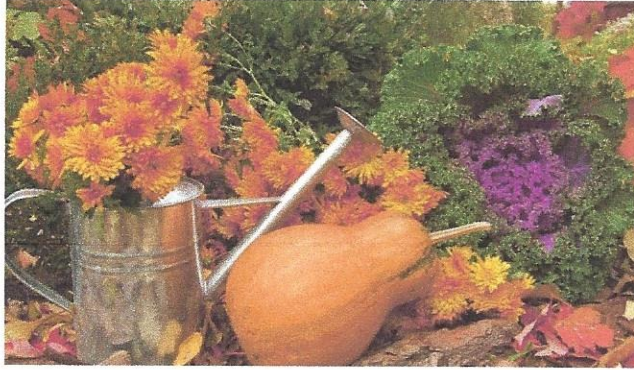


Lakeside Village Newsletter

PO Box 334 / Riverside, TX 77367 / (936) 891-5132

Website: lsvpoa.com / Facebook: Lakeside Village On HWY 980



October 2021

Announcements:

- ***The 980 North VFD is proud to announce that it has purchased an AED unit. In case of an emergency, call 911 to dispatch emergency service personnel (ambulance) to the scene. Secondly, tell the dispatch to tone out the 980 North VFD to send fire personnel to the scene with the AED unit if it is needed.***
- Please do not park on the grass to the left of the boat launch. Vehicles that park there obstruct others who launch their boats. Additionally, there is a risk of damage to the electric poles and the grass in that area. Please remember to lock the gate when leaving the main boat ramp.
- Please keep your pets restrained at all times. This is a County ordinance as well as a deed restriction issue.

SUMMARY OF MONTHLY BOARD OF DIRECTORS' MEETING **SATURDAY, OCTOBER 9, 2021**

ATTENDANCE

Directors present were Chuck Cloe, Fay Earls, Petie Grant, Marcy Metz, Gail Miller, and Danny Washington. Absent were Tommy Green and Steve Null. Also absent was Ann Young, Administrative Assistant.

CALL TO ORDER

With a quorum met, the meeting was called to order at 9:00 A.M. by Gail Miller, President.

PROPERTY OWNERS (MEMBERS)/COMMENTS

Present were Peter Thrasher, Kelly Scott, and Pamela Rubar. Ms. Rubar addressed the Board about the nuisance issues on the property next to her home.

READING OF MINUTES

The minutes from the September 11, 2021 Board meeting were read. A motion was made by Petie Grant and seconded by Fay Earls to approve the minutes as presented. The motion carried.

MANAGEMENT/TREASURER'S REPORT

The management/treasurer's report for September, 2021 was presented by Fay Earls. A motion was made by Marcy Metz and seconded by Danny Washington and Chuck Cloe to approve the reconciled report presented for September, 2021. The motion carried.

OLD BUSINESS

- Status of pier rails – Quotes to install railings on the main boat ramp left pier have not been received. One contractor has advised that there are several issues that would prevent the safe installation of handrails.
- Status of AED unit – the 980 North VFD has received the AED unit. It will be kept at the station.
- Status of “no swimming” signs on piers – The new signs have been received and will be installed within the next couple of weeks.
- Status of entrance fix-up – This project is still in progress. Materials lists and prices are being developed.

