

Minutes from the 2017 Annual Meeting
7:00 pm Thursday, April 27, 2017
10407 Fireside Lane

The 2017 Annual Meeting of the Fireside Estates Property Owner Association was called to order by Paul Brown, President of the POA Committee at 7:00 pm. The meeting was held on the driveway of 10407 Fireside Lane. Notice of the meeting was mailed out and posted on the website (www.FiresideEstates.com) on March 25, 2017.

Around 40 property owners were present representing around 35 properties.
Proxies were provided and the President had the proxy of one property owner.

(Attachment #1)

The POA Committee moved:

1. To approve the minutes from the 2016 Annual meeting (Attachment #2)
Motion Carried

2. To receive the Financial Report as information. (Attachment #3)
Motion Carried

3. To elect Tim Buttz (10308 Fireside Lane) to the POA Committee.
Motion Carried

4. The members of the Hospitality Committee introduced themselves and Shellie Massengale explained their welcome package to the new property owners who move into our neighborhood. They give a case of water, a newspaper, and information on the POA.

5. Paul Brown updated updatee from the POA Committee on activities/decisions during the past year.

5.a. Signs at the entrances were painted and two were landscaped

5.b. – Lighting is now paid through POA
- Discuss Halogen vs. LED replacement lights

Motion was made by the POA Committee to support the POA Committee's decision to have TVEC replace future Mercury Vapor light bulbs with Halogen Bulbs (less cost.)

Motion Defeated

Motion was made, and supported, to have TVEC replace all the street lights with LED bulbs. Expected cost is \$100.00/bulb and \$50.00 service call. (We have 7 lights)

Motion Passed (see note on next page)

NOTE: Following the meeting we contacted TVEC and they changed their pricing to \$170.00/LED light. They also changed their policy and will now replace all burned out lights in the future with LED lights at no cost to our POA. With this new information, the POA Committee decided to have TVEC replace the one light (between 10209 and 10187 Fireside Lane) that is Halogen (yellow light) with an LED Light to allow all lights to have a white light (all look the same). We will replace the rest of the lights if we feel that there is a significant difference in the light's appearance.

- 5.c. Entrances mowing/maintenance. All property owners are to mow their whole lot (to property line/road)
Bryan Boger reported that he will be cleaning the white fence along Helms Trail.

- 5.d. The Violation Remedy Procedure (**Attachment #5**) was reviewed.

POA Committee moved to receive the Remedy Procedure as information.
Motion Passed

- 5.e. Paul Brown reviewed the top five deed restriction violations:

1. Mowing whole lot and keeping it free of debris.
2. Vehicles stored on lot (all need to be registered for street use or placed in storage building or garage.)

When a property owner sells, we will put the following on the resale certificate:

“The whole lot must be free of litter, debris, vehicles (campers, motor homes, boats, trailers, trucks, buses, RVs, & similar vehicles) prior to closing. If any such items are present after closing the buyer understands and agrees that they must bring their property into conformity to the deed restrictions within 30 days.”

3. Mailboxes need to be masonry or antique metal. [Restrictions D.9.]
4. Fences need to be maintained. If damaged due to wind, age, or from other causes they must be repaired or removed in a timely manner. (30 days after notice from POA Committee.)
5. Shingles need to be repaired in a timely manner. Homes with tarps will be contacted by the POA Committee to communicate time limits for repair.

- 5.f. The Dumpster Weekend and Yard Sales were presented: (two scheduled)

Dumpster Weekend - April 21-22, 2017 – @ 11342 Country Ridge Lane

Yard Sale Weekends - May 19-20 and September 15-16

Property owners may schedule their own yard/garage sales at any time.

