

# Park Glen Neighborhood Association

## PGNA Board Meeting Minutes for October 13, 2015

Longhorn Activity Center, Ft Worth, Texas, 7pm

Final – as Approved  
by the PGNA Board  
11/10/2015

- 1) Meeting was called to order at 7:05 pm. Roll Call – Those present: Kevin Hammack, Russell Zwerg, Susan Kenney, Barry Bryan, Bonnie Hoke, Sterling Rice. Jack Webb was absent. Jack Webb arrived at 7:17 pm. Jennifer Martinez, our Property Manager with Real Manage was present. Bonnie left at 8:50 pm.
- 2) Proof of Notice of meeting or waiver – Kevin said meeting was posted.
- 3) Notice of Records of meetings – Kevin said that we are recording the meeting
- 4) Reading of Minutes of preceding meeting  
**Barry made a motion to accept Minutes from September 8, 2015. Russell seconded the motion. The motion passed unanimously.**
- 5) Board Member Reports
  - a. President
    - i. Kevin said the annual meeting went well and said annual meeting presentation is on website.
    - ii. At the Second Dive in Movie we had about 70 people. It seemed a big hit with families that showed up.
    - iii. Resident Kyle Jenson organized and hosted National Night Out Block Party on Oct. 6<sup>th</sup>.
    - iv. Mayor’s Rolling Town Hall had about 52 people. Kevin said he heard it went well.
    - v. PID6 Update: Pid6 replaced their contractor who was Brickman. Sean Vrana explained how bad her fence is behind her house along Redwood Trail. Russell showed a letter sent this afternoon by the management company of the PID to the Board about how the PID6 has changed their landscape contractor and explaining some plans for fences. There was a lot of discussion of the PID6 not maintaining the fences sufficiently. Next PID6 meeting is October 29<sup>th</sup> at the Frost Bank Building on 2<sup>nd</sup> floor.
  - b. Vice President/ Treasurer
    - i. Russell went over the mailboxes. 7958 Grand Teton mail box was rebuilt for \$850. 8064 Gila Bend mail box was also fixed on the sides for \$150.
    - ii. On Sept. 11, we were served with notice of lawsuit brought on us by former Management Company, PMS. They are claiming a total of \$290,329.02. Russell went over the components of the claim. We feel strongly about our position, but worst case, if we lose we could also have to pay their attorney fees. Russell said our attorney fees would be maxed at \$10,000, because of our insurance.
    - iii. Legislative update – explained items that HOA can’t prohibit as of 2011. Russell went over other items that can’t be prohibited, such as xeriscaping, which we can have guidelines for.
    - iv. Pending Questions to Lawyer
      - CCR Unification & Updating through Bulletins – Russell asked how much authority do we have to change, he hasn’t heard back yet.
      - Legal ability to regulate street parking – initially attorney said we cannot regulate. Russell said we are going to look into more.

- Former Homeowner Balances in Accounts receivable – Attorney said there’s nothing we can do, we don’t have power of putting on a lien.
  - Fining Policy – Attorney said that we have no authority to fine. In 2010 Board established a fine system. Attorney said in place of fining, we could take them to court or get an injunction. Kevin said we are going to get another attorney opinion.
- c. Secretary
  - d. Directors – Barry said that during the Turkey Trot, the United Alliance Methodist Church would like to join with our HOA to do a food collection and also include the Holiday in the Park for the food drive.
- 6) Property Managers report - Jennifer Martinez said they’re trying to get everybody’s accounts situated. They are dealing with violations in neighborhood. She said that if you see anything unsightly to call them.
- 7) Reports of Committees
- a. Architectural Control Committee (Cecilia Shilling) – Cecilia said that they had 6 submittals last month and all were approved.
  - b. Communications (Dana Hammack)
    - i. Park Glen Website/Social Media
    - ii. Park Glen Connections Newsletter – deadlines are earlier now because of holiday schedule
  - c. Social (upcoming events)
    - i. Turkey Trot (Nov. 26<sup>th</sup>) - #7 on slide was chosen for turkey trot logo. Russell said that we are not planning to do a food drive at the Turkey Trot but will at the two December events.
    - ii. Holiday in the Park (Dec. 5<sup>th</sup>) – we have a Santa who is a resident, there is a trackless train reserved, venue has changed to corner of Glen Springs and Rushmore, Dana is going to try to get crafters
    - iii. Polar Express Night (Dec. 19<sup>th</sup>) – will be at United Alliance Methodist Church, the movie Polar Express will be shown, will have hot chocolate
  - d. Hospitality (new homeowner greetings – Dana Hammack)
  - e. Development (Susan Kenney)
- 8) Unfinished Business
- 9) Financials (Russell) – August - Russell showed slides showing our balance sheet and income statement.
- 10) New Business
- a. Covenant Enforcement etc.- this was not discussed because of short time left for meeting
  - b. Options for Decisions on Accounts Receivable/Waiver Requests that come up.

