

Timberlake Estates Property Owners Association
Quarterly Meeting Minutes
July 2, 2019

The meeting was held at the VFW # 8905 located on 290 between Huffmeister and Telge Rd. The quarterly meeting of the Board of Timberlake Estates Property Owners Association was held on July 2, 2019 at 7:00 p.m.

In Attendance:

Board members in attendance were Rasoul Saneifard, Trudy Dziadik, Dean Nichols, Jeff Helig, Janice Shreckengaust and Axel Kirchgessner. Management in attendance was Lee F. Waldheim.

Call to Order:

Having a quorum present, the meeting was called to order at 7:02 p.m.

Approval of minutes:

Reviewed and approved meeting minutes from April 2, 2019.

Reports from the Board:

YOM Report: Sallie Chambers is not present but a committee member reported that the June YOM went to Dale & Giovanna Stogsdill on Park Forest. We have someone chosen for July but have not contacted them yet. A homeowner asked why YOM was awarded to a homeowner who is not in compliance with the 40 foot set-back rule. Committee member stated that APM is called before a YOM is awarded to make sure the home does not have deed restriction violations. The homeowner stated that the fence is clearly not within the deed restriction rules based on your assessment of my fence and the set-back regulations on which you filed a law suit against me. Rasoul asked the homeowner to please stop as he is outside the agenda and this is a legal issue that should be discussed with the attorney. Board member stated that this is not a forum to air personal grievances.

Secretary Report: Trudy Dziadik stated that there is nothing new to report at this time.

Treasurer Report: Janice Shreckengaust stated that she transferred \$10 from the checking to the money market account to keep it active. Rasoul expressed gratitude to Janice for working with the bank to recover the \$178 from the fraudulent check and those funds have now finally been put back in our account. Rasoul stated that now that we have APM helping us we are in good hands and keeping close track of how we spend your money. The board is very cautious as to how the HOA money is spent.

Security Report: Rasoul stated that Patrick Traynor is not present but he said that we have not had any major issues in our subdivision. A homeowner stated that her next door neighbor had their car broken into but it was not locked. Rasoul reiterated the importance of locking your cars and looking out for your neighbors.

Lake Report: Dean Nichols stated that we brought in some dirt to the parking lot and redid it and we are bringing in more dirt to fill in a couple more spots. Dean stated that someone keeps emptying the trash and he appreciates it very much. Rasoul stated that a few weeks ago, in the heat of the day, he saw a couple of individuals working hard to clean up the volley ball court and he thanks them for doing such a fine job. Rasoul stated that we have been asked to put a boundary around the court and we are working on that. We need to purchase materials that will be safe so if someone trips over it they will not get hurt. There is also a recommendation to change the volley ball net and poles and that will be fixed as well. Rasoul stated that Dean has kept our lake looking really nice and people are coming out and enjoying it. Rasoul stated that while enjoying the lake area please keep dogs on a leash.

Communications Report: Jeff Helig stated that he sends the emails and he should be contacted if anyone has any issues or would like to be added to the email list. Jeff stated that we are at 25% complete on the directory and if anyone in the audience would like to be added to please see him. Jeff stated that on the neighborhood list after starting with nothing he now has 235 addresses, 141 emails and 72 phone numbers. He has taken 12 people off the direct mail list and put them on an emailing list which saves us between \$150-\$200 dollars a year for postage. Jeff stated that he will add an open forum section on the *Timbergram* for homeowner comments. He stated that he will put them in anonymously and unedited but will not include any slanderous statements or bad language.

Legal Report: Alex Kirchgessner stated that a lot of deed restriction letters have been going out and people have been responding and we are starting to show some change.

