

## CLHPOA ANNUAL MEETING

July 10, 2021

**Called to Order 10:03am 7/10/2021** by President Christian called the meeting to order. Quorum was established.

The Pledge of Allegiance was said and a prayer.

In Attendance:

Casey Christian, President

Bette L Gilbert, Vice President

Cynthia M Anders, Recreation Director

Jessica H Arceneaux, Secretary

I. Minutes from 8/29/2020 read by J Arceneaux

A. **Compliance report** (B Gilbert)

BG continues the search to find replacement for RealManage.

B. **Compliance report** (B Gilbert)

30 Issues responded to since Fall 2019 (20 resolved, 10 remain OPEN)

C. **Pool Report** (B Burkhardt) - Large repairs were done in Winter 2019. New card and security monitoring system was put in place.

D. **Parks Report** (B Burkhardt)– canopy repairs done due to recent storms

E. **Treasurer's Report** (B Burkhardt)

Net decrease in cash balance; \$12,177 deficit for the year.

Report is on accrual basis.

Account Receivable up \$20,000. Per 2019 budget.

Under budget on Income and expense.

Total cash balance at end of year \$272,000.

Budget was based on LY expense and projections of TY. Most of TY bulk income has already been received due to later meeting date this year.

Deficit of \$16K

### **Motioned and Approved Minutes from 8.29.2020 Annual Meeting of 2020**

II. **Treasurer's report read by J Arceneaux**

As of May 31, 2021 - YTD financials (from Real Manage Financial Notes Report)

- Cash on Hand \$327,018
- Total Assets \$529,132
- Liabilities \$15,153
- Total Revenues \$120,140
- Total Expenses \$103,639
- Net Surplus \$16,502

### **Motioned and Approved the YTD Financials for JA/CC**

III. **Vice-president's report** - Bette Gilbert

A. Audit

We are required by the bylaws to have a professional audit at least once every 3 years. Audit done by Devolt and Assoc. for year ending 2020. No major discrepancies found.

B. RE: RealManage. We the board are still working to bring bookkeeping and management in-house.

1. RM not correcting issues with conveyances. 7 properties took 10 months to be resolved.
2. Every conveyance must be checked to make sure they have been established as billable or non-billable for annual assessment
3. I must identify that they have the mailing address and not using the property address
4. Check conveyances in error
5. Monthly I must check the credit balance report
6. CLHPOA pays \$850/mo. To RealManage since 2017 to maintain our property ownership records and billing. There are additional fees when they send a statement or when they sent a late notice. They also collect the buyer's and seller's conveyance fees.
7. We still have to check the Comal Cty land records to report to RM of any property transfers they do not know. Those get billed to us (POA) and then get added as Accounts Receivable on the property owners' record. The variable statements we get monthly for those fees have totals to \$25,268 for the last fiscal year. A lot is returned to us when the fees have been paid on the accounts receivable end but, in the meantime, we end up paying it. And some have not been paid. I will collect if property ever sells again.
8. Finding accounts who have not been billed.
9. Must pay constant attention to keep RealManage updating their database. RM not telling us when they get returned mail so we do not know to look for correct mailing addresses.
10. Prefer a local CPA or accountant to take over the RealManage job.

**IV. Permits report** read by Casey Christian

90 building permits issued, 30% increase over last year  
 44 were New home builds (47% increase over last year)  
 62 tree trimming permits issued. Informing residents that trees  
 A permit is needed to cut or trim trees. Mainly to protect Live Oaks. Seal branches a must.

**V. Compliance report** by Bette Gilbert

62 issues in past year (2 remain OPEN, 2 legal actions still pending, rest are Resolved or referred to Comal County and closed)

**VI. Pool and Park report** by Cynthia Anders

- A. CA and BG have been sharing the Pool Director position. We need a director.
- B. Issuing pool cards as fast as possible.
- C. We have a pool caretaker doing a great job.
- D. Pool maintenance person did not work out. New person is doing well.
- E. In process of repair pool restrooms and showers.
- F. Fotinia bushes. were trimmed around pool.
- G. Tilled sand at playground and added pre-emergent twice to get rid of sand spurs.
- H. We have added 10 yards of new Sand to playground
- I. Repaired or replaced railroad ties
- J. Painted 10 of 12 picnic tables
- K. Repaired shelters on 6 picnic tables
- L. Retained a lawn care company
- M. Planning to refurbish the Basketball court (backboard, rims and nets)
- N. Repaired the light mechanism for Tennis courts
- O. Pavilion rented 2 x in May, once in June and one scheduled for July Monthly Food Truck event starting in May.
- P. Food truck for June had 120+ guest
- Q. Upcoming food truck dates:
  - 7/16 Dam Smokin' Tacos
  - 8/20 Come and Crepe It

9/17 Rev Tex Mex

Advertised - Sign, Email, Social Media. Maybe 2 food trucks going forward.

