

## Mission Trace Homeowners Association

11333 Mission Trace Clubhouse

### Board of Directors Monthly Meeting Minutes

October 17, 2024

Position	Present	Absent
President	Bob Ray	
Vice President	Suzanne Elliott	
Secretary	Sonja Coderre	
Treasurer	Barrett Schultz	
Amenities	Diqui LaPenta	
Community Relations	Janet Riley	
Controlled Access	Dan Johnson	
Engineering/Architecture Compliance & Home Maintenance	Victor Gonzalez	
Grounds	Maria Karlis	
Office Manager	Ernest Ulibarri	

#### Executive Session

President Bob Ray called the meeting to order at 6:37 p.m. A quorum was established. All Board members present.

Ray is concerned that 90 day delinquent accounts need to be attended to to recover dues owed to the HOA. Demand for payment letters are to be sent out by Ernest Ulibarri and he may sign as Office Manager. This letter should be sent via email and Certified USPS mail. Barrett Schultz is to provide the list of 90 day delinquencies to Ulibarri for reference. Schultz noted there are currently 18 accounts in the 90-days-late category.

Suzanne Elliott said the HOA has a formal demand letter format leading to foreclosure on owners' properties. She suggested the HOA offer a payment plan for those that may have financial difficulties at present. Sonja Coderre said there is a demand letter template within Buildium which can help facilitate this process. However, we need a procedure for follow up on payments. Some people agree to payments and then stop paying.

It was suggested that no rentals of the clubhouse be allowed to these past due owners. Coderre said the bylaws state no pool keys and no hang tags are to be provided to these owners. It was later suggested that no new RFID tags be allowed for delinquent accounts.

Schultz said he has been working with the auditors and with the incoming assessments in addition to updating the financial statements.

Coderre has been contacted by several owners concerned that the various committees do not have a set meeting time nor openness in their process for others in the neighborhood to participate. Maria Karlis said a set time is difficult because of job commitments and the various volunteers. This is a voluntary commitment from board members and therefore we may not always be available when others would like.

Schultz voiced concern about expenditures being committed to by the board. He said he would distribute the overall budget to all the board members for their reference.

Executive session adjourned at 6:56 p.m.



### **Open Session:**

President Bob Ray called the meeting to order at 7:00 p.m. Ray introduced board members in attendance and established a quorum.

Ray noted the Office Manager, Ernest Ulibarri, would be available in the clubhouse office on Monday, Wednesday, and Friday afternoon for the residents.

Minutes from the September 2024 Board Meeting were approved as written with a motion from Victor Gonzalez and a second from Janet Riley.

Ray said that, to the best of his knowledge, there were no decisions made by the board since the last meeting.

The Pond Report discussion is the primary focus of the meeting this evening.

### **Officer and Committee Reports:**

**President – Bob Ray:** Ray said he continues to make regular rounds of the property daily and hopes residents are beginning to see the improvements being made in the neighborhood.

**Vice President – Suzanne Elliott:** Elliot said the board approved an initial \$1,700.00 for repair of the shed on the western edge of the property. It will require approximately an additional \$5,000 to complete the repairs. Elliott said she believes the building is worth saving rather than replacing. No final decision was made on this issue. Additionally, she has been reviewing the Pond Report and has additional comments to present on this topic when it is discussed later in the meeting.

**Secretary – Sonja Coderre:** Coderre said she has been working with Ulibarri gathering documentation for the Buildium application to begin to modernize and streamline the administrative process. This will help expedite the approval process and hopefully reduce the administrative costs associated with running the office.

Coderre explained Buildium is an Homeowners Association management program which helps to speed up the tasks of running the association. In addition, it is a portal for owners to facilitate their interaction with the HOA. Schultz said Buildium is also an excellent tool for accounting services and financial reporting.

**Treasurer – Barrett Schultz:** Schultz presented the financial outlook for the HOA as outlined below:

Current balances as of October 17, 2024:

- Frost Bank MMR – \$109,911.61
- Frost Bank CD – 4.67% maturing 11/09/2024 - \$207,345.63
- Broadway Bank – \$59,523.90
- Broadway Bank CD – 5.04% maturing 10/26/2024 - \$92,269.70
- Frost Bank Pond and Waterfowl Fund – \$8,250.73
- Frost Bank Pond and Waterfowl CD – 4.67% maturing 11/09/2024 - \$92,216.20

All the accounts have been reconciled in Buildium.

Schultz said we are 50% through the month with assessments and continuing to receive the quarterly dues. The HOA has approximately \$86,000 due over 122 accounts with 18 accounts which are very late with a balance of approximately \$21,000, which are of concern. He said we should have Ulibarri send demand letters to all seriously past due owners. If we get no response, then we will proceed to get attorneys involved to assist with collection of these debts.

Barrett said he has been working with the auditors to get them all the information they require and is hopeful to have the final report issued to the HOA by early next month.

