

**MINUTES
WORK SHOP AND EXECUTIVE MEETING
OF THE MEADOWLAKES PROPERTY OWNERS ASSOCIATION**

Workshop June 13, 2016

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Executive Meeting June 14, 2016

Workshop:

The workshop meeting was convened at 9:00 AM on 13 June by James Woods, Secretary, acting for absent President Joe Summers. Five members of the Board were present to establish a quorum. Those members present were Gerry Mason, Len Fate, Dottie Stueckroth, Joy Marcou, and Jim Woods. Joe Summers and Jerrial Wafer were absent. There were six residents/visitors in attendance, with only three signed in.

The minutes from the May 9 workshop and the May 10 Executive Meeting were previously emailed to the Board for review before approval in the next executive meeting.

Jim told the Board that the first topic of business is that a resident and neighbor of property 198-12 that was approved for a property exchange with the Association in the May meeting disagrees with the Board actions and has requested to address the Board. Mr. Larry Upton addressed the Board by reading a prepared narrative questioning (1) the right of the Board to exchange the property, (2) the Board's decision without notifying him of the proposed action for his input, and (3) the benefits of the approval versus the potential impacts on his property. His comments are attached and made a part of these minutes. After reading the narrative, Mr. Upton requested that the Board move the meeting to property 198-12 and 13 to better understand his issues. One board member commented that the new comments should have been considered in the May meeting, and asked if the Board could reverse the prior decision. Jim Woods said that he did not believe that a Board decision could be reconsidered or reversed/rescinded since the decision had been communicated by the Board, but we would need to request legal advice to be certain; however, the Board could review the decision and apply additional requirements by amending the prior "approval in principle." He reminded the Board and the visitors that the Board had no requirement for future action until the terms of the approval in principle were completed. Mr. York is required to submit a construction and drainage plan and gain approval of that plan by the City Building Committee. To date, no such plans have been submitted or approved. Agreement was made to move the workshop to the residential property site following discussion of remaining business topics.

In Joe's absence, Jim discussed a new issue for the Memorial Park Personal Brick Recognition Program. Of the 132 bricks ordered and received, 3 bricks contained erroneous spellings due largely to interpretation of cursive writing. The issue for the Board to consider is whether we want to try to determine the individual responsibility for the error and decide if the client or the Board should pay. The subsequent discussion focused on the objective of the program to honor current and former military members and that it would not be appropriate to place fault on orders placed in goodwill and that finding fault may contradict that objective.

In Joe's absence, Jim described new actions concerning storm water control within the community. Representatives of the Board and the City Manager had met with an independent contractor with hydrology specialization. The contractor has worked for the City before and has current knowledge of water control issues and Meadowlakes topography. The Association and

City visited the two areas of most immediate concern with the contractor personnel. First, the team visited the area bounded by the Golf Course, Firestone Place, Firestone, Meadowlakes Drive, and Broadmoor. The issue was presented as heavy storm water from the Driving Range funnels through a narrow area near the intersection of Firestone Place and Firestone with most drainage focused on three lots at that intersection. The storm water from the Driving Range merges with other storm water from the Firestone cul-de-sac and Firestone and flow over almost flat roadway toward Meadowlakes Drive. At the intersection of Meadowlakes Drive and Firestone, the additional flow of water from Meadowlakes Drive inundates the intersection as the storm water flows eastward down Broadmoor. The storm water is directed to a spillway and into a drainage ditch that does not have the capacity of the flowing water. Second, the team visited the area at the convergence of Turkey Run, St Andrews, and Spyglass. Again, storm water from the Golf Course converges with water channeling down the streets to pool in the area with spillage into residential property. The contractor is anticipated to provide a plan to survey the two sites and provide options and costs for storm water control. As of the meeting time, the contractor response has not been received.