New Business:

1. Paul Brown informed the Association about the Texas Property Code. (**Attachment #6**)
(Available on website) (Attachment #6 - summary information)
(Web page Link: <http://www.firesideestates.com/deed-restrictions>)
2. The following 'complaints' or 'concerns' were presented to the association:
 - A. Speed limit (cars/trucks driving too fast or cutting through our neighborhood). POA Committee was asked to look into ways to control traffic and encourage vehicle safety.
 - B. Dog owners were encouraged to not let their dogs roam free and to pick up after them if they are being walked through the neighborhood.
 - C. Several people complained about septic systems not being maintained or having proper chemicals ... The POA Committee will mail out notices when complaints are received.
 - D. Mosquito control was discussed. The POA Committee does not have the funds to control whole association. We will seek some possible solutions and hopefully be able to negotiate some discount options for property owners.
 - E. Property owners were encouraged to help keep the fire ant population under control.
 - F. Fence along Helms Trail will be cleaned. (See 5.c. above)
 - G. Community Safety was discussed as some reports of theft in nearby communities has taken place. POA Committee was asked to investigate possible safety solutions including gating of our community, security cameras, signs to control drive-through trucks/traffic.

The meeting was adjourned at 7:55pm.

Respectfully Submitted,

Paul Brown,
President, Fireside POA Committee
(214) 507-4073

Fireside Estates Website: www.FiresideEstates.com Or www.FiresideEstatesPOA.com

POA Committee Contact information:

President - Paul Brown (214) 507-4073 11342 Country Ridge Lane

pmab1973@aol.com or pmab1973@gmail.com

Attachment #1 PROXY For Annual Meeting 04-27-2017

Name _____

Address _____

Email _____

Phone _____

I give my proxy to: Name _____ **or** _____ **President of POA**

Address _____

Check all that apply

_____ **My proxy may only be used to vote me present:**
(Proxies are counted to secure a quorum)

OR

_____ **My proxy may vote me present and cast my vote as indicated below on the following motions (if not amended at the meeting)**

MOTION:	To approve the minutes from the 2017 Annual Meeting.	Yes	No
MOTION:	To receive the Financial Report at information.	Yes	No
MOTION:	To elect Tim Buttz (10308 Fireside Lane) to the POA Committee.	Yes	No
MOTION:	To affirm the decision of the POA Committee and allow TVEC to replace future Mercury Vapor bulbs with Halogen bulbs.	Yes	No
MOTION:	To receive the Remedy Procedure as information.	Yes	No

Signature_____ **Date** _____

- One proxy allowed per lot.
- The proxy is void if you choose to attend the meeting in person and vote on a motion.
- Proxies may be given to someone attending the meeting, emailed to pmab1973@gmail.com, or dropped off in the POA Mailbox @ 11342 Country Ridge Lane (mounted on the house - next to garage door) by 5:00pm the day of the meeting.
- "By casting your vote via absentee ballot you will forgo the opportunity to consider and vote on any action from the floor on these proposals, if a meeting is held. This means that if there are amendments to these proposals your votes will not be counted on the final vote on these measures. If you desire to retain this ability, please attend any meeting in person. You may submit an absentee ballot and later choose to attend any meeting in person, in which case any in-person vote will prevail." (Property Code 209.00592)

ATTACHMENT #2

Fireside Estates Property Owners Meeting May 12, 2016

The Fireside Estates Property Owners met at the home of Diane and Don Spradling (11320 Country Ridge Lane) on Thursday, May 12, 2016.

The meeting was called to order at 7:05 pm by Paul Brown, President of the POA Committee.

Paul Brown introduced the POA Committee:

Paul Brown (11342 Country Ridge Lane) - (214) 507-4073 [President] pmab1973@gmail.com
Tracey Rich (11144 Country Ridge Lane) - (817) 999-7110 [Treasurer] - only evening calls please.

Bryan Boger (11188 Country Ridge Lane)- (214) 728-7369

Roy and Mollie Fletcher (10341 Fireside Lane) - (214) 793-3880

Michael Chronister (11232 Country Ridge Lane) - (972) 552-5087

Announcements were made related to the development of a Hospitality Committee, landscaping the signs (a water source is needed or drought tolerant plants), and an incident of graffiti on Fireside Lane.