NEW BUSINESS

- Quotes for Pier – The Association is in the process of obtaining quotes to replace the old pier on the right side of the main boat ramp. One quote has been received. Due to the workload of contractors, it may be after the first of the year before another quote will be received. We have been advised the pier is safe for continued use at this time as we plan for replacement. Also, because of our liability insurance, we must use a licensed/insured company on the structural work.
- New policy for hearings – As required by new Texas Property Code (“Code”) laws, the Association has developed a Hearing Policy. As per Section 209.007 of the Texas Property Code, this policy sets forth notice requirements to provide an Owner with an opportunity to cure a violation or delinquency, including providing the Owner with an opportunity to request a hearing with the Board. This procedure for conducting a hearing is consistent with Sections 209.006 and 209.007 of the Code and applicable provisions in the Dedicatory Instruments. A motion was made by Gail Miller and seconded by Chuck Cloe to approve the Hearing Policy which will be filed in the San Jacinto County Records office. Motion carried. The Hearing Policy will be available for review on the Association website.
- New process for collections – As recommended by the Association attorney, revisions have been made to tighten the process for collections of maintenance dues and other fees. The main change to the process was extending the cure time from 30 days to 45 days. A motion was made by Petie Grant and seconded by Danny Washington to approve the revisions to the collection process, which is an in-house document. Motion carried.
- Variance acknowledgement – Address: between 350 & 300 Shoreline Drive – The Board acknowledges the variance waiver that was legally executed between two property owners at this address on Shoreline Drive.

Lakeside Village
October 2021

- Fill vacant Board position – A motion was made by Fay Earls and seconded by Danny Washington to approve the appointment of Peter Thrasher to fill a vacant position on the current Board of Directors. Mr. Thrasher's term will expire June 30, 2023. Motion carried.

COMMITTEE REPORTS

Architectural Review

As of September 1, 2021, approval of applications for architectural improvements will be handled by an outside committee. The qualifications to serve on the architectural committee (which may consist of one or more persons) are:

- Cannot be a member of the Board of Directors;
- Cannot be married to a member of the Board of Directors; and,
- Cannot live in the same household as a member of the Board of Directors.

At this time Ann Young, who meets these qualifications as per the Association attorney, will serve as the architectural review committee.

Maintenance & Safety

Nothing to report.

Community Relations

The Association newsletter was published September 16 via email and on the Association Facebook page and website.

Commissioner Nettuno has agreed to clear undergrowth and saplings that have grown into the road right of ways.

The Board moved into Executive Session at 9:45 A.M.

Summary of Executive Session:

Properties were inspected September 29, letters written, and a status report of all violations currently being addressed was presented to the Board of Directors at the October 9 meeting. Correspondence was sent to property owners as follows:

Mowing violations 1 st letter	2
Collection Letter Certified	1
Late Statements	104

With no further business, the meeting was adjourned at 10:15 A.M.

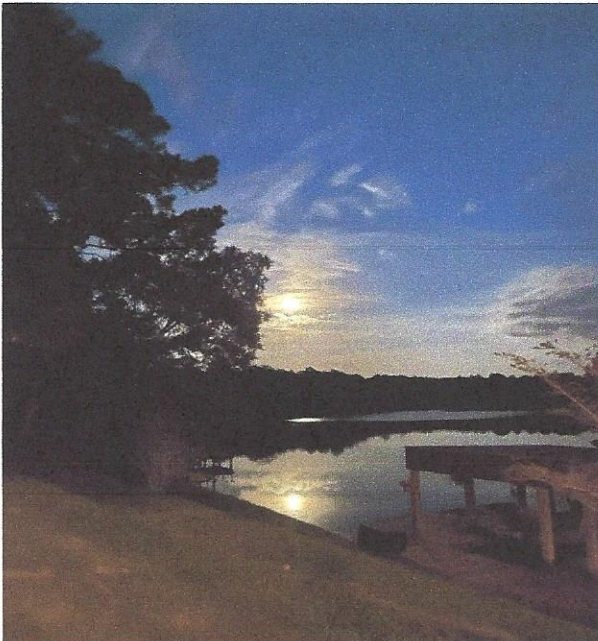
NEWS FROM 980 NORTH VOLUNTEER FIRE DEPARTMENT



(Facebook: 980northvfd)

Just a reminder... please use extra caution when burning grass and leaves. Keep a water source nearby, do not leave the fire unattended, and also consider the wind direction and speed. If possible, use a fire ring or burn barrel to help control the flames and embers.

Friends and Neighbors.....



