

MEETING MINUTES

June 25, 2024 REGULAR MONTHLY MEETING
BOARD OF DIRECTORS OF THE HELOTES PARK TERRACE HOMEOWNERS
ASSOCIATION, INC.
A Texas Non-Profit Corporation

- Call meeting to order:
 - Time: 6:45 pm
 - Present: Leslie Gullidge, Ted Skekel, Barry Tomlinson
 - Absent: Guest: Tom Placier

- Minutes
 - Approved May meeting minutes.
 - Motion : Ted Second: Barry

- New Business
 - Board Attorney Tom Placier attended via Zoom and reviewed options for remedies available to the Board in the instance of homeowner failure to remedy a CC&R violation the Board has put them on notice of. Tom discussed legal action seeking an injunction to enforce the CC&Rs. In such instance, the Board would seek legal fees and would then have to convert the legal fees awarded into a judgment, the Board can treat the amount of the judgment as an assessment with late fees accruing and eventual lien.
 - Letter from HOA attorney is starting point and would address potential financial penalties that could be assessed against the homeowner by a Court if the Board is forced to take legal action, such as informing that the Texas property code allows the addition of \$250 per day for each day violation continues, this would be referenced as potential damages that would be sought if we have to take the matter to Court. Tom suggests the Board gather documentation as proof of the violation in the form of date stamped pictures, and/or videos, and creating a timeline of events. Tom advised that as part of his counsel he will assess the actions of the Board to determine viability of legal action before proceeding.
 - Board discussed with Tom the lack of enforcement authority in the HOAs current CC&Rs, Tom noted that more recently formed HOAs (5-10 years) are putting fine remedies into their CC&Rs. We discussed the requirement of lien holders having to approve changes to CC&Rs in addition to homeowners. Tom advised that most courts do not enforce the lien holder approval requirement.
 - Tom generally discussed his fees (\$250 plus postage for initial letter of CCR violation, \$1500 minimum for preparing lawsuit and filing fees.
 - Tom also advised the Board on the following:
 - Requirement to update management certificate and file with the Texas Real Estate Commission and with the County within 30 days of any change in contact information for a Board member. Tom will send us the 2021 form to confirm no changes, but the Board has had no contact information changes.
 - Discussed Corporate Transparency Act which will be effective Jan 1, 2025, under the Act HOAs must file a report annual with the IRS that contains demographic information of each Board member and provide a copy of their photo ID. Who must file — Attorney or CPA. There are penalties assessed for failure to report changes in a timely manner. Board received the annual CPI adjustment notification from Waste

Management, and each homeowner should have received. Board reviewed and will post notice on website.

- Gate
 - Last gate code change project was in January 2019; Board will plan to refresh all homeowner gate codes, and send new gate codes with information and effective date of new code usage.

- Monthly Financial Report
 - \$1850 for grounds maintenance includes \$250 for the leak issue, and \$1623.75 for reimbursement to Board member for the tree removal invoice.
 - Having over \$100,000 in the MM account pushed us into a new bracket and we earn higher interest now.
 - Board discussed whether we need or should have an independent audit of the financials conducted by an auditor, and discussed whether we should move to a 2 signature check policy. Board determined that these actions are not warranted. However, it will conduct a quarterly review of the documentation that exists for each item in the budget expenditures as well as documentation of account balances. Such reviews will begin with next months regular Board meeting.
 - Financial report is approved. Motion : Leslie Second: Barry

- Adjournment:
 - Motion: Leslie Second: Barry Time: 7:20 pm