Texas Pride Trash Concerns: Rasoul stated that the concern is that some people are paying \$150 every quarter to pick up their trash and others are paying \$84 or \$85. Rasoul contacted the owner of Texas Pride and after 4-5 months he sent a response on June 20th which stated: "Finally able to get the correct numbers out of our system. We are serving 218 homes at an average rate of \$32.12 plus tax per month which would be about \$96-\$97 per quarter. If you are OK with this rate, we will create a price list for the community and make this effective rate across the board so everyone is paying \$32.12 per month." Rasoul stated that the board needs to discuss this and make a decision. Rasoul stated that he needs to check further on this but they may give us recycling bins as well. Rasoul stated that some may be paying more but most will be paying less. Questions were raised regarding limits of the amount of trash picked up and Rasoul will check on that. APM stated that, since they individually bill you, if you need an extra service they can add that in; like a small bin vs a larger bin. If you get a group to sign up it will be cheaper. We can get bids and the information could be sent out on email then we could make a decision at the next quarterly meeting. The homeowners would not have to sign up with any of the companies but at least they will have the information about the companies. Board member stated that we may have to have a minimum of homeowners to sign up and also asked if they would include recycling. APM stated that we will get bids with all that information so the board and homeowners can compare and make a decision. APM stated that the thing we like about Texas Pride is that they collect twice a week and collect recycling on one of those days and then on Saturday they have a heavy-duty pick-up. A question was asked about possible rate increases due to fuel price increases and APM stated that all that would be spelled out in the contract. Jeff Helig stated that he does not like this because he will pay more and he does not like Texas Pride because they have charged different rates to homeowners. Jeff stated that he has asked for comparative quotes 4 or 5 times and never got an answer. Rasoul stated that from his

recollection Jeff was supposed to get a bid and that never happened so now we have asked APM to get bids and we will go from there. A board member stated that when she called Texas Pride they're comment was that they have to make a profit. She stated that they were charging her \$136 and she has 1 trash can and it doesn't get picked up sometimes. Jeff stated that it would cost half of the neighborhood more. Rasoul stated that we do not know that and comments should be realistic. Jeff stated that he feels Texas Pride is giving us nothing in this offer and he recommends that we should tell them to go pound sand and \$93 or whatever he was getting before should be what he charges the new people. Rasoul stated that APM will get the comparison bids and then the homeowners can make a decision.

Action Management Report:

Accomplishments: Lee of APM stated that we have most of the assessment billing straightened out but please call the office if you are still having a problem. Next year things should go smoother.

Challenges: Lee of APM stated that one challenge is collections as we do have a few that are refusing to pay and we are addressing that problem. Another challenge is deed restrictions and we have seen a big improvement on that. Another challenge is to get homeowners to submit an architectural control request (ACC) before they make any changes on the house. The ACC form can be downloaded from the website and after the request is submitted to APM you will get a reply within 30 days. If the request is within the CCR's you will get an approval.

Financial Report:

Lee read and explained the financials. Deposits totaling \$676.82 were deposited into the Alliance Operating Account this month. Out of that \$456.50 was for 2018 assessment income; \$220.32 was for 2019 assessment income.

Cash on hand at the end of the month was \$115,446.88. Out of that \$19,779.05 is in the Mutual of Omaha Operating Account; \$6,977.59 is in the new FCCU Operating Account. \$88,690.24 is in the FCCU savings account.

Interest earned for Mutual of Omaha operating account was \$.95 and the FCCU money market account made \$65.27 in interest.

Miscellaneous Expenditures:

Bartley & Spears - Legal Expenses for **\$5,838.24** and Dean Nichols - Tiller Rental for **\$80.92**.

Collections:

APM has collected 91% of the 2019 assessment. There are 19 delinquent accounts on their annual assessment (s). There are 3 payment plans established, to date.

Legal:

There are zero accounts at the attorney's office for collections. There are 5 accounts at the attorney's for deed restrictions.

Deed Restrictions:

An inspection was conducted on June 14, 2019. There were 66 violations and 57 letters sent.

Architectural Control Requests:

There were 2 architectural control requests approved this month and 1 was denied pending further information.