Jim related that other engineering work is going on in Meadowlakes and that many residents have questioned the marking and flagging of residential lots. He explained that Time Warner Communications is an authorized franchise firm within the State of Texas and is planning to install cable for residential service in part of Meadowlakes. The marking and flags denote where they plan to bury their cable. He and the City Manager had recently met with the cable installation contractor to assure that any damage to City, Association, or private property would be restored to original condition. During the discussions, it was suggested that the contractor and Time Warner re-engineer their design to place the cable within the bounds of the golf course rather than in the utility easements at the front of residential property. Uniquely, virtually all of the properties included in the Time Warner plan were readily from the golf course. The contractor stated that he would present the new approach to Time Warner.

Joy said that the Board needs to address the budget for fiscal year 2016-2017 within the next few weeks, and that she would prefer to hold a budget workshop with solely budget focus.

No meeting was held between the Association President and the Mayor and City Manager since the last meeting.

Joy presented the status of budget performance and the anticipated cash position for the current fiscal year. At this time, she projected that the Association would have nearly matching revenues and expenses for the current fiscal year.

Dottie discussed the current waiting list for covered and uncovered spaces. It was discussed that some heavy vehicle had damaged part of the new paving near the entrance to the City's maintenance building.

Len related that his new supplier of uniforms in reducing related costs by about 50 percent. That staffing and scheduling are going well.

Gerry discussed the ongoing work of paving multiple areas in the streets and should be completed in about 4 workdays.

Following this discussion, the workshop was moved to the residential property of 198-12 and 198-13 to continue discussion of the exchange of property. The Board members and visitors

reassembled at the new location. Mr. Upton showed those present stakes that he had placed to depict the original platted boundaries of lot 198-12 and additional stakes where the revised boundaries would be within the "approved in principle" lot lines. While touring the property with the people present, he emphasized that the new boundaries were closer to this residence and that the new boundaries would be visible from his rear porch. He explained that he purchased the residence expecting that a residence would be built on the original plat and that his family would have full enjoyment of the platted Association common ground.

Jim acknowledged the revised boundaries would be nearer to his residence. Current distance is about 35 feet between boundaries, and the revised boundaries would be about 27 feet apart. He asked if the plan for new construction assured that the structure was no closer than 35 feet from his property would this issue be resolved. No specific answer was received. Jim directed attention to the existing boundaries of lot 198-12 and 198-11. The residence on 198-11, as most of the residences on Fairway were built several decades ago and in many of the structures the floors of the living areas are only a few inches above the current ground level. The residential structure on 198-11, at the southeast corner intersecting with lot appears to be about 3-4 inches above surrounding ground, specifically the ground on lot 198-12. Construction on 198-12 that meets current Meadowlakes rules would require the floor of the new structure to be about 14-16 inches higher than the structure on 198-11. Noting that the surrounding grounds from the golf course and Association property drains to this intersection, the outcome of heavy storm water will be that the new foundation will force the water to pool behind the structure on lot 198-11 and most likely to enter the structure.

Members of the Board and visitors walked the properties and discussed the above concerns. Specific questions were raised about rezoning. It was mentioned that Mr York would need Planning and Zoning approval on any re-plat; so, any zoning issue, if any, would be addressed at that time.

The workshop was adjourned from the Fairway Lane common grounds at 11:25 AM.

Executive Meeting:

The Executive meeting was convened at 7:00 PM on 14 June by President Joe Summers. All members were present to establish a quorum. Attending were Joe Summers, Len Fate, Dottie Stueckroth, Joy Marcou, Jerrial Wafer, Gerry Mason and James Woods. Joe led the meeting in prayer, and Jim led the pledge of allegiance.

Joe asked if there were any discussion on the May minutes. Hearing none, he asked for a motion to approve the minutes. Len made a motion to approve the minutes, and Gerry seconded. The minutes were approved unanimously. Jim mentioned that he is recording all signed minutes since last September (2015) in Adobe Acrobat Capture, in addition to the hard copy and asked the Board members if it would be beneficial if he e-mailed copies to each member. All Board members wished to have copies. Jim will e-mail future minutes to each member quarterly.

Joy provided the Treasurer's report as of the close of May 2016. So far, the Association revenues are about \$403,000 and expenses are slightly below plan. She forecasted revenues and expenses for the year to about breakeven, unless extraordinary costs emerge. Joy asked that a special budget workshop meeting be held for the fiscal year 2016-2017 budget. Board members agreed and a meeting was set for 9:30 AM on Wednesday 29 June.