The Financial Status of the POA was presented indicating a balance of \$8,291.19 (As of May 2, 2016).

Nominations were open for new members on the POA Committee. None were received. Paul Brown told those present that if anyone wanted to become part of the POA Committee they could let him know at a later time. Following the meeting, Adriene Jones (10407 Fireside Lane) and Teresa Wolf (11066 Country Ridge Lane) said that they were willing to help out with the POA Committee. They are now members of the POA Committee.

The POA Committee requested input from the property owners related to enforcement of the restrictions: The property owners asked the POA Committee to enforce the deed restrictions, including those areas raised by the POA Committee, which include:

1. **Mailboxes** shall be masonry or an antique metal design approved by the Property Owners Committee. (Restrictions D.9.)
2. **Vehicles in yards:** Wrecked cars and cars on blocks are forbidden. Inoperative cars or vehicles not licensed and registered for street use must be kept in a garage or storage building. (Restrictions B.6)

3. **Mowing/Debris:** Lot owners shall keep their lots mowed and free of litter or debris (Restrictions D.3.)
4. **Property Residential use only:** The restrictions that state ‘No part of any lot shall be used for commercial purposes or for any purpose other than for residential purposes.’ (Restrictions A. 3.) Will be enforced when the use “constitutes a nuisance which involves a noxious or offensive odor, excessive emission of smoke, dust, steam or vapor or an excessive noise level.” (Restrictions B.2.) [We understand that there are some independent contractors or business owners that use their home or shop to carry out their business. This is usually done without creating a nuisance to the neighbors or creating customer traffic within our community. However, there may be some instances in when a property owner’s business creates noise, traffic, congestion on the streets because of excess parking of vehicles or related vehicles parked open in the back of lots. The POA Committee was asked to respond to these concerns when they arise.]

Other business:

1. The POA Committee was asked to contact the property owner of a home on Fireside Lane to tell him that the back half of his yard needs to be mowed.
2. There was a request to clean up the ditch and area around the south-west corner of Country Ridge Lane and CR213. Brent Barkham (11000 Country Ridge Lane) will work with others in our community to cut the growth of grass and weeds.
3. NOTE: Following the meeting there were three willing to serve on the Hospitality Committee:
Mollie Fletcher (10341 Fireside Lane), Irene Isom (11353 Country Ridge Ln) and Shellie Massengale (11088 Country Ridge Ln)
4. There was a discussion related to the concern that several buildings/shops were exceeding the 800 sq ft limit. With the understanding that several larger buildings have been put in prior to our reorganization in August 2015, the POA Committee was encouraged to make sure building requests maintain the residential desire of our property owners.
5. The POA Committee will mail out the results of this meeting within a week to keep all property owners informed of the items discussed at this meeting.

The committee received thanks for the work they are doing in the property association.

The meeting adjourned at 8:00pm

Respectfully Submitted,

Paul Brown,
POA Committee President

Attachment #3

January 1, 2017 – Balance Sheet and Operating Budget

Fireside Estates POA
c/o Paul Brown
11342 Country Ridge Lane
Forney, TX 75126

Beginning Balance – January 1, 2016	\$ 6,638.28
Receipts (POA Dues) (received in 2016)	\$ 4,410.00
Sub Total	\$11,048.28

Expenses \$ 3,403.81

\$433.00	Dumpster Rental (Dumpster Weekend)
\$920.00	TVEC Street Lights
\$ 61.09	Office Supplies
\$745.00	Taylor Fence (White Fence Repair - Helms Trail)
\$ 18.00	Forney Messenger (Yard Sale ad)
\$329.08	USPS _ Postage
\$ 46.50	Lowe's (Round Up - clean up at CR213 & Country Ridge Entrance)
\$352.56	Landscaping two Signs (1-Helms Trail & 1-Fireside Lane)
\$340.00	Letters painted on four signs (Helms Trail & Fireside Lane)
\$ 10.00	Refund of overpayment of POA Dues
\$148.58	Web site Hosting Fee