Moon coming up on Newton Creek

- ***Check it out!! Now ONLINE: San Jacinto County Newcomers Bulletin Board***

<http://www.sanjacintocountybulletinboard.com/newcomer-information.html>

- **911 plaques are still available** (FREE) courtesy of the 980 North VFD. Please request by contacting the Association office. Plaques are highly reflective and easily seen at night by emergency responders. The size is 4" x 12" and may be mounted vertically or horizontally on a post in the front yard or on the front of the house where it can be seen from the street. Please specify vertical or horizontal.



Vertical



Horizontal

- ***Please visit the Association Facebook page and website*** for current activities, announcements, and for subdivision plats, bylaws and deed restrictions, meeting minutes, and agendas.

- Facebook: Lakeside Village On HWY 980
- Website: www.lsvpoa.com

Calendar Events			
NOVEMBER		DECEMBER	
Nov 11	Veterans Day	Dec 7	Pearl Harbor Remembrance
Nov 13	POA Monthly Meeting	Dec 10	NO POA MEETING
Nov 25	Thanksgiving Day	Dec 24	Christmas Eve
		Dec 25	Christmas Day
		Dec 31	New Year's Eve

SAN JACINTO COUNTY
IMPORTANT CONTACT NUMBERS

Sheriff (non-emergency dispatch) (936) 653-4367

Precinct #4 Commissioner (Mark Nettuno)..... (936) 377-2481

Precinct #4 Constable (Alvin Wyatt)..... (936) 377-5009

County Judge (936) 653-2199

Property Tax Office (936) 653-3292

Appraisal District.....	(936) 653-1450
Motor Vehicle	(936) 653-2311
Permit Office.....	(936) 653-3823
911 Addressing	(936) 653-3823
Game Warden.....	(936) 239-2711
Trinity River Authority (septic)	(936) 365-2292
SHECO (Electric)	(936) 653-5400 (800) 458-0381
SHECO (outage).....	(888) 444-1207
Riverside (WATER) Special Utility Dist.	(936) 594-5793
Voter Registration.....	(936) 653-5804
Windstream (phone/internet)	(800) 347-1991 (936) 435-4310
980 North VFD (c/o Sheriff dispatch)	(936) 653-4367
Animal Control.....	(936) 524-3891
Justice of the Peace	(936) 377-2131



The Association Newsletter is distributed by email and is published on the Association Facebook page (Lakeside Village On HWY 980) and on the Association website (www.lsvpoa.com). Paper copies are also at the Community Information Center located at the entrance of the subdivision, and by request.

SJC Lakeside Village
Propeerty Owners' Association, Inc.
Financial Report / September 2021
RECONCILED

CHECKING ACCOUNT							
Beginning Checkbook Balance September 1, 2021							\$ 48,308.14
Income	Deposits						
9/9/2021						1,154.26	
9/13/2021						660.00	
9/15/2021						176.00	
9/27/2021						1,319.96	
9/18/2021	PayPal					764.79	
9/27/2021	PayPal					564.56	
		Total Inome September 2021				4,639.57	\$ 4,639.57
Expenses							
	Draft	Riverside Water				33.17	
	Draft	SHECO Security Lights				555.90	
	Draft	SHECO Boat Ramp Area				20.62	
	Draft	Windstream/(Phone & Internet)				168.88	
9/10/2021	Debit	Dollar General/Admin/Consumables				4.50	
9/11/2021	Debit	USPS/Postage/Deed Restriction Letters				16.92	
9/13/2021	Debit	USPS/Postage/Deed Restriction Letters				11.59	
9/27/2021	Debit	ArTech Signs/No Swimming signs				315.01	
9/29/2021	Debit	USPS/Postage/3 rolls stamps				174.00	
9/29/2021	Debit	SJC Clerk/Admin/Consumables/Copies				8.00	
9/30/2021	Debit	On Point Tax Service/Professional Fees/Tax Return 1120-H				105.00	
9/28/2021	1895	Elizabeth Ann Young/Contract Wages				800.00	
9/7/2021	1896	Johnny Arnold/Mowing				1,150.00	
9/11/2021	1897	RMWBH/Admin/Legal Corp/Inv. 738826				490.00	
		Total Expenses September, 2021				3,853.59	\$ 3,853.59
CHECKING ACCOUNT							
Checkbook/Register		September 30, 2021					\$ 49,094.12
	Add	Outstandings Checks (8.00, 105.00, 800.00)					\$ 913.00
	Subtract	Outstanding Deposits	(PayPal)				
Bank Statement		September 30, 2021					\$ 50,007.12
		Fire Funds Collected July-September 2021 ** Corrected					\$ 4,921.53
		Actual Checking Account Funds Available =					\$ 45,085.59
RESERVE ACCOUNT							
Beginning Balance		September 1, 2021					\$ 11,593.44
		Interest Earned					\$ 1.22
Ending Balance		September 1, 2021					\$ 11,594.66
SAVINGS ACCOUNT (Key Account)							
Beginning Balance		September 1, 2021					\$ 3,232.28
		Deposit					\$ 40.00
Ending Balance		September 1, 2021					\$ 3,272.28
	\$ 14,866.94 Total Reserve & Savings						