Directors' Reports.

Dottie reported that all spaces are full and there are wait lists of 25 residents for covered storage and 14 for uncovered storage. Recent damage to the new asphalt was discussed. It appears that a large truck, perhaps a trash truck, had rotated its tires without moving and dug through the new pavement. The damage will be repaired before erosion can occur.

Len reported that he had recently hired additional employee, bringing the number of security staff to 7. This will reduce the overtime costs for staff, and he forecasts this year under budget.

Jerrial reported on the recent fence and remodel permits before the City Building Committee. And, he reminded the Board and visitors of the upcoming 4th of July POA Parade and activities. He said the Memorial Day Picnic was attended by over 200 residents and guests. The July 4 parade starts at the Clubhouse at 9:00AM with pre-parade activities.

Gerry reported that the paving contractor has completed most of the schedule repairs to our streets and had done an excellent job. Joe asked if the fence work along Dogleg is still planned. Gerry said that it will not likely be done this fiscal year because of other fence repairs along Turkey Run were more critical to stop animals from entering Meadowlakes.

Old Business.

1. Jim discussed the storm water control issues being considered by the Board. An engineering contractor is preparing a contract to study the problem areas at Turkey Run and St Andrews, at Firestone and Firestone Place, and at Meadowlakes Drive and Broadmoor. This study should give the Board information as to the options for correcting the issues and the anticipated engineering and construction costs. The relative priority of each area was discussed with Board members agreeing that the most critical issue for the entire community is the storm water issue at Meadowlakes Drive and Broadmoor because all resident and guests must traverse this area when entering and exiting Meadowlakes. Jim reported that other engineering of communication lines is ongoing in the City and that many residents have questioned the orange flags and orange paint of front yard and roadways. This communications engineering does not concern our roadways, but is part of Time-Warner effort to extend communication services into Meadowlakes. POA representative and the City Manager had met with the Time-Warner contractor, and discussed re-directing the communication lines within the golf course fringe rather than damaging private landscaping. The contractor is requesting Time-Warner concurrence.

New Business.

1. Joe reported that all of the Military Memorial Park Personal Recognition bricks have been placed within the park and will be available for showing on the 4th of July. He also reported that several errors spelling of names had occurred, and that we have two choices: try to assign cause of the error or to have the Association pay for the errors. Discussion by Board members focused on the objectives of the Recognition program to honor military members and that the Association should accept financial responsibility for errors rather than potentially harming relations by assigning blame. Gerry made the motion that the Association accept financial responsibility for correcting the errors, and Joy seconded the motion. The motion passed unanimously.

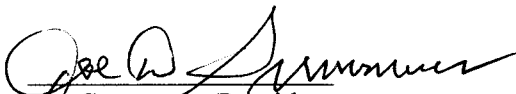
Joe asked if anyone in the audience would like to offer comments on any issues covered in the meeting or any new issues to be brought to the board.

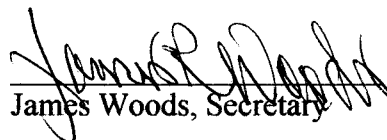
Ms Upton residing on lot 198-13 asked if the previous month's vote to approve in principle an exchange of POA property on Fairway Lane with the owner of lot 198-12 was going to be discussed in this meeting. Joe stated that the exchange was discussed during the Workshop meeting the morning prior to this executive meeting at the Upton's request, but Joe stated that there was no new action for the Board on the issue until Mr York filed a request with the Board showing that he had completed the necessary actions of Building Committee approval and Planning and Zoning approval. Ms Upton mentioned that she had discussed the 2008 letter from the POA President at that time. The former president felt that the letter was accurate and that the residents along Fairway do have undivided interest in the common properties. Mr Woods related that the 2008 letter had been reviewed as part of a separate issue and that no support for the claim of undivided ownership was found. The deeds of each property were researched and no statements provided any undivided interest were. Similarly, the Burnet County Appraisal District was contacted to understand why their automated records showed an undivided interest while the deeds did not. Research by the Appraisal District showed their records were in error and the District corrected their automated records to remove any reference to undivided interest. Ms Upton also stated that the former President said that the Board could revisit its approval in principle. Joe stated that no further actions are required until a formal plan is submitted for the use of lot 198-12 showing a need to re-plat.