**Russell made a motion: The Board authorizes the President (or Vice President, in his or her absence) to grant one enforcement extension of up to 30 days on each violation for good reason on a case-by-case basis and report all extensions to the Board at least monthly. The Board as a whole must authorize any extension beyond 30 days. The Board may rescind this authority at any time.**

**Barry seconded the motion.** There was discussion. **Motion passed unanimously.**

**Russell made a motion that the Board authorizes the Treasurer (or President, in his or her absence) to grant a waiver of up to \$50 per homeowner account per 12-month period for good reason on a case-by-case basis and report all waivers to the Board at least monthly. The Board as a whole must authorize any waiver, write-**

**off, or adjustment beyond \$50 per homeowner account in a 12-month period. The Board may rescind this authority at any time. Barry seconded the motion.**

There was discussion. Russell explained that this has come up because of some situations where a property owner came up to him saying that he/she was charged a \$15 fee several years ago when he had paid his assessment on time, but the management company posted it late. **Motion passed unanimously.**

**Susan made a motion that Russell Zwerg be reimbursed \$438.74 for the expenses he incurred and purchases made for the Association between March 27, 2015 and September 30, 2015. Sterling seconded the motion. Motion passed unanimously.**

Russell explained that we need to do an audit and discuss who to hire. Last year we did a balance only audit. Russell went over the proposals he received.

**Russell made a motion that the Association authorizes up to \$2,000 for an audit of the 9/30/15 balance sheet and 10/1/14-9/30/15 Income Statement to be done by DeVolt & Company of Dallas, in accordance with their 9/22/15 proposal. Barry seconded the motion.** There was discussion. Jennifer explained that they do a lot of HOA audits. **Motion passed unanimously.**

Barry suggested having a crossword puzzle contest in the newsletter, and the winner would get a gift card. If there are multiple winners, then they would have to have a raffle among winners. This could help teach things about neighborhood.

**Russell moved that we approve a prize for winners of crossword puzzles in the next 3 months of newsletters with a prize of \$50 per month chosen at random from the correct responses. Jack seconded the motion. Motion passed 5 to 1, with Sterling opposing motion.**

**Russell moved that we have a holiday decorating contest for each of the 13 villages with a prize of \$75 for each village. Jack seconded the motion. Motion passed unanimously.**

**Russell made a motion that TST Construction is contracted to replace the unlevel mailbox pad and rebuild the brick mailbox at 7908/7912 Rogue River at a cost of \$1,350. Barry seconded the motion. Motion passed unanimously.**

- 11) **Announcement of Actions** - Since the September 8, 2015 Board meeting, the Board:
- immediately after the 9/8 meeting, Board approved removal of trees per Project Request 15548, with the condition that a new tree having a minimum of 2 inch caliper be planted and asking (but not requiring) that the two street trees also be replaced.
  - passed a motion on September 9 "that the Association delay the due date for homeowners to pay dues for the 2015-2016 fiscal year until November 1, 2015 and forego any late fees that would have been billed in October 2015 for dues billed for the 2015-2016 fiscal year. Dues not paid by November 10, 2015 will be subject to a late fee."
  - passed a motion on September 24 "that the Association sponsor a "Polar Express" movie night for the community at Alliance United Methodist Church on the evening of December 19, 2015, to be planned and implemented by Dana Hammack. Budget for the event is \$500."

12) Next Meeting November 10, 2015 @ LAC, 7pm

13) Adjourn – **Russell made a motion to adjourn. Barry seconded the motion. The motion passed unanimously.** The meeting adjourned at 9:15 pm.

## Texas Legislative Update relating to HOA CCR's / Architectural Control

2011 laws restricted HOA's from prohibit the following items in their entirety:

- solar panels / solar energy devices
- flag displays / flagpoles,
- rain barrels / rain collection devices
- certain types of efficient roofing
- religious items

Many attorneys advise that an HOA must adopt Design Guidelines, in accordance with the limitations set forth in statute, in order to exercise some control over these items. That is why PGNA adopted Design in December 2011 and filed them in March 2012. These guidelines are now part of our "bulletins" published on our website.