There are a number of CDs maturing and Schultz suggested that we roll them over to continue getting the fixed interest rate. Elliott made a motion to roll over the Frost CD account for 90 days with a second by



LaPenta. The motion passed. Schultz made a motion to roll over the Broadway CD account with a second by Coderre. The motion passed. Schultz suggested we also roll over the Waterfowl CD fund at maturity with Pond Committee Chair, Peter Pickup concurring. Schultz made a motion to rollover the Waterfowl CD with a second from Maria Karlis. The motion passed.

Coderre asked if we could use any of the CD monies for the top three priority projects approved last month. Schultz said the cash on hand was sufficient to support that effort.

**Amenities – Diqui Lapenta:** LaPenta said she has been gathering alternate cost proposals for the pool maintenance contract. She received a bid at half the cost of the current vendor, which is approximately \$1,500 per month. The current contract is visitation three times per month year-round if the pool is open or not; and requires a 90-day notice of termination. LaPenta said she would contact the current vendor to see if they would consider lowering their price. Ray suggested if they do not, she should notify them of the HOA's 90-day intent to terminate. He suggested LaPenta request a one-year contract with the lower-cost vendor with a 30-day notice of termination. A motion was made by LaPenta to terminate the current pool contract, if necessary, and negotiate a new contract as described above with a second by Coderre. The motion passed.

Ray asked the board about their thoughts on closing the pool. LaPenta said the weather is still very warm, and the pool is still being used.

Maria Karlis asked who cleans the pool restrooms. They are very dirty at present. LaPenta noted that OCD Cleaners comes as requested at a fee of \$162.00 per visit, for the pool area as well as the clubhouse. *(Post note: OCD Cleaners were scheduled to clean pool restrooms and clubhouse on October 25<sup>th</sup>.)*

**Community Relations – Janet Riley:** The Halloween Party is scheduled for Sunday October 27<sup>th</sup>; however, with no response to this event, it may need to be cancelled. We will continue to send out notices to see if there is any interest.

Riley said she is also coordinating the upcoming Christmas Party scheduled for December 7<sup>th</sup>. It was a big success last year. There will be heavy hors d'oeuvres and vegetarian options as well. Riley requested a \$1,000 downpayment for the Christmas party food service vendor who provided the food last year. Riley then made a motion to pay the food vendor \$1,000 to purchase food and service items for the party with a second from Coderre. The motion passed.

**Controlled Access – Dan Johnson:** Johnson said he has not yet heard from the attorneys on the parking rule changes, towing procedures, and fines. He said that, if indeed, the HOA tows a vehicle, we need to have a clear procedure for notifying the owners.

Johnson said he has been traveling and, therefore, has made no progress on the surveillance issues.

An owner said he has been keeping an eye on the surrounding north and south perimeter approximately two- to three-times a month. Aside from some small debris and graffiti, he's noted no real issues. He said he wished to keep doing this unless there were concerns from the board. The board had no issues with his continued surveillance.

**Grounds – Maria Karlis:** Karlis said the weather has been too hot to begin new plantings. She is hopeful this may begin soon and see an improvement in the landscaping. Otherwise, the landscape contractor is continuing to provide good service.

**Engineering / Architectural Compliance / Home Maintenance – Victor Gonzalez:** Gonzalez said he followed-up with a letter to the owner of 11367 Open Meadow regarding the trash (on common ground) and maintenance issues of concern to the HOA. Ray said he taped the same letter to the garage door and that it is still there - the tenant has not picked it up. Gonzalez said the letter states they have two weeks to attend to the issues or the HOA will hire someone and charge the costs to the owner.

Gonzalez said he received no response from the owner of 11421 Mission Trace regarding the failing entry walkway, stairs, and railings. Ray suggested installing a temporary chain across the railing to prohibit access to this potentially dangerous fall hazard. Coderre said that indicated a potential liability concern if



no one repairs this problem. Elliot asked if there was a possibility for a much simpler solution to solve the entry area without reinstalling the stairs and railings? She suggested simply removing the damaged stairs and railings completely, thereby not allowing access to the front door of the home but not hindering access through the garage. Riley made a motion to remove the stairs and railings from the street to the front door. Second by Gonzalez. There was some discussion about the legality of this action. The motion was amended to include consultation with an attorney for this removal and if the attorney agrees, the HOA will send a letter to the owner and then remove this entry area. The motion passed.

Gonzalez said he is clarifying the proposals for lighting repairs, approved at the last meeting, to verify controls and switches are included in the proposal. The proposal needs further clarification before proceeding.

