

The Woods Garden Club Meeting Minutes

Wednesday July 19, 2023—6:00 PM

I. Call to order

The meeting was called to order by President Donna Dozier at 6:00 p.m. The board members in attendance were Ken Wheeler, Jr., Ron Stutes, Chris Petty, Troy Mills, and Richard Patteson. Jon Stone was absent. Also present was our Certified Property Manager, Dawn Smith, with East Texas Community Management. There were two visitors present at the meeting: Faye and John Serio.

II. Approval of Minutes

The meeting minutes for May 17, 2023, were approved by email and provided to our webmaster for publication on our website.

III. Visitors' comments

Donna explained that, once again, John Serio asked to speak to the board after the agenda had already been posted. Donna said that with the board's approval, we could take comments from visitors out of order and let the visitors speak. The board agreed that was acceptable.

Because Mr. Serio was recently in receipt of a violation notice, informing him that there had been complaints from vendors and residents, about him entering the gated area of the pool, before the 9:00 AM opening time, he wanted to speak.

John Serio, was given the floor. He began by asking Donna if she had "shared" his letter to the board. Donna confirmed that she had. He said, "Why I am here? I'm here to defend my integrity."

John claims he has never entered the pool before 9:00 AM. Mr. Serio went on to describe the reasons he believed this to be “preposterous.” He demanded to know the identity of those who have complained. He said he had the right to know.

Ron said, “John, you know from your time on the board that it is our policy not to name people who complain.” Ron further explained that we are not in a court of law, and there is no such right in our HOA rules.

John wanted to know why our landscaper didn’t tell him he could not go in before 9:00 AM when he swiped his card and let him in? He continued speaking, saying he didn’t even know what time it was when he was let in when his own card did not work. John claims that this was the one instance he “might’ve swum before 9:00 AM.”

He said that Donna’s emails to him explained that there had been several complaints about him, from vendors and residents. He said he would provide a “thumbnail sketch” of his pool attendance and proceeded to tell the board about his typical routine of the times he arrived at the pool for the past twelve years. He says there is no one at the pool when he is there for 99% of his time there.

He said he wants to know who complained. He said Donna had said it’s a case of “he said/she said,” (Donna said it’s sort of a case of “he said, THEY said, where a number of people had said the same thing.). John said, “No, it’s not that.” He kept saying that “nobody could say that he was there before 9:00 AM.”

He said, “Who has complained?” Donna repeated once again, that we do not divulge complainers’ names. He said he was owed the names. Ron pointed out once again that in a court of law, that is true, but we are not in a court of law right now.

John asked Dawn for the record of his entries into the pool area, and said, “Do you have it printed out?” She said, “No, I couldn’t print it.” He said, “Is it on your laptop?” She said, “No, it’s on my phone.” He asked if she could verify what times he arrived at the pool? She said she can get a day-by-day report, and that shows every person that was in the pool that day.

Donna pointed out that it would not matter, if the scan showed he’d been in at 9:30, since he had allegedly gone into the pool through the gate when it was propped open, according to the complaints.

John says he is “. . . sorry to insult you, but the whole notion is preposterous.” Donna said, “What we are telling you is, we got credible complaints—more than one, which makes it seem even more credible, and the result of that is that you got a letter, informing you of these complaints. Then, you say you didn’t do it, and that’s all there is to it. You will not be fined and nothing else happens. It’s done.”

John said he wants the violation rescinded. Donna said, “But it does not rescind the fact that there were the credible complaints.” Those cannot be erased. “That is why you got the notice,” she explained.

John said he doesn’t know everyone in the neighborhood, and wondered how anyone knew it was him. Donna said one lady who called didn’t know his name, but described him, and she hesitated to explain how he was described, since she said she thought it was a rather insulting comment, but Mrs. Serio said, “How was he described? Can you read the complaints verbatim?” and Donna informed her how he was described, leaving no doubt that the caller meant John Serio.

John said he is telling the truth. Donna said, “Then the remedies provided by the covenants are successful, because you are having the chance to come tell us you did not do it. That is the end of it. It’s over. It’s done.”

John said he admits that he does complain to the vendors. He said he does not deny that. He added that what he wants now, is this: he wants the board to send him a letter saying the violation has been rescinded and he wants an apology. He said if we don’t, he will ask for a mediator to hear the case.

He said he did not want to be accused of something he did not do. He said it hurts him because he is a sensitive person. John says he’s not sleeping and he has high blood pressure.

Ron said this would have been over with if he had not continued to drag this out so long. The fact, Ron said, that he has said he didn’t do it would have been the end of it, so his causing continued angst and strife is solely on Mr. Serio’s shoulders.

Donna said, “John, the fact is, we got complaints. It is our duty to inform you of those complaints, which we did, in the letter you got. You said you did not do it, and that’s that. It’s over. You responded. We are taking you at your word that you didn’t do it. It is over.”

