

Adobe Wells Homeowners' Association Meeting
10:00 A.M. Monday, March 20, 2023

Minutes

Call to Order

Officers: President Joyce Venker, Vice President Denny Hahn, Treasurer David Estes

Section I Directors: Jim Jeffcoat, Sylvia Stillwell

Section II-III Directors: Connie Harmon, Bob Trpkosh, Deb Strozyk, Craig Trpkosh

RV Section: Todd Rau (absent), Melanie Campbell

Secretary: Laurie Lee

Parliamentarian: Carole Buwalda

Jurisprudence: Carole Buwalda

Secretary's Report: Motion made, seconded and passed to accept the minutes from the Feb. 20, 2023 meeting as read.

Treasurer's Report:

General Fund:

Total Funds Available: \$470,710

Remaining Encumbered Fund: \$148,596

Net Operating Funds Available: \$322,114

YTD Income: \$351,408

YTD Expenditures: \$102,177

Net Income YTD: \$249,231

Activity Fund: \$128,872

Rental Property: \$9,530

Memorial Fund: \$2,249

\$350,000 from the General Fund was moved to the previously approved account at Texas Regional Bank Trust Division. \$175,000 in that account is invested in a Money Market and \$175,000 is invested in a 6-month CD. At this point, money from the Activity Fund has not been moved from the Lone Star National Bank checking account for investment in Texas Regional Bank but the Board may discuss this at an upcoming meeting.

Motion made, seconded and passed to accept the Treasurer's Report as read.

Old Business:

1. **Updating Committee Chairs for 2023-2024** – Denny Hahn has been working on updating committee chairs for the 2023-2024 season. Chairpersons for Thanksgiving and Christmas dinners and the All Park Picnic have volunteered. Chairpersons for Mixed Bridge and Happy Hour Emcees are needed. Appreciation was expressed to everyone who has volunteered.
2. **Daffodil Road Project** – There is nothing new to report.
3. **North Side Post Office** - The North Side Post Office new concrete has been successfully completed by the contractor, Moreno Concrete. Appreciation expressed to Hex Hoechstebach for the recommendation and help with negotiating a good price.
4. **Clothesline & Fence in RV Section** - The clothesline has been fixed in the RV Section. Poles were set in new concrete and the lines were replaced. The neighbors paid for the repairs and Moreno Concrete did the work. Hex Hoechstebach and Pres. Venker met the new neighbors. They are a very nice young couple and seem to want to be good neighbors. Appreciation was expressed to Hex for all of his help with this.

New Business:

1. **Rules and Regulations** – After receiving requests from many Homeowners wanting changes to the Rules and Regulations, a committee was formed at the November 7th Board Meeting. The committee looked at the Rules & Regulations and tried to incorporate the suggested changes. They presented their recommendations to the Board at the December 5th Board Meeting. Changes and additions were approved by the Board subject to our HOA Attorney's approval. The Attorney indicated some of the issues that Homeowners wanted could not be included in the Rules & Regulations. Our covenants supersede our Rules & Regulations. Rules and Regulations only need to be approved by a majority vote at a legally convened Association meeting. Covenants, however, need to be voted on by 67% of all Homeowners of record and their signatures need to be notarized. The committee and the Board have worked on the proposed updated Rules and Regulations for the last 5 months. A lot of time and effort has gone into this but only minimal changes could be made. The Rules and Regulations have also been reorganized in an easier to read format. Appreciation was expressed to Connie Harmon for her extensive time on this along with her committee of Jim Jeffcoat and June Davisson. Thanks also to Carole Buwalda, our Jurisprudence official, for her time going over these. Homeowners were given a ballot when signing in, to provide time to read over the changes. On the ballot both the new proposed rule and right under it the old rule is provided. The main change is adding the fines section. This was suggested by our Attorney.

Concerns expressed by residents relating to proposed rule changes included:

- Frustration that the proposed rule changes weren't provided to residents prior to the Homeowners' Meeting.
- Suggestion to table the vote until the rules could be discussed at length (Adobe Wells By-laws do not allow for motions from the floor at HOA meetings.)

- The proposed rules do not specify that a majority of the Board of Directors would have to vote to levy fines.
- Lack of appeals process for levied fines.
- Ranges of fines instead of a definitive amount.
- Need to sign out if leaving for more than 7 days.
- Only two breeds of dogs are excluded instead of focusing on nuisance or aggressive dogs.
- Process needs to be amended to allow homeowners a voice in changes the Board may be considering.
- Second hand smoke and driving while impaired within the park should be addressed.

Pres. Venker reiterated the following points:

- The attorney had reviewed all proposed changes and recommended the rule pertaining to fines.
 - In a previous situation, a fine was levied by the Board but could not be enforced due to a lack of hard evidence.
 - Unpaid fines cannot be addressed via a lien on the property. Instead Adobe Wells could go to small claims court or file suit.
 - Everyone who buys a home gets a written copy of the Covenants, Rules and Regulations, By-laws and Development Specifications.
 - When Rules and Regulations are changed, every home will receive a hard copy of the new Rules and Regulations along with the updated Development Specifications. This information is provided under "Homeowners' Information" on the Adobe Wells website: AdobeWells.net with the password: aw4901
 - The Development Specifications have been updated, but no vote is needed on them.
 - The work by the rules committee began in November and had been discussed at previous Board of Director meetings which are open to all Homeowners.
 - Homeowners are free to vote no on any proposed rule change to which they disagree.
- 2. Equipment for Golf Course** - At a recent Happy Hour, Rick Weisbeck had asked for donations to cover the cost of new equipment and was encouraged by several Homeowners to instead request funding from the Board from the Activity Fund. The request was for the cost of a used Toro Greens Mower 3100 with new 11 blade cutting reels (\$2090) and a runabout Toro Workman 2100 (a cart with a box on the back - \$1045) with freight charges of \$1290 for a total of \$4425. Rick has connections with LL Johnson Distributing providing these opportunities for the purchasing of quality used equipment. The Greens Mower would replace the one currently being used and the verticutter would be put on the old one. The old cart that would be replaced by the Workman could be offered to Maria, our housekeeper, to use in the park. The Board voted to put this on the ballot for the homeowners to vote on. The \$4425 would come from the Activity Fund to purchase the items presented by Rick.
- 3. Vote** - Homeowners were requested to complete and submit their ballots.
- 4. Sanctioned Golf Changes** – Tammy McHaney presented a golf committee request to the Board. The Board voted to approve moving High Handicap to Mondays at 9:00 A.M. with the understanding that they will miss one week a month due to the Homeowners' meeting. Also, the Board voted to approve

changing the fee from \$.50 to \$1.00 with some of the money going to awards and the remainder for a trophy for most improved. Both items had been discussed with participating High Handicapped golfers.

5. Golf Cart Parking at Wertz Hall - There is a lack of adequate golf cart parking at Wertz Hall with safety concerns when carts are parked on both sides of Carnation. A firetruck and emergency vehicles would not be able to get through. There are times where FedEx and UPS can't get through. At the Board of Directors meeting on March 6th, Bob Gotter presented the Board with a proposal for constructing golf cart parking on the north side of Carnation between the curb and current sidewalk. The board agreed this was a good idea and should be pursued pending approval by the City of McAllen assuring the project would not violate any of their landscape ordinances. We did not have any Special Projects in the 2023 AW Budget, but we intend to go ahead with this project. The approved 2023 Budget, approved by the Homeowners in January, contains a line item in the Encumbered Funds for Road Maintenance and Paving. It is our intent to use some of the Encumbered Funds to do this project