The residents of 137 Turkey Run asked to address the storm water issue that affects their property. Specifically, the uncontrolled flow of storm water has previously affected the subsoil conditions and the foundation of their house. She diagrammed the flow of water from the golf course onto their property and on to Turkey Run. She asked that the Board and the City try to find ways to resolve or at least reduce the storm water flow that continues to inundate their property.

Ms Reeves asked to address the Board concerning recreational activities within Meadowlakes. She was on the recent Strategic Planning Committee of the City and presented some of the issues identified that will require Association actions. First, she mentioned the need for restroom facilities at the Lakeside and Wayne Dollar parks. She stated that the Lakeside issue is that the park is in the flood plain and that any facility will be very costly. She felt that facilities at the Wayne Dollar park cost be cost effective for residents. She mentioned other recreational activities as outdoor movie nights, golf course walk-a-thons, and various others. She recommended the Board consider establishing a standing recreational committee under Mr Wafer. Joe thanked her for her interest and her support and asked the Board members to keep her recommendation in mind.

Joe announced that the next Executive meeting would be at 7:00 PM on June 14. The meeting was adjourned at 8:20 PM.


Joe Summers, President


James Woods, Secretary

POA (JUNE 13, 2016) WORKSHOP (Opening Comments- Larry Upton)

IT IS MY OPINION THE POA BOARD HAS OVER-REACHED ITS AUTHORITY BY GRANTING A "GIFT" OF 10-FT OF COMMON AREA (CALLING IT A "PROPERTY EXCHANGE") AND THE CONSEQUENTIAL VARIANCE OF THE CURRENT PLAT OF LOT 198-12, SEC.-2 TO MR. JIM YORK TO FACILITATE THE SEPARATION FROM AN EXISTING PLATTED TOWN HOME TRI-PLEX TO CONSTRUCT A STAND-ALONE "SPEC" HOME ON THAT LOT.

I'M STILL NOT UNDERSTANDING HOW THE POA HAS ALLOWED AN INDIVIDUAL TO BARTER (EVEN IF IT WERE IN YOUR AUTHORITY) WITH PROPERTY HE DIDN'T OWN. MR. YORK **DID NOT OWN** LOT 198-12 WHEN HE WAS NEGOTIATING A VARIANCE WITH THE MEADOWLAKES POA. **THE POA ON MAY 10, 2016 APPROVED THE CONDITIONAL VARIANCE. MR YORK PURCHASED LOT 198-12 ON MAY 25, 2016.** (Recorded 05-26-16)

BY OVER-REACHING THE POA'S AUTHORITY, I POINT TO MY MOST RECENT TAX STATEMENT (AND WE HAVE PREVIOUS YEARS STATEMENTS AS WELL ON FILE) AND LEGAL DESCRIPTION WHICH READS: S6160 MEADOWLAKES LOT 198-R13 & **INDIVIDUAL COMMON AREA**, SEC-2, 13 FAIRWAY LANE, MEADOWLAKES, TX. WE ALSO REFERENCE A LETTER TO ALL LOT 198 OWNERS (FAIRWAY LANE – SEC.-2) FROM THE MEADOWLAKES POA SENT OUT IN MARCH, 2008. **TO DATE, WE HAVE NOT RECEIVED ANY OTHER COMMUNICATION FROM THE MEADOWLAKES POA OR BURNET COUNTY APPRAISAL DISTRICT COUNTERMANDING THE PARTIAL OWNERSHIP POSITION OF LOT OWNERS 198-1A THROUGH 198-35.** THEREFORE, NO ACTION SHOULD HAVE BEEN TAKEN REGARDING A COMMON AREA IN SECTION 2 WITHOUT **ALL** 198 SECTION-2 LOT OWNERS BEING IN AGREEMENT. IN ADDITION, NO VARIANCE SHOULD HAVE EVEN BEEN CONSIDERED WHILE EXCLUDING A NEIGHBORING LOT OWNER WHO IS MOST ADVERSELY IMPACTED.

