

Board Meeting

1 JULY 2024 / 5:00 - 7:00 PM

ATTENDEES

Kelly Baudat, Crystal Dietert, Larry Hope, LaRae Nelson and Linda Alves

NOTES

- **Treasurer's report: LN**
 - **Bank balance \$47,903 as of 6/27/24**
 - **Fence painting, insurance and mowing paid**
 - **2024 dues YTD = 9 unpaid / \$3,350 accounts receivable grand total**
 - **past due notices will no longer be sent to residents**
 - **Insurance for Director Errors and Omissions Insurance rebid - staying with Travelers Insurance (and paid renewal).**
- **Facebook - Riverwood Hempstead TX - private group page for current residents / owners only. If a person does not currently live here, they no longer belong on this page. LN & CD to review and edit membership accordingly. (ref: Meeting minutes Dec 2023)**
- **[REDACTED] - LN & CD working with owner/investors on this property. 2024 lot fee paid only. Lawn will be mowed soon. LN will provide an email address for directory update. Per CD, property status undecided, might be demolished - roof is partially open, home in horrendous condition. Current owner/investors apparently took ownership via a complex transaction involving probate in Jan 2024.**
 - **LA commented a future focus by the HOA on deed restriction enforcement once dedicatory docs are repaired would be good. Nothing crazy or heavy handed, just need to stop homes from deteriorating so badly. LN added that she heard about an abandoned house in Cochran that was recently cleared of squatters.**
- **KB secured a quote from Red Robin fencing to add metal post guards. \$1500 to install, including materials? KB will clarify. OK to proceed with work?**

- **Vote: Does the Board want to proceed with finishing the fence work and contract Red Robin to install post guards?**
 - **Yes: KB, LN, CD & LH / Abstain: LA**
- **Legal: Lambright & McKee**
 - **KB & LN last Thursday had a surprise Zoom call with Casey Lambright & Shawn McKee:**
 - **Per LN, the Zoom call discussion covered liens, management certificate, collections policy, and breakdown of costs/billing.**
 - **Questions sent by KB on 6/26/24:**
 - **Do we need to file liens to ensure the monies get paid? recently a property sold without our knowledge (foreclosure?) and we did not get paid for back dues.**
 - **Process for collection? We have emailed 3 notices and then what? Lien?**
 - **Are we required to offer payment plan or does the homeowner need to request?**
 - **Late fees. We currently do not have any and would like to.**
 - **What dedicatory documents are required, where do they get filed, and do they get posted on website**
 - **What is required on website?**
 - **For the mandatory items that our board needs, where do we find them in the code and when did they begin being a requirement?**
 - **With our current dedicatory documents and missing policy, liens are not possible.**
 - **Lambright & McKee recommended JellyBird HOA management / software app. LA will request info to compare with previous review of other apps (ref: Meeting Minutes May 2024)**
 - **Riverwood POA legal assessment (ref: email to all June 10)**
 - **Bylaws not filed with the county properly and have no “force and effect”. Documents (declarations and bylaws) are 40 years out of compliance, six missing mandatory policies and management certificate not filed with the county.**

- How did this happen re: bylaws not filed? LA will ask Lambright & McKee.
- Sample collection policy & fining policy circulated – these are extensive, detailed legal documents (4 – 6 pages) requiring notary.
- Vote: Does the Board want to proceed with Lambright & McKee’s recommendations to repair all of the RPOA’s legal non-compliance issues as outlined in the June 10 distributed email?
 - 5 Yes: KB, LN, CD, LN & LA
- Communications with Lambright & McKee: who will serve as liaison? KB, LN or LA? It can’t be all. Email strings get messy with multiple cc’s and replies not following in order. Information/communication needs to be streamlined through one single point. Board unanimously re-appointed LA as the single point of contact moving forward.
- Website to post dedicatory docs – a legal requirement that is needed for the “triage” phase immediately. LA will get a website established in a couple of hours with GoDaddy & relay site address to Lambright & McKee ASAP.
- Need more understanding of Phase 3 – budgetary amounts as well as how the firm will let us know about legislative changes to maintain legal compliance. (LA will confirm & advise board).
- *Dave Smith v. Riverwood Property Owners Association, Dec 2002* – Summary shared by LA about the historical review items and request for relief. Basically, Dave Smith claimed RPOA misappropriation of funds for the maintenance of fence that was located on private property, failure to provide a management certificate, breach of fiduciary duty, failure to allow an examination of the books and records for the RPOA, etc.
- Communications with residents / owners
 - Per Texas Property Code 209, all meetings should be open. Lambright & McKee confirmed this by email dated June 28 and info relayed to all board members.
 - KB, LN, CD & LH felt that all communications with residents / owners can wait until September’s regular annual meeting.

- KB suggested future board meetings could be held at Classic Events Cafe meeting space should a resident choose to join.
- Post (redacted) meeting minutes on the website? LA has seen this done on other HOA websites – will reconfirm w/ legal and report back to board members. Would this catch us up to code?
- Continuity plan for RPOA
 - LA will prepare comparisons: HOA software vs. management company to review future options. (ref: Meeting Minutes May 2024)
- Next meeting? TBD