This continued for several minutes, with the same things being said over and over. Donna said we did what we are supposed to do, according to the covenants, and he has answered, so it’s over. John said, “It’s not over because it has taken a toll on my health.” Ron pointed out that that part of it is not under the board’s control, but under only his own control, and if he chooses to continue to drag this out, then that falls on his own shoulders, not the board’s.

John said, “I’m going to ask the board members to appreciate my point of view and to rise above the board, and send me a letter acknowledging that they believe me that I didn’t do this. That is my request.” With that, he rose to leave, and was thanked by Donna for coming. He and Mrs. Serio departed the meeting.

Donna said, “Do we have any comments?” No, the board said, they had no comments to add.

IV. Property Management Report

Dawn began her property management report by saying that it was pretty short this month. She said 360 Pools had contacted her and apologized for dropping the ball on the bid she had asked them to do for the joint and masonry work (that we asked them to check on at the pool last year). They did go look at it, and a bid will be forthcoming. Dawn said they tend to be on the higher end of bids, in her experience, at other HOA’s, but she said they do really good work, she believes.

We do still have five people who owe for both 2022 and 2023 dues. A total of 45 residents still owe for 2023.

Dawn said she has continued to try to get Granite Division to look at the Eastwood sign, and that she understood Ken had called David himself. Ken said he couldn’t remember if he did or not, and may have just left a message with him. Donna noted that we’ve been trying to get them to fix the problem since March of 2021.

Dawn provided the violation log, and said she has information ready to send to our attorney for demand letters to some of the long-standing violators. A few specific addresses were asked about, particularly about the storage building that is not approved and a mailbox that is not in compliance.

Chris asked about pit bulls that he sees being walked in the neighborhood, and wonders if the HOA has any rules about dangerous dogs. Donna said it is the City he needs to talk to about dogs, and Ken said he is walking them on a public street. Richard said it's an Animal Control issue, not an HOA issue. Ron said the state doesn't allow the City to make a law to prohibit any breed. He further explained there's an ancient legal precept called "one free bite," that a dog owner is not responsible for the first attack. The board continued to discuss this, underscoring the fact that our HOA follows the City and State laws about pets.

V. Financial Report

Our Operating account, as of June 30, 2023, had a total of \$24,523.55. The Savings account had a total of \$129,029.59. Our total is \$178,456.42. Dawn said we are doing okay. Donna said she knew our tree budget was about shot, since we have another \$800 bill coming. Dawn said with that one, we would be over the \$10,000 mark we'd budgeted for trees.

Donna asked about the water bills, and Dawn said they have been pretty normal, and everything else looked good. She said she'd just received a new set of water bills that day.

VI. Old Business

Donna reported that the rescheduled Splash Party turned out really well. Everyone reported that it was hot and that it was an enjoyable time. Donna said that the group who provided the pulled pork sandwiches, were very enthusiastic and wanted to do other events for our neighborhood. The HOA contributed money that paid for the pulled pork that was served for our residents. All agreed it was a nice event, and went well.

Donna had asked Dawn to provide an update on the home on Oak Village that has been a long-standing problem. She explained to the newcomers on the board the types of violations and problems the board has dealt with over the years with that property. The lawyer's assistant, Jessica, asked if we are ready to go forward with getting a hearing date set, and the board enthusiastically agreed that Dawn did the right thing by saying yes. She knew we were more than ready to have that happen!

VII. New Business

Donna said a resident had asked if we could install handrails at the pool so she and her friends could use the pool area more easily if their physical challenges were helped by the aid of handrails. The board agreed this would be a worthy project to get bids on and see how much it would cost for this to be done. It might not work for the budget for this year, but could be a project for next year's budget. Dawn is going to check around, but will first consult our handyman James to get his input.

Also, Donna asked the board to choose which of two dates would be best for everyone's schedules for the annual meeting in January of 2024? She provided two dates that she had learned were possibilities, and the board chose Tuesday, January 30th. We have tentatively set that date and will confirm later in September.

VIII. Miscellaneous Non-Action Items

Donna said she needs to reschedule next month's regular meeting from August the 16th. She suggested a week later, on August the 23rd. Everyone said that was good, especially Troy, who noted that would be his 43rd wedding anniversary, so he appreciated the change! (Congratulations to Suzie and Troy!)

Ken said that the former investments business is now housing the founder of the Texas Wounded Warrior group. They have done a lot of clean-up around their property and the board noted how nice it looked.

Ken also mentioned that he'd gotten a call about drainage problems behind Oak Knoll, believed to be caused by the City's sewer repair work. Donna asked Dawn if she had talked to the City about the Brookview Court/Woods Blvd eyesore, and she said she had, and that they promised to fast-track checking on it.

IX. Adjournment

Ken made the motion that we adjourn. Troy seconded the motion. All agreed, and we were adjourned at 7:00 pm.

Respectfully submitted,

Ronald D. Stutes