Ending Balance: (as of 12/31/2016) \$ 7,644.47

2017 Projected Projects and Anticipated Expenses: (Other projects may also be considered):

TVEC Lights (7 lights \$20.00/light/month)	\$ 900.00
Dumpster Weekend	\$ 500.00
Yard Sale Weekends (2)	\$ 250.00
Postage, printing, correspondence, office supplies	\$ 500.00
Website, Hosting	\$ 150.00
Sign Landscaping, maintenance (as needed) - (\$100 to \$500)	
We received estimates to level the signs (\$2,000 - \$3,000)	
– We decided to wait to see what happens if/when they widen Helms Trail.	

More information can be found on www.FiresideEstates.com

ATTACHMENT #4

POA Committee:

Class Year indicates the year that their term expires at the Annual Meeting.

Terms expiring at annual meeting in 2018:

Paul Brown (11342 Country Ridge Lane) - (214) 507-4073) [President] pmab1973@gmail.com
Tracey Rich (11144 Country Ridge Lane) -[Treasurer] - only evening calls please.
Bryan Boger (11188 Country Ridge Lane)-
Roy and Mollie Fletcher (10341 Fireside Lane) -
Michael Chronister (11232 Country Ridge Lane) -

Terms expiring at annual meeting in 2019

Adriene Jones (10407 Fireside Lane) -
Teresa Wolfe (11066 Country Ridge Lane) -

Terms expiring at annual meeting in 2020

Tim Buttz (10308 Fireside Lane) - Nominated/vote will take place at 2017 Annual Meeting

In 2018, there will be six people with terms expiring. We will elect six to fill vacancies (those presently serving may be reelected.) The classes will be balanced to allow three committee members in each year's class.

TERMS EXPIRING	Class of 2019	Class of 2020	Class of 2021
Paul Brown	Adriene Jones	Tim Buttz	_____
Tracey Rich	Teresa Wolfe	_____	_____
Bryan Boger	_____	_____	_____
Roy Fletcher			
Mollie Fletcher			
Michael Chronister			

BALLOT —

_____ Tim Buttz (10308 Fireside Lane) Three year term

If you will not be attending the meeting, you may cut along ***** and use this as a ballot
or indicate your vote on the proxy form (Attachment #1).

FIRESIDE ESTATES PROPERTY OWNERS ASSOCIATION

During the Property Owners Association (POA) Meeting on May 12, 2016, the property owners present asked the POA Committee to enforce the standards of our Deed Restrictions. The following policy has been adopted by the POA Committee to encourage compliance with our Deed Restrictions.

Remedy & Enforcement Process for Deed Restriction Violations*

The following process will be used to enforce compliance with our Deed Restrictions.

(Deed Restrictions can be downloaded from the website: www.FiresideEstates.com)

COLLECTION OF DELINQUENT POA DUES:

(Along with other money owed to the POA resulting from violations, attorney fees, etc. as noted below)

1. Notices of POA Dues (\$50.00/year) will be sent out through newsletters and other mailings.
2. A 20% discount (\$10.00) will be available for those paying \$40.00 by January 31st of the current year.
3. The delinquent date for previous year(s) POA Assessment will be January 31st
4. Property Statements will be mailed out after January 1st indicating present dues status. (*Typically with the January Community Newsletter.*)
5. On February 1st of each year:
 - a. We will add penalties to the current year's POA Dues.
 - The penalty will equal the total of all money owed to the POA from previous years plus 20%.
[NOTE: The 20% penalty is equal to the 20% discount offered if money is paid during January of the current year. See #2 above.]
 - b. We will add any cost to the POA related to the collection of the delinquent POA Dues and Fees owed (including \$10.00 for each letter sent certified or priority w/tracking).
 - c. Please note that our Deed Restrictions state that all unpaid annual "assessments shall attach and thereafter remain a charge against and be secured by a continuing lien upon the lot." (D.2.)
 - d. The POA Committee may use the other means of collection of past POA Dues as stated in our Deed restrictions. (D.2)

MOWING IN YARD:

Letter will be mailed communicating the following:

1. The lot (whole acre) must be mowed/trimmed within ten (10) days of receipt of the notification letter.
2. Failure to mow, within ten (10) days, the POA may contract the lawn to be mowed.
3. The fees for the mowing (and all other expenses incurred by the POA -) will be paid by the property owner.
 - A \$10.00 fee will be added for any follow-up letters needed within a twelve month period.
 - Fees not paid will become delinquent on January 31st – penalties and interest will be added to amount owed and also placed as a continuing lien on your property. (See Deed Restriction D.3.)

