

MEETING MINUTES

THE WOODS GARDEN CLUB HOA

Date: Thursday June 18, 2024

Time: 6:00 PM

Meeting called to order by: Donna Dozier

1 IN ATTENDANCE

Those in attendance were Ken Wheeler, Jr., Richard Patteson, Ron Stutes, Jon Stone and Chris Petty. Troy Mills was absent. Also present was our Certified Property Manager, Dawn Smith, with East Texas Community Management. There were two visitors present: Randy and Sandy Stilley.

2 APPROVAL OF MINUTES

The meeting minutes for May 13, 2024 were approved by email and provided to our webmaster for publication on our website.

3 RESIDENTS APPEAL OF ACC DECISION

Donna introduced Mr. Stilley, and explained he was here to appeal a decision by our ACC. Mr. Randy Stilley began his appeal by providing the board bound copies of the documentation he wished to discuss. He provided photos and dated details of correspondence with our ACC and with our board president. Mr. Stilley noted that his request to paint the entirety of his home with a lime wash, including the brick, stone and grout had been denied. He provided photos of another home constructed from its inception with stone that was the color he wanted his home to be. He purchased the home in 2023, and said they intended to paint it to tone down the yellows and browns in the exterior.

The homeowner did not ask, prior to purchasing his home if he would be allowed to alter the home's exterior from the originally approved material. He said the test area on the back of the home had been viewed by two members of our ACC.

The board listened attentively and asked a few questions of the homeowner. Donna asked if he had said everything he wished to say, and if anyone had anything more to add or any more questions to ask. Everyone agreed that was all. Donna thanked the Stilleys for their

attendance and presentation and promised them the board would have a reply within three business days.

4 PROPERTY MANAGEMENT REPORT

Dawn began her management report by telling the board that the playground equipment had been repaired and that new lounge chairs were purchased for the pool. James worked on the gate mechanism to make sure it was oiled and working correctly. Dawn said the Splash Party was such a huge success—she believed it was the most attended we've had in years. Donna said she continues to hear compliments about it, too.

Dawn said that the residents who have a pool key, but have not paid their dues, have had their keys turned off. She said she's had a few people pay after they learned their key didn't work.

Dawn said there are 11 residents who still owe dues for 2023 as well as for 2024. 34 homeowners owe dues for 2024. There are 4 residents who owe dues for 3 years. Those cases are with the attorney.

Dawn reported that the sign posts are to be shipped, and she is hopeful they will arrive next week. The board discussed the length of time this has taken, and they talked about the problems the company has had during this lengthy order process. Dawn said she and Donna will go through one more time to make sure to get the right street names to turn in to the vendor to make the lettering on the signs. She will contact welders to be ready to attach the "arms," or "blades" with the street names to the posts.

One other problem at the pool that has been noted by our cleaning company is that sometimes when they arrive, they find that someone has left the pool gate open by using a stick or flip flop to keep it from closing. Ken said he wondered if there would be a buzzer or something that could alert us with a message (on our phone app for the pool gate) when the gate is left ajar for a designated period of time. The board thought that was a good idea, and Dawn is going to check with Rick to see if that's a possibility.

Dawn went through the violation log and answered questions about various addresses that have violations, and she mentioned a new addition to the list that also involved a report to Tyler's Code Enforcement department.

It was also noted that stamps for a first class letter have gone up again, and are now 73 cents. Richard said a certified letter is \$9 now.

Ken talked about a violation on Bentrige, for a variance he allowed, and the resident has not complied with the specifications he was told to follow. Ron asked Ken to write a detailed description, so Dawn would know how to address the problem with the resident.

5 FINANCIAL REPORT

Dawn said she will have to move money soon to cover all the large costs for the tree work that is being done. She provided the board with the account information as of the 30th of June. The

operating account had a total of \$1,686.73. The savings account was at \$115,296.92, for a total of \$116,983.65. Dawn mentioned that we have about \$95,000 at this point of the year. She said she looked to see what we had a year ago at this time, and it was \$130,000.

Donna noted that the City had cut back the requested trees on the Ridge sign area, and wondered if we might get a recalculated bid on the trees now that some have already been removed. Ken said he will do that.