Additional Texas laws have been passed that do not allow HOA's to wholesale or even effectively prohibit:

- Standby electric generators (2015 law)
- Composting vegetation, including grass clippings, leaves, or brush, or leaving grass clippings uncollected on grass (2011)
- Implementing efficient irrigation systems, including underground drip or other drip systems (2011)
- Xeriscaping / drought-resistant landscaping / water-conserving turf (2013)

We can only exercise some control over these items, and we should adopt, publish, and file Design Guidelines that are in accordance with the limitations set forth in statute.

For example, regarding generators, we may require (but only if we publish and file the requirements) that:

- all electric, plumbing and fuel line connections must be installed by licensed contractors;
- generator, electric and fuel lines must be installed in accordance with applicable governmental health, safety and electrical and building codes;
- generator shall not be used to generate all or substantially all of the electrical power to a residence;
- shall not be installed on property owned or maintained by Association;
- must be screened if: (a) visible from street facing the dwelling; (b) visible from adjoining common area or adjoining residence if located in an unfenced side or rear yard; or (c) visible through the fence from adjoining common area or adjoining residence if located in a side or rear yard with wrought-iron or aluminum fencing;
- location of generator can be regulated somewhat;
- ACC must approve, within the limitations set by statute.

Regarding drought-resistant landscaping, HOAs are still permitted to require preliminary plan approval of new xeriscaping plans, but the Association must be "reasonable" and the ability to reject plans including xeriscaping is limited.

We should get legal advice on laws that have been passed that we have not yet addressed, then develop and approve guidelines that are in compliance with these laws.

Park Glen Neighborhood Association <b>Balance Sheets</b>	9/30/2014	6/30/2015	7/31/2015	8/31/2015	August Notes
<b><u>ASSETS</u></b>					
Legend Bank-Checking Account	\$ 59,642.90	\$ 186,778.00	\$ 247,180.08	\$ 246,588.58	
BB&T Bank-Checking Account	\$ 127,848.64	\$ 134,798.00	\$ 77.76	\$ -	Closed BBT Account on 8/3/15
Union Bank-Checking Account		\$ 45,691.00	\$ 95,395.81	\$ 95,145.12	
Legend Bank-CD #613	\$ 117,528.26	\$ -	\$ -	\$ -	
Legend Bank-CD #625	\$ 56,497.13	\$ -	\$ -	\$ -	
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<b>TOTAL IN BANK</b>	<b>\$ 361,516.93</b>	<b>\$ 367,267.00</b>	<b>\$ 342,653.65</b>	<b>\$ 341,733.70</b>	
Accounts Receivable-Member Accts	\$ 247,484.59	\$ 207,821.00	\$ 204,046.68	\$ 196,806.46	late entry to July to incr by \$6.21 from \$204,040 previously reported probably need to write these off; asking for legal advice
Accts Receiv-Former Homeowners		\$ 36,963.85	\$ 36,963.33	\$ 36,963.54	
Bad Debt Allowance	\$ (226,487.00)	\$ (219,085.58)	\$ (219,087.46)	\$ (219,087.46)	
Accum Pymt Plan Inc Reserve	\$ -	\$ -	\$ -	\$ -	
Accum Late Fee Inc Reserve	\$ -	\$ -	\$ -	\$ -	
Accounts Receivable-Other		\$ -	\$ -	\$ -	
Prepaid Insurance	\$ 6,853.49	\$ 1,443.00	\$ 7,948.83	\$ 12,522.15	Will be expensed over the term of the policies
Prepaid Expenses	\$ 915.00	\$ 3,408.88	\$ 3,908.88	\$ 580.00	\$500 deposit to Race Chip for TT; \$80 for Sep Mtgs at LAC
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<b>TOTAL OTHER CURRENT ASSETS</b>	<b>\$ 28,766.08</b>	<b>\$ 30,551.15</b>	<b>\$ 33,780.26</b>	<b>\$ 27,784.69</b>	
<b>TOTAL ASSETS</b>	<b>\$ 390,283.01</b>	<b>\$ 397,818.15</b>	<b>\$ 376,433.91</b>	<b>\$ 369,518.39</b>	
<b><u>LIABILITIES</u></b>					
Accounts Payable & Oth Accrued Exp	\$ 14,682.03	\$ 32,646.00	\$ 30,167.28	\$ 31,041.73	includes \$29,302 potentially payable to former mgmt co. Will be taken as income over the fiscal year; one month remaining
Deferred Assessments Income	\$ -	\$ 54,747.00	\$ 36,498.00	\$ 18,249.00	
Prepaid Owner Assessments	\$ 123,294.25	\$ 7,009.00	\$ 7,980.43	\$ 11,864.49	
Prepaid by Former Owners		\$ 1,356.85	\$ 1,356.85	\$ 1,357.06	needs to be refunded or turned over to the state as unclaimed funds
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<b>TOTAL LIABILITIES</b>	<b>\$ 137,976.28</b>	<b>\$ 95,758.85</b>	<b>\$ 76,002.56</b>	<b>\$ 62,512.28</b>	
<b><u>ACCUMULATED SURPLUS</u></b>					
Surplus / (Deficit) thru Prior Year	\$ 450,136.32	\$ 252,306.73	\$ 252,306.73	\$ 252,306.73	
Current YTD Net Surplus / (Deficit)	\$ (197,829.59)	\$ 49,752.57	\$ 48,124.62	\$ 54,699.38	
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<b>TOTAL ACCUMULATED SURPLUS</b>	<b>\$ 252,306.73</b>	<b>\$ 302,059.30</b>	<b>\$ 300,431.35</b>	<b>\$ 307,006.11</b>	
<b>TOTAL LIABILITIES &amp; SURPLUS</b>	<b>\$ 390,283.01</b>	<b>\$ 397,818.15</b>	<b>\$ 376,433.91</b>	<b>\$ 369,518.39</b>	