209 HEARING POLICY
for
SAN JACINTO COUNTY LAKESIDE VILLAGE
PROPERTY OWNERS ASSOCIATION

THE STATE OF TEXAS

§

§

COUNTY OF SAN JACINTO

§

I, FAY EARLS, Secretary of San Jacinto County Lakeside Village Property Owners Association (the "**Association**"), certify that at a meeting of the Board of Directors of the Association (the "**Board**") duly noticed, and held on the 9th day of October, 2021, with at least a quorum of the Board members being present and remaining throughout, and being duly authorized to transact business, the following 209 Hearing Policy (this "**Policy**") was approved by not less than a majority of the Board members in attendance.

RECITALS:

1. The property encumbered by this 209 Hearing Policy is that property restricted by the restrictive covenant documents referred to in the Association's current Management Certificate filed of record in the Official Public Records of Real Property of San Jacinto County, Texas for each subdivision under the jurisdiction of the Association, as same has been or may be amended and/or supplemented from time to time ("**Declaration**"), and any other property which has been or may be subsequently annexed thereto and made subject to the authority of the Association.

2. Section III, of the Declaration grants to the Association the power and authority to enforce all covenants, conditions and restrictions set forth in the Dedicatory Instruments (as defined by the Texas Property Code).

3. Section 209.007 of the Texas Property Code ("**Code**") sets forth notice requirements to provide an Owner with an opportunity to cure a violation or delinquency, including providing the Owner with an opportunity to request a hearing with the Board.

4. The Board desires to adopt a procedure for conducting a hearing that is consistent with Sections 209.006 and 209.007 of the Code and applicable provisions in the Dedicatory Instruments.

5. This Policy replaces and supersedes any previously recorded or implemented policy that addresses the subjects contained herein, if any, adopted by the Association.

BOARD HEARING PARAMETERS

In the event that an Owner requests a Board Hearing pursuant to the Texas Property Code and/or Association's Governing Documents Enforcement and Fining Policy or Collections Policy, the following parameters will govern the Board Hearing:

I.

Definitions

- A. "ARA" means the Association's architectural review authority, as defined by Section 209.00505 of the Code. Except during the development period or any period in which the declarant appoints at least a majority of the ARA members or has the authority to veto or modify a decision of the ARA, a person may not be appointed or elected to serve on the ARA if the person is:
 - a. A current board member;
 - b. A current board member's spouse; or
 - c. A person residing in a current board member's household.
- B. "ARA Notice" means the notice of ARA denial sent to the Owner by the Association pursuant to Section III(A) of this Policy.
- C. "Board Hearing" means any hearing before the Board pursuant to this Policy.
- D. "Code" means the Texas Property Code.
- E. "Dedictory Instrument" has the meaning as defined by Section 209.002(4) of the Code.
- F. "Hearing Notice" means the notice of hearing sent to the Owner by the Association pursuant to Section II(B) of this Policy.
- G. "Hearing Packet" means the packet provided to the Owner by the Association pursuant to Section IV(B) of this Policy.