Chair's Report: Rasoul stated that APM has done a great job helping us and the neighborhood is looking good. Rasoul stated that he never thought that he would serve on the board. He joined the board because 5 years ago he was escorted out of a board meeting by police officers when he opposed and protested the behavior of the people running the board and the way money was being spent. He came to the conclusion that they probably thought he was different and not well educated because he was foreign. Rasoul stated that he has a PHD in Electrical Engineering; he is a registered professional engineer in the State of Texas and he has a Journeyman Electrician License. As soon as I came to this country, these people opened their arms to me and allowed me to grow in this county. I was twenty years old and I came to this country after serving two years with 9 months of that in combat in a bloody war. My family thought I would be killed, but God sent me to this country and I love the American people. These people have given me opportunities like everyone else whether it was black, Hispanic or white Americans. Rasoul stated that he received an email recently attacking him personally that he is racist because he is trying to enforce deed restrictions. Rasoul stated that he does not see race and does not like racists. Rasoul stated that he has been threatened for trying to do his job and has received so many nasty emails that are calling him unethical and a liar. Rasoul stated that he runs very professional successful meetings and will continue to do so. Rasoul stated that we have good board members that are supporting the neighborhood and that their hearts are in the right place. Rasoul stated that he has been accused of lying but what did he lie about; nothing or that he is accused of being unethical. Rasoul stated but what is he unethical about; because he holds people's money in his hand or because he upholds the deed restrictions. Rasoul stated that we have to make the difficult decisions and then he is the one who has to stand up in the court of law and defend our position as to why we have to enforce the deed restrictions. We will enforce the deed restrictions. Rasoul stated that on the way home you should go through Oak Field Drive where my house is. It is like a junk yard and every day people stop and ask me what can you do about this but when we enforce the deed restrictions then they call me racist, unethical and all sorts of other nasty things. Rasoul stated that he will defend and support his position because he is not doing anything wrong; he is not stealing anyone's money. Rasoul stated he actually spends his own money to post mail to homeowners and he has been accused of not being transparent. Rasoul stated that his email address is rsaneifard@hotmail.com and his phone number is 832-335-2153. Rasoul stated that he didn't allow his information to be on the *Timbergram* because of the safety and security of him and his wife. Rasoul stated that he does not want his information to be on the public domain but you can call him or his wife anytime. You can call his wife and she can get access to me right away. Rasoul stated that this is our neighborhood. Look at the subdivision the last 2 years and compare it to the last 10-15 years. We have a neighbor whose house is full of junk and they say we were sued in the past and we have settled the case but what happened after you settled the case. Go down there on Timberlake and look at it. Our subdivision is becoming commercial; people are running businesses. That is why we have to make difficult decisions and why we have to spend our money to defend our position. People were not paying their assessment fees but thanks to APM we have been able to collect 91% of the assessment fees. When people don't pay their assessment fees it becomes

everyone's problem. Rasoul stated that if you want your neighborhood to stay as beautiful as it is we need your support. The board cannot function without your support. There are some issues that are being addressed in steps; we don't want to take the last step unless we are forced to so do. Lee of APM mentioned Architectural Control Requests (ACC) and I believe since January we have had 14 ACC's; it is improving and I am thankful for the cooperation. If you get a letter from APM please respond. APM and the board are not your enemy; we are part of the community and we want to help the neighborhood. Our by-laws and deed restrictions clearly state that you are responsible for being in compliance with the deed restrictions. The board will do it's best to uphold the deed restrictions and by-laws. Rasoul again thanked everyone for their support.

Homeowner Discussion:

Michelle Murray stated that the house on Oak Field that you were talking about; it was on the tax sale today but it was cancelled. She went to it but it was pulled at the last minutes and she stated that the trustee was not able to tell her why.

Rasoul stated that one of the Oak Field houses that was foreclosed on has a new owner that is gradually cleaning it up.

Other Business:

Board member stated that we need to add some sand to the volley ball courts and we will get some quotes.

Being that there was no further business; the meeting was adjourned at 8:00 PM.

X _____
Secretary for TEPOA