Park Glen Neighborhood Association <b>Income Statements</b> (fiscal years are October thru September)	2014-2015 Budget Accepted 10/21/14	Prorated Monthly Budget (1/12th of the Annual Budget)	Jun-15	Jul-15	Aug-15	Fiscal Year-to- Date (11 Months) 10/1/14-8/31/15	Prorated 11- Month Budget (11/12ths of the Annual Budget)	August Notes
Assessment Income	\$ 218,988.00	\$ 18,249.00	\$ 18,249.00	\$ 18,286.83	\$ 18,224.12	\$ 200,751.95	\$ 200,739.00	late \$6.21 entry to July, incr from \$18,280.62 previous to \$18,286.83
Late Fee Income	\$ 40,000.00	\$ 3,333.33	\$ 14,837.33			\$ 46,114.74	\$ 36,666.67	
Legal Fees Reimbursement	\$ 15,000.00	\$ 1,250.00	\$ 1,321.87			\$ -	\$ 13,750.00	
Letter Fees Reimbursement	\$ 1,500.00	\$ 125.00				\$ 2,527.03	\$ 1,375.00	
Payment Plan Fees	\$ 750.00	\$ 62.50	\$ 70.00			\$ 75.00	\$ 687.50	
Collection Fees Reimbursement	\$ -	\$ -				\$ -	\$ -	
Credit Card Fees Reimb	\$ 1,000.00	\$ 83.33				\$ 1,364.00	\$ 916.67	
Interest on Receivables	\$ 10,000.00	\$ 833.33	\$ 4,052.90			\$ 6,631.69	\$ 9,166.67	
Returned Item Fee Reimb	\$ -	\$ -				\$ 35.00	\$ -	
Forced Maintenance Reimb	\$ 1,000.00	\$ 83.33	\$ 81.19			\$ -	\$ 916.67	
Fines and Violations	\$ 8,000.00	\$ 666.67	\$ 2,852.73			\$ 4,140.35	\$ 7,333.33	
Interest Income	\$ 700.00	\$ 58.33	\$ 4.99	\$ 3.82		\$ 530.40	\$ 641.67	
Social Event Income	\$ 10,000.00	\$ 833.33		\$ 445.00		\$ 14,525.00	\$ 9,166.67	
<b>Total Income</b>	<b>\$ 306,938.00</b>	<b>\$ 25,578.17</b>	<b>\$ 41,470.01</b>	<b>\$ 18,735.65</b>	<b>\$ 18,224.12</b>	<b>\$ 276,695.16</b>	<b>\$ 281,359.83</b>	
Management Fees	\$ 115,466.40	\$ 9,622.20	\$ 2,800.00	\$ 2,300.00	\$ 4,340.20	\$ 86,438.60	\$ 105,844.20	\$4300 Contract + \$40.20 Vendor Letters
Accounting / Audit	\$ 9,000.00	\$ 750.00				\$ 8,280.00	\$ 8,250.00	
Collection Fees to Mgmt Co.	\$ 40,000.00	\$ 3,333.33	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 40,213.72	\$ 36,666.67	
Legal Fees-Collections	\$ 16,000.00	\$ 1,333.33				\$ 150.00	\$ 14,666.67	
Legal Fees-Non Collection	\$ 16,000.00	\$ 1,333.33		\$ 244.39	\$ 1,713.01	\$ 6,025.64	\$ 14,666.67	\$595.76 Pulman,Cappuccio-July, \$838.75 Pulman-Aug, \$278.50-HOAF
Consulting / Professional Fees	\$ 5,600.00	\$ 466.67	\$ 75.00	\$ 3,400.20		\$ 3,475.20	\$ 5,133.33	
