Net Income of \$-22,036.48. This negative net income does not reflect the \$38,065.00 that was moved over from last year's budget to this year's budget. There is actually a surplus of \$16,028.52 still left in this year's budget. The Total Income so far is about \$900 under the amount budgeted this year. The following accounts are over the amount budgeted: Office supplies \$200, Attorney Fees about \$3,000 and Road Maintenance about \$4,000. A motion was made by Glen McComb and seconded by Woody Baker to accept the Treasurer's report. The motion carried unanimously. One bill was added to the Unpaid Bills Report: \$1,700 to Holdsworth Services for the clean-up of vacant lots and trimming trees. A motion was made by Diane Segura and seconded by Glen McComb to approve the unpaid bills. The motion carried unanimously.

PUBLIC FORUM

1) Nancy Rowton asked if a decision had been made by the board about the problem of speeding. She suggested sending a letter to all property owners reminding them about the 20 mile per hour speed limit. Mr. Haueter said speed bump signs will be installed soon and the speed bumps will be repainted. Adding stop signs on side roads was considered, but we would have to get approval from the Resort since the POA does not own the roads. Hiring a sheriff to enforce the speed limit was also considered, but the speed limit would have to be set at 35 miles per hour to enforce a speed limit. Mrs. Rowton also said she was opposed to short term rentals in the subdivision.

2) Penny Bateman recommended that the board set up a committee composed of former roads chairmen and a roads contractor to develop a Master Plan and Schedule for asphaltting all the roads. She also suggested that the master road plan be placed on our ballot so the membership can vote on it. The plan should include a timeline so it cannot be altered or changed from year to year. Mr. Haueter said the POA may not be able to legally incur future obligations by locking the plan in over a number of years, but he will contact the attorney. He said a committee will be established and Woody Baker will be chairman and Penny Bateman vice-chairman. He asked Doug Stevens to serve on the committee, as well as the road contractor. The following rating of our roads was done this year by our contractor: Valley Oak - A; Spanish Grant - B; Briarwood - A; Spring Creek - C+2; Wood View - A; Knollwood - B; Glen Valley - C+3; Edgewood – repaved this year; Fairway - C; Flying L - C+1; Deerwood - C; Creekwood - C+2; Quail Valley - A; Brown Saddle - B; Antler Circle - A; Shady Oak - C+2. The committee will make their recommendations at the November board meeting.

3) Sandy Bredlau presented the following suggestions to the board:

1) She asked if the roads have been rated for a weight limit. She said a concrete truck unloaded weighs 26,000 pounds, fully loaded weighs 66,000 pounds. The weight limits of the heavy vehicles are going to add to the deterioration of the roads, as well as the damage done when trucks run off the edge of the road. The Roads Committee will address this issue.

2) She also said the discharge of weapons in the subdivision is not addressed in the Covenants, even though other POA's include this issue.

3) She asked the board to consider putting limits on the hours the contractors are allowed to work during the day. Nuisance noise (loud radios) is also a concern to homeowners in the area where the home is being constructed.

4) She expressed her concern about speeding in the subdivision.

7) Since the issue of Air BnB has been brought up by several homeowners, Bob Haueter addressed the issue. The POA has a prohibition in the Covenants against commercial use of property and the board has interpreted short term rentals as

PUBLIC FORUM
(CONT'D.)

commercial use. A property owner was operating an Air BnB in the Ranch, so a letter was sent to “cease and desist” since it was considered commercial use of property. In the Community Forum a discussion arose saying the board was trying to stop property rights. The attorney for the POA said in 2018 the Texas State Supreme Court ruled 9-0 that Air BnB’s are not considered commercial use. The only option available is to rewrite the Covenants and deny use under the term “short term rentals.” He asked Sandy Bredlau and Donna Witte to serve on the Covenants Committee with Diane Segura to come up with a list of suggestions and present the proposed changes at the meeting in November.

COMMITTEE
REPORT

STANDING COMMITTEES:

Architectural Control: There are 8 homes under construction pending completion. One home has not been approved pending discussion during Executive Session and one has been removed from the approval list because construction did not begin within 90 days of approval. In addition to new homes, the following construction is also being done: a carport, a garage, a deck, a jacuzzi and deck, and a swimming pool.

Nominating: There are four board members whose terms will expire this year: Garry Schneider, Woody Baker, Bob Haueter, and Amanda Christensen. The Notice of Election will be mailed to all property owners on October 17, 2020 indicating there are four positions open and encouraging property owners to run for the board. The deadline for filing to run for the board is November 16, 2020, and the election ballots will be mailed on December 17, 2020. The Annual Board Meeting will be held on Saturday, January 16, 2020.

By-Laws/Covenants: No report

Roads: The signs indicating speed bumps will be installed as soon as possible.

Mowing/Trees: Trees have been trimmed and removed as needed. Mowing was done all summer and is winding down this year.

Social Activities: Amanda Christensen was congratulated on the garage sale which was a tremendous success. There may be another sale later in the fall.

Finance Committee: No report

Crime Watch: If anyone is interested in being a block captain for their block, please let Bob Haueter know. The committee will be developed as soon as the Sheriff feels it is safe due to the COVID concerns.

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OLD BUSINESS

Changes to Road Work Plan in 2020: Bob Haueter said the change in the plan was to not asphalt Spring Creek Circle (C+2) and Shady Oak Drive (rating was a C+2 and not a D) at this time, but instead to sweep and clean them up. The board discussed this after there were some issues with the bids and the actual cost and work that would be involved for one of the roads. As a result, the board voted electronically to asphalt Edgewood Circle (C+1) and Edgewood Drive (C+1) since they also were in dire need of repair. The vote was unanimous.

NEW BUSINESS

Mail Delivery Issues: There have been a number of issues with mail being placed in the wrong box. In order to eliminate this issue, the Postmaster has asked that the POA identify all of the existing homes and lots in each section, and provide the information to him. He will shut down the mail delivery and put all the boxes in order by street and rekey them all at their expense. Property owners will be able to pick up their mail at the post office during this time. More mailboxes will be ordered to accommodate the number of lots in the subdivision.

Automatic Bill Pay for Annual Dues: Liz Lawlis will provide information on allowing property owners to pay their dues through a bill pay system.

Excessive Attorney Fees: Bob Haueter explained that the POA had exceeded the budget account for attorney fees due to excessive fees caused by fraudulent activity against the board members.

**EXECUTIVE
SESSION**

The board adjourned to Executive Session at 8:29 p.m. to discuss Legal Matters, Enforcement Action, Late Fees/Collections, and Contract Negotiations.

**RE-ADJOURN
MEETING**

At the close of the Executive Session, the board re-adjourned the regular meeting at 9:15 p.m. The following decisions were made by the board:

A motion was made by Glen McComb and seconded by Woody Baker to satisfy the \$1,500 payment for road work in 2019, since the Resort made extensive repairs to potholes on Flying L Drive. The motion carried.

A motion was made by Diane Segura and seconded by Glen McComb to authorize the expenditure for attorney's fees to release fraudulent liens placed on board members' homes. The motion passed.

A motion was made by Diane Segura and seconded by Glen McComb to deny the appeal for a variance to build six feet into the ten-foot easement on the rear property line located in Section 13, Lot 12. The motion carried.

ADJOURNMENT

The meeting was adjourned at 9:20 p.m.

Respectfully Submitted,

Kathy Antwine, Recording Secretary