ALL OTHER OFFENSES: (mailboxes, debris, broken/damaged fences, inoperative cars, etc.)

Letter will be sent by either certified, verified, or priority mail with tracking communicating the following:

1. The offense must be remedied in thirty (30) days of receipt of certified notification of violation letter.
 - The property owner may agree to remedy the violation and ask (in writing or email) for a 30 day extension to bring property into compliance with the Deed Restrictions.
 - Second notices of same violation will incur a \$10.00 fee for postage.
2. Failure to comply with the restrictions will begin the following process.
 - After the thirty (30) day period [and/or thirty (30) day extension, if granted], the POA Committee may contact our attorney (his charge is \$300.00/hour) who will begin the process of obtaining a Court Injunction or Declaratory Judgment from the Kaufman County Court.
 - NOTE: All court costs, interest, reasonable expenses of collection, and attorney fees will be the responsibility of the property owner in violation of the Deed Restrictions. (No exceptions: The property owner will be responsible for all costs to the POA once the attorney is contacted.)

GENERAL INFORMATION RELATED TO OUR ANNUAL MEETINGS

The Property Owners Association will give written notice of the meeting to the members of Fireside Estates later than the 10th day or earlier than the 60th day before the date of the election or vote for POA Committee members. (Property Code – Sec. 209.0056)

Ballots may be made available prior to the meeting. Any vote cast in an election must be in writing and signed by the member. Votes cast and submitted prior to a meeting, or if a proxy is given by someone else attending, will be counted unless the matter voted on is amended at the meeting before a vote is taken. Every property is allowed one vote.

The voting rights of an owner may be cast or given: (1) in person or by proxy at a meeting of the property owners' association; (2) by absentee ballot in accordance with section 209.00592 of the Property Code; (3) by electronic ballot in accordance with section 209.00592 of the Property Code; or (4) by any method of representative or delegated voting provided by a dedicatory instrument. (Property Code 209.00592)

An absentee or electronic ballot may be counted as an owner present and voting for the purpose of establishing a quorum only for items appearing on the ballot; may not be counted, even if properly delivered, if the owner attends any meeting to vote in person, so that any vote cast at a meeting by a property owner supersedes any vote submitted by absentee or electronic ballot previously submitted for that proposal; and may not be counted on the final vote of a proposal if the motion was amended at the meeting to be different from the exact language on the absentee or electronic ballot. (Property Code 209.00592)

A solicitation for votes by absentee ballot must include an absentee ballot that contains each proposed action and provides an opportunity to vote for or against each proposed action; instructions for delivery of the completed absentee ballot, including the delivery location; and the following language:

"By casting your vote via absentee ballot you will forgo the opportunity to consider and vote on any action from the floor on these proposals, if a meeting is held. This means that if there are amendments to these proposals your votes will not be counted on the final vote on these measures. If you desire to retain this ability, please attend any meeting in person. You may submit an absentee ballot and later choose to attend any meeting in person, in which case any in-person vote will prevail." (Property Code 209.00592)

Ballots for those being nominated for the POA Committee must be distributed to the association at least 10 days before the meeting. This can be posted on the website and notice emailed to the association. It is the responsibility for each property owner to communicate their email information to the POA Committee and to inform the POA Committee if their email address changes.

More information can be found in the Texas Property Code - Title 11 - Section 209 ... a link to this document is found on the Fireside Estates website. www.FiresideEstates.com