II.

Rules Applicable to All Hearings

- A. The Board Hearing shall be held no later than the thirtieth (30th) day after the date the Board receives the Owner's request for a Board Hearing. The Board or the Owner may request a postponement and, if requested, a postponement shall be

granted for a period of not more than ten (10) days. Notwithstanding the foregoing, the Board Hearing may be scheduled outside of these parameters by agreement of the parties.

- B. The Board shall provide a Hearing Notice setting forth the date, time, and place of the Board Hearing, to the Owner not later than ten (10) days before the date of the Board Hearing. The Board Hearing may be held by virtual or telephonic means, in which case the access information for the virtual or telephonic Board Hearing shall be the "place" of the Board Hearing for purposes of the Notice.
- C. Owners are expected to provide copies of any documentary evidence the Owner intends to introduce at the Board Hearing to the Board no later than five (5) days before the Board Hearing.
- D. The Board is not required to deliberate or reach a determination during the Board Hearing. Rather, all information gleaned from the Board Hearing may be taken under advisement by the Board. The Association or its managing agent may inform the Owner of the Board's decision in writing within thirty (30) days of the date of the hearing. If there is no written communication from the Association or the managing agent within this timeframe, the violation will remain standing.
- E. The Board may set a time limit for the Board Hearing, to be determined at the Board's sole and absolute discretion, taking into account factors including but not limited to the complexity of the issues and the number of exhibits. The Board may communicate the time limitation in any manner to the Owner and will make every effort to communicate the time limitation to the Owner in advance of the date of the hearing. The time limitation will be strictly adhered to and is intended to strike a balance between: (i) allowing the Association ample time to present its case; (ii) allowing the Owner ample time to present the Owner's response; (iii) the Board's finite amount of time available to consider such issues.
- F. All parties participating in the Board Hearing are expected to treat each other professionally and respectfully. The Board reserves the right to terminate a Board Hearing if the Board, in its sole and absolute discretion, determines the Board Hearing has become unproductive and/or contentious. The Board, in its sole and absolute discretion, reserves the right to reconvene any Board Hearing that is terminated pursuant to this Section II(F).
- G. Either party may make an audio recording of the Board Hearing.
- H. This Policy does not apply to instances where the Association files a suit seeking a temporary restraining order, or temporary injunctive relief, or files a suit that includes foreclosure as a cause of action. Further, this Policy does not apply to a temporary suspension of a person's right to use Common Areas that is the result

of a violation that occurred in a Common Area and involved a significant and immediate risk of harm to others in the subdivision. The temporary suspension is effective until the Board makes a final determination on the suspension action after following the procedures prescribed by this Policy.

- I. Owners are entitled to one hearing, unless the Board in its sole and absolute discretion agrees to allow additional hearings.
- J. In accordance with Section 209.007(e) of the Code, an Owner or the Board may use alternative dispute resolution services.

III.

Additional Rules Applicable to Hearings in Connection with Denial of an ARA Application

- A. In accordance with Section 209.00505(d) of the Code, a decision by the ARA denying an application or request by an Owner for the construction of improvements in the subdivision may be appealed to the Board. An ARA Notice of the denial must be provided to the Owner by certified mail, hand delivery, or electronic delivery. The ARA Notice must:
 - a. describe the basis for the denial in reasonable detail and changes, if any, to the application or improvements required as a condition to approval; and
 - b. inform the Owner that the Owner may request a hearing on or before the thirtieth (30th) day after the date the notice was mailed to the Owner.
- B. During the Board Hearing, the Board (or a designated representative of the Association) and the Owner (or the Owner's designated representative) will each be provided the opportunity to verify facts and discuss the resolution of the denial of the Owner's application or request for the construction of improvements, and the changes, if any, requested by the ARA in the notice provided to the Owner under Section 209.004(d) of the Code.
- C. Following the Board Hearing, the Board may affirm, modify, or reverse, in whole or in part, any decision of the ARA as consistent with the Association's Dedicatory Instruments.