WHAT I PROPOSE TO THE BOARD (AT SOME POINT DURING THIS WORKSHOP) IS THAT THE CHAIRMAN RECESS THE WORKSHOP AND RECONVEIN THE MEETING AT LOT 198-12 AND ADJOINING COMMON AREA. THE PURPOSE WOULD BE TO ENABLE THE **ENTIRE** BOARD AN OPPORTUNITY TO SEE THE LOT AND COMMON AREA UNDER DISCUSSION. THIS ON SITE INSPECTION WILL ENABLE EACH BOARD MEMBER TO HAVE A CLEARER UNDERSTANDING OF THE SECTION, SEE CURRENT TOWN HOME CONFIGURATIONS, BETTER UNDERSTAND HOW THE PROPOSED VARIANCE AND 10-FT GIFT OF COMMON AREA CHANGES THE FOOTPRINT TOWARDS LOT 198-13, RE-CHANNELS RUN-OFF AND WOULD ALLOW MR. YORK TO **DEVIATE SIGNIFICANTLY** FROM THE CURRENT PLAT AND EXISTING TOWN HOMES IN SECTION 2.

MR. YORK WAS ENABLED TO CLAIM HIS OBJECTIVE IS TO AID IN STORM WATER CONTROL FOR THE BENEFIT OF HIS PROPOSED NEW CONSTRUCTION ON LOT 198-11 WITHOUT ANY COUNTER DISCUSSION. NO ALTERNATE STORM WATER PLAN WAS DISCUSSED, NOR WAS AN IMPACT REVIEW DONE REGARDING MY PROPERTY, LOT 198-13. IN REALITY, WHAT YOU HAVE DONE IS MAKE MR. YORK'S WATER CONTROL ISSUES WITH HIS LOT **MY PROBLEM**. MORE SPECIFICALLY, YOU ARE ALLOWING HIM TO ENCROACH IN THE EXISTING COMMON AREA, AND YOU'VE GIVEN HIM CARTE'BLANC GOING FORWARD W/O SEEING ANY ENGINEERING, A SITE OR PLOT PLAN OR A FLOOR PLAN. I MYSELF DID NOT KNOW HOW THAT EFFECTED ME UNTIL I WENT NEXT DOOR AND STAKED-OUT LOT 198-12 AND THE COMMON AREA. UNFORTUNATELY, THIS WAS DONE **AFTER THE FACT** SINCE THE BOARD MEMBERS PRESENT DURING THE WALK THROUGH, THEN THE POA BOARD DURING ITS WORKSHOP MEETING AND REGULAR MEETING DIDN'T INCLUDE ME IN ON ANY OF THESE DISCUSSIONS. IN CONVERSATIONS WITH SOME BOARD MEMBERS AFTER THE POA BOARD'S ACTION MAY 10, 2016, IT APPEARS THESE BOARD MEMBERS WERE UNDER THE IMPRESSION MR. YORK AND I HAD TALKED ABOUT HIS BUILDING PLANS. THAT'S TRUE, WE TALKED ABOUT HIS BUILDING PLANS (THOUGH I NEVER SAW A PLAN) A COUPLE OF TIMES, HOWEVER, WE WERE, AND ARE, AT AN IMPASS REGARDING MOVING STORM WATER BETWEEN LOTS 198-11 AND 198-12 AS OPPOSED TO DIRECTING STORM WATER BEHIND THOSE LOTS. AND, SINCE I WAS KEPT OUT-OF-THE-LOOP, I **CERTAINLY HAD NO IDEA** THE POA WOULD TAKE ACTION AND GIFT MR. YORK A 10-FT ENCROACHMENT INTO THE COMMON AREA THAT DIVIDES OUR TWO LOTS W/O SOLICITING MY INPUT.