**HOA Bylaws:** Ray said there has been some confusion on the bylaws amendment discussed at the last meeting. He said the 2023-2024 Board established a Bylaws Committee which developed proposed changes to the Bylaws, but these revisions were never formally approved. A photocopy of these proposed bylaws were distributed to all board members with proposed changes highlighted on the last page. Ray requested the board read and be prepared to discuss these changes at the next monthly meeting. He said his intent is to have the proposed changes published for all owners to review, and then formally adopt them after further discussion. He asked Ulibarri to scan and send a digital copy of the document to the board members. An owner said the previous board had sent this document to an attorney for their review and received 17 pages of comments back from the attorney. Ray said he had also sent this to the attorney for further review. Elliot said she believes the 17 pages received were a template and not direct comments on the bylaws submission. An owner and previous board member said the attorney's response was on the current Texas Property Code. Ray said the bylaws govern board procedures and not the covenants and restrictions in response to an inquiry about bylaw content. This discussion will be continued at the November meeting.

Ray said someone who was not authorized to do so, added water to the pond last night. No one knows who did this and, so far, no one has come forward. He said this action will probably cost the HOA \$3K - \$5K. The board then discussed adding a valve lock to this pond control valve/faucet. It was suggested the HOA include a lock to the pool water control valve, as well, since unknown actors had left pool water funning to overflow in the recent months. Coderre made a motion to add locks to these two locations with a second from Elliott. The motion passed. Gonzalez said he would begin looking into the types of locks needed for these locations. LaPenta said she purchased a lock for the pool but had not installed it yet.

**Pond Report:** Ray said the Pond Report was distributed at the last meeting and hoped everyone had reviewed it. He commented on the hard work of the Pond & Waterfowl Committee in developing the report and acknowledged their accomplishments. Ray said it was his intent to distribute this report to the entire HOA for their review as well. Ray opened the floor for discussion. Johnson suggested that all options for rehabilitation include the proposed water and silt catch at the entry to the pond, not just one option as currently shown. Schultz asked what the intended funding goal is for this proposal – was it the intent of the HOA to fund this? Ray responded that the preliminary strategy is for the total project cost to be approximately \$300,000, funded by the \$100K donation which began this project; another \$100K from other potential individual donors; and the last \$100K from HOA funds. He also said that it was not the intent of this effort to solicit a special assessment from the owners for this project. Riley said the generous \$100K donation was limited to beautification improvements and not repairs or rehabilitation. Schultz was concerned that there are many needs in the community and that this project needs to be prioritized, along with all the other needs, including the roads which are in great need of repair. Karlis made a motion that the board support the Pond Report and the effort to restore the pond to its former beauty with a second from Johnson. Elliot asked if the \$100K donation made this project a top priority? She said she too thinks the board needs to consider all of the needs in the community, including all of the infrastructure, prior to proceeding with the pond redevelopment – the pond needs to be considered in the context of the whole list of community needs. Peter Pickup from the Pond Committee said the Pond Report is conceptual in



nature as are the cost proposals. He asked the board to approve the concept and support the project. Coderre said, securing \$100K from community donations would be difficult as some will want to contribute and some will not. How do we control that process? The Karlis motion was amended to send the report to the community at large with a question to the owners: Do you or do you not support the Pond Report document? LaPenta said she could not support it, at this time, because she was unsure what the board was actually committing to. Coderre said she loves the vision presented in the report and learned a lot from it, but she wishes to share it with the community first. Elliott said she supports it as a "living document," but not the costs associated with it. Gonzalez said the board is already supporting the project and we should simply send out the report to the owners. Pickup again said the report is still a concept, and with the board's approval, the committee will have the confidence to pursue the concept. Pickup then requested a commitment from the board for \$100K, saying with that support, we can then reach out to individuals who are willing to contribute to the project to reach our goal. Schultz said the board is here to protect the residents of this community and needs their guidance before proceeding with any monetary support. Schultz said he agreed with the word earlier describing the report as a "living document." He also suggested the committee get people motivated and excited about the project, but, at this time, does not support a \$100K commitment from the board. Minton Newman from the Pond Committee said this is the most valuable asset in the neighborhood for sheer image quality, that it has been 25 years since there has been any maintenance on this pond, and that \$100k was spent on it in 1997. He reiterated the intent of this project is not to levy a special assessment. Ray said that, at this time, we are simply discussing issuing the report to the residents. Schultz suggested that we gather community support at an event to discuss the project and owner comments. Ray said we will have a special meeting on this topic in November which will be separate from the November 19th board meeting. Karlis amended her motion to state the HOA would match donations given, up to \$100K. Elliott said, again, her concern was for potential scope-creep with too many unknowns at this point, and therefore an unknown true cost of the project. An owner suggested that the board simply send out the report and some will read it and understand it. Schultz suggested that we may be able to take steps forward without a commitment of the \$100K at this point. Karlis amended her motion to state the board would send the report to the owners for their review. Riley seconded. The motion passed. It was decided to have a Pond Meeting on Tuesday, November 12<sup>th</sup> in the clubhouse to present the report to the community and hear what the owners have to say before any decisions are made. The specific time of the meeting will be determined at a later date.

#### **Homeowners Forum:**

There were no further comments from the floor.

Motion to adjourn was made by Schultz, with a second by Riley. The meeting was adjourned at 9:06 p.m.

Meeting Minutes were \_\_\_\_\_