R. **Thank you Janet Martin** - trimmed shrubbery at the entrance sign.

VII. Other business:

- A. Neighbor – asked that we use a microphone for future meetings.
- B. Do we continue advertising on the sign outside the civic club or do we just utilize MailChimp and social media?

VIII. **Budget – Bette Gilbert**

- A. Neighbor Neal Jordan – what is the additional \$60,000 in transfers sos and resale certificate in budget? BG – RealManage is getting all of that for transfer for resale and conveyances etc. That money will help us pay for extra Quickbooks or CPA help we will need.
- B. Chris Feller – Why do I have to pay that that conveyance fee? Who gets that money? MC – it costs money for people to research, login and keep the records to convey the property.
- C. Neighbor – Have y'all asked around for other property management companies? BG – past CLHPOA board had researched 5 companies in 2017 before they went with RM.
- D. BG – RM has had a hard time keeping track of our properties. Problem with not using lot numbers and used street addresses. Trouble with them conveying multiple lots, some going to new owner and some staying with old owner. BG and MC have been trying to straighten them out before we take the job back in-house.
- E. We the CLHPOA needs bookkeeping, QuickBooks help, CPA help. We need a treasurer and pool director.
- F. Roxanna Bagwell – what is optional assessment?  
BG – The POA was formed in 1982. The deed restrictions created a mandatory maintenance assessment of \$24 yearly dues per owner. “Per owner” – if you own multiple lots, your name needs to match on all the properties or you are considered different owners. In 2012, there were money issues because the deed restrictions do not have any means of increasing the \$24 yearly assessment. In lieu of closing the pool, the CLHPOA members voted to approve a \$76 voluntary special assessment to keep up with pool & park, insurance and any other expenses.
- G. Neighbor Robert Green, having an issue with RM, we have a credit them and they take the \$76 out without permission from our credit. BG – when you get your bill call them or vice president and we will adjust them. You must contact them every year to fix it. MC on the old database it was automatically \$24.
- H. Neighbor – How many lots are in CLH? BG – 2500, last number 1939. Of that we sent out 1369 statements to owners, some are double or tripled depending on how they are deeded.
- I. STRs – BG counsel that was hired in 2016 has informed us because for TX Supreme Court ruling we would not have a good chance at winning in court. We have a lot of people complaining to use that the Board is not doing anything but they don't volunteer. If you don't like the way things are being run, you can make a difference by joining the board.
- J. Rosy Cano – What is \$15,000 in misc. expenses? BG – it's the way RM keeps books. For example, page 3, Total Repair Maintenance General \$12,000. That includes our GoDaddy account for our website. That should NOT go under Repair and Maintenance but that's how RM does it. When we submit for reimbursement, the category should tell them how the record it but they are using MISC. RM is using “catchalls”.
- K. Rosy Cano - Back to STRs. CC – we currently cannot be enforcing our fines and fees due to the current TX Supreme Court Ruling. We have been advised by counsel not to pursue. CC – we have other avenues to use:
  1. Call the Sherriff
  2. Comal Cty Environmental Health dept.
  3. Sending letters to property owner
  4. Reporting to AirBnB.
- L. Sara Worsch – on our street I have gone up to owners to tell them STRs are not allowed, and they say they will sue. Why do we have to follow the rules (building or trees permits) but other people won't follow the rules. Has a petition signed by 70 people that want fairness, consistency of owners to follow the by-laws.
- M. Contact your legislators about STRs.

N. Chris Feller – I'm building 3 houses in Fredericksburg, the Commissions Court are not allowing any more AirBnBs.

O. Dan Boom – Some being told by real estate agents are misleading saying that STRs are allowed in CLH.

P. Chris Feller – In my deed restrictions, I understand that I can have a business. BG – Lakecroft only allowed certain lots to have a business. CC – Every lot could be deeded differently.

Q. **Motioned and Approved Budget – BG/CC**

**IX. Vote in new members/directors:**

Cynthia Anders –

Stephanie de Tournillon

Bette Gilbert

Wes Destin – from Houston

Barbara Stubblefield - Compliance

Sharon Cavazos would like to run for parliamentarian

William (Bill) Bingham - in process of building a house. Working in getting his permit to build. Wants to be on board.

**MOTIONED and Approved new members Cynthia Anders, Stephanie de Tournillon, Bette Gilbert, Wes Destin, Barbara Stubblefield, Sharon Cavazos and Bill Bingham to the Board BG/CC**

BG - We have space for 13 directors. We need a Compliance Director – The builders are pushing the houses to the limit on where they are building. CLH has a 5' utility easement that is from overhang not the foundation. These small lots must be checked to make sure building is compliant.

Habitat for Humanity – building in CLH. We use all new materials, follow all codes, on-site at least 20 people with house building experience. We sell the home, we do not give the home away, \$150,000-\$170,000 and with sweat equity put in by the future owner. Working Thursdays and Saturdays. 736 Hummingbird Hill, Gary is new owner.

**MOTION To Adjourn CC/JA**

**Adjourned 11:26am**