6 OLD BUSINESS

Donna asked for an attorney update, and Dawn reported that she has gotten several emails with updates from our new attorney's office. He has prepared a demand letter for a resident, but the details of the situation with that resident were wrong. Dawn said she took a lot of care to provide separate cases and went over this with his paralegal when she took the paperwork to his office. Obviously, that letter will have to be corrected before being sent. She detailed several other issues she needs to discuss with him and/or his paralegal.

The attorney also prepared the paperwork to indicate the amendment to raise dues costs beginning in 2025 from \$25 per month to \$35 per month. That will be double-checked and notarized for publication to amend our covenants as soon as possible.

Donna said that we have gotten the recommendations for the type of plants we are going to purchase for the Stonebrook entrance, and that about the time the latest storm hit, that work had been about to happen. Donna said she was glad progress had been made, insofar as choosing the plants, but she was disappointed it has not been done yet. Because of the extensive tree damage, the crew that was supposed to work on that entrance has had to work on downed trees and related clean-up problems from the storm damage. She said she understood the Stonebrook residents' dismay at yet more delays to their entrance.

Donna asked for an update on the handrails at the pool endeavor, and Dawn said that she had confirmed with the company we'd received a bid from that they would honor the price they gave us last year. Also, she said she has left a message with another company to come out to give us a bid, but she has yet to hear back from them.

7 NEW BUSINESS

Donna introduced the question we were to discuss at our June meeting, but did not because there was no quorum. Are we going to fine a resident for not asking for his roof replacement? She said she has received 11 complaints about this roof, for which he did not ask for approval. The resident said he is new and did not know he had to ask. Ken made the decision to let the resident have a pass on a fine, since the roof looks okay to him, and was not that different from the original. Other residents have not asked for permission and were not fined because their new roof complied with our rules.

Donna displayed photos of the Ridge bridge railing that was destroyed when a large tree from the City's easement crashed down on it. Ken said he wondered if the City might be willing to help us out with that, and Dawn said she would check.

Ken wondered if we may have to do a special assessment to cover tree costs, they were getting so high. Ron said he would oppose that idea. No one, including Ken, felt like we should do that, and that we would hold off that thought until we see if the raise in dues will help us have more to put aside for our reserve account. Ken said he's hoping these tree costs won't keep on being so high every year so we can build our savings back up. Ron said we aren't in the red yet, so we can hold off on that.

8 MISCELLANEOUS NON-ACTION ITEMS

Ken said we have a problem with a backflow valve which is leaking at the main entrance, and Hugo is supposed to come work on that, along with several other problems, including one on the greenbelt near the green towers. The meter is off on that one. Ken said the rain has really helped us with the watering since that meter is off and not watering right now.

Ken said he had TruGreen come do another drive-through and they found some areas they needed to take care of that had been missed.

The board discussed the appeal of the ACC's decision the resident came to speak to us about. The board believed that the ACC had made the correct response and upheld the ACC's decision to deny the resident's request to cover/paint/mask/color/change the stone, grout, and brick on his home. At any time before the house was purchased, the resident could have asked if it would be possible to change the color of the already-approved-at-the-time-of-construction home. Donna said potential buyers often ask her if they would be allowed to do certain things.

There was a discussion that it is not a matter of denying the appearance that would be the result of the whitewash, or glaze or color, it was more the change from the originally approved construction materials. And, it was mentioned that the resident's description of a "distressed" look would be a result, and that was not a "harmonious look" with our neighborhood, as required by the covenants.

It was noted that no homes in our community have ever been given approval to alter the brick/stone/grout from the original time of construction. Ken said there was one exception, in Broadmoore, but the decision was made over twenty years ago, and it was approved before construction began. The two homes' owners who have painted their brick acted without approval and were fined.

The board believed the ACC acted in good faith. The ACC does not have to provide a reason for denying a request. The board further discussed our covenants and it was said that once this covering was applied, it could not be reversed. Ron made the motion to deny the appeal, and also, he underscored that we are not fining him for his roof that was installed without permission. Chris seconded this motion. The board voted unanimously to deny the resident's appeal and uphold the ACC's carefully considered response.

9 VISITOR COMMENTS

At this time, our visitors had departed. No further comments were made.

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ADJOURNMENT

Ken made the motion to adjourn; Jon seconded the motion. The meeting was adjourned at 7:32 PM

Respectfully submitted,

Ronald D. Stutes
Secretary