IV.

Additional Rules Applicable to Other Hearings

- A. Subject to the exceptions set forth in Section II(H) of this Policy, this Section IV shall apply to Board Hearings in connection with:

- a. the levying of fines for violations of the Dedicatory Instruments;
 - b. suspension of an Owner's right to use the Common Areas;
 - c. the filing of a lawsuit against an Owner other than a suit to collect regular or special assessments or foreclosure under the Association's lien;
 - d. charging an Owner for property damage; or
 - e. reporting of any delinquency of an Owner to a credit reporting service.
- B. The Board shall include with the Notice, a Hearing Packet containing all documents, photographs, and communications relating to the matter which the Board intends to introduce at the Board Hearing.
- C. If the Board fails to provide the Hearing Packet to the Owner at least ten (10) days before the Board Hearing, the Owner is entitled to an automatic fifteen (15) day postponement of the Board Hearing.
- D. During the Board Hearing, a member of the Board or the Association's designated representative shall first present the Association's case against the Owner. An Owner, or an Owner's designated representative is then entitled to present the Owner's information and issues relevant to the dispute. The Board may ask questions of the Owner or designated representative.

I hereby certify that I am the duly elected, qualified and acting Secretary of the Association and that the foregoing 209 Hearing Policy was approved by a majority vote of the Board of Directors as set forth above and now appears in the books and records of the Association, to be effective upon recording in the Official Public Records of Real Property of San Jacinto County, Texas.

TO CERTIFY which witness my hand this the 9th day of October, 2021.

**San Jacinto County Lakeside Village
Property Owners Association**

By: 

Printed: Fay Earls

Its: Secretary

THE STATE OF TEXAS

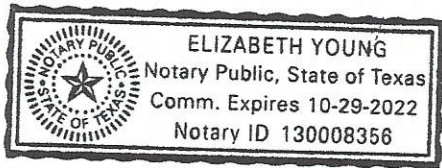
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COUNTY OF SAN JACINTO

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BEFORE ME, the undersigned notary public, on this 9th day of October, 2021, personally appeared FAY EARLS, Secretary of San Jacinto County Lakeside Village Property Owners Association, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purpose and in the capacity therein expressed.



E. Elizabeth Young
Notary Public in and for the State of Texas

COLLECTION PROCESS
SAN JACINTO COUNTY LAKESIDE VILLAGE
PROPERTY OWNERS' ASSOCIATION
October 9, 2021

ASSOCIATION

- Obtains copies of last deed, liens.
- Obtains copies of county tax statements.
- Mails First collection demand letter.
- Mails certified chapter 209 letters to property owner.
 - Collection process ends if property owner pays in full (within 45 days) or executes a payment plan agreement.
- Certified chapter 209 letters returned unclaimed to association.
- Board votes to turn over account to attorney for collection,
- Association sends copy of chapter 209 letters and updated account history to attorney and turns the account over to the attorney to collect such past due amounts through lawsuit and foreclosure if necessary.

ATTORNEY

- Attorney sends property owners an initial 30-day collection demand letter.
- If property owner doesn't pay in full or enter into a Board-approved payment plan, attorney sends a final 14-day collection demand letter, or a 61-day junior lienholder notice collection demand letter (if a junior lienholder exists).
 - Collection process ends if property owner pays in full, enters into a Board-approved payment plan and the owner makes all payments pursuant to the payment plan agreement.
- Attorney confirms with Association that full payment has not been received.
- Attorney coordinates with Association to proceed with collection lawsuit seeking an order of foreclosure.