Bank & Credit Card Fees	\$ 5,800.00	\$ 483.33	\$ 14.69	\$ 15.00	\$ 24.00	\$ 1,981.09	\$ 5,316.67	\$37 to close BBT, -\$13 correction
Postage & Courier	\$ 3,000.00	\$ 250.00			\$ 462.00	\$ 2,316.43	\$ 2,750.00	\$462 Postage on Violation Ltrs
Insurance	\$ 7,214.00	\$ 601.17	\$ 615.45	\$ 1,116.17	\$ 1,108.68	\$ 7,735.34	\$ 6,612.83	
Dues & Subscriptions	\$ -	\$ -				\$ 35.00	\$ -	
Office Supplies	\$ 100.00	\$ 8.33				\$ 433.51	\$ 91.67	
Board & Community Meetings	\$ 600.00	\$ 50.00			\$ 367.50	\$ 1,654.06	\$ 550.00	\$40 Jun Mtg, \$40 Jul, \$40 Aug; \$247.50 Vote Now signs
Website	\$ -	\$ -				\$ 4,500.00	\$ -	
Printing & Reproduction	\$ 3,000.00	\$ 250.00		\$ 91.80		\$ 2,893.12	\$ 2,750.00	
Property Taxes	\$ 100.00	\$ 8.33				\$ -	\$ 91.67	
Payment Plan Income Reserve	\$ -	\$ -				\$ -	\$ -	
Late Fee Income Reserve	\$ -	\$ -				\$ -	\$ -	
Bad Debt Expense	\$ 38,285.70	\$ 3,190.48	\$ (2,363.58)		\$ 1,791.97	\$ 17,656.12	\$ 35,095.23	\$1,151.07 Foreclosures, \$352.46 Board-approved waiver, \$288.44 Misc Adj.
<b>Total Administrative Exp</b>	<b>\$ 260,166.10</b>	<b>\$ 21,680.51</b>	<b>\$ 2,641.56</b>	<b>\$ 8,667.56</b>	<b>\$ 11,307.36</b>	<b>\$ 183,787.83</b>	<b>\$ 238,485.59</b>	
Social Activities	\$ 30,000.00	\$ 2,500.00	\$ 983.29	\$ 3,254.04	\$ 250.00	\$ 23,636.73	\$ 27,500.00	\$250 to measure and certify TT Course
Scholarships/Charitable	\$ 10,000.00	\$ 833.33		\$ 7,500.00		\$ 9,500.00	\$ 9,166.67	
Hospitality	\$ -	\$ -				\$ 701.89	\$ -	
General Maint. & Repair	\$ 8,000.00	\$ 666.67	\$ 850.00	\$ 850.00		\$ 3,000.00	\$ 7,333.33	
Lawn Maint & Landscaping	\$ 1,000.00	\$ 83.33				\$ -	\$ 916.67	
Storage	\$ 1,830.00	\$ 152.50	\$ 92.00	\$ 92.00	\$ 92.00	\$ 1,364.33	\$ 1,677.50	
Licenses & Permits / Filings	\$ -	\$ -				\$ 5.00	\$ -	
<b>Total Other Expenses</b>	<b>\$ 50,830.00</b>	<b>\$ 4,235.83</b>	<b>\$ 1,925.29</b>	<b>\$ 11,696.04</b>	<b>\$ 342.00</b>	<b>\$ 38,207.95</b>	<b>\$ 46,594.17</b>	
<b>Total Expense</b>	<b>\$ 310,996.10</b>	<b>\$ 25,916.34</b>	<b>\$ 4,566.85</b>	<b>\$ 20,363.60</b>	<b>\$ 11,649.36</b>	<b>\$ 221,995.78</b>	<b>\$ 285,079.76</b>	
<b>Net Surplus / (Deficit)</b>	<b>\$ (4,058.10)</b>	<b>\$ (338.18)</b>	<b>\$ 36,903.16</b>	<b>\$ (1,627.95)</b>	<b>\$ 6,574.76</b>	<b>\$ 54,699.38</b>	<b>\$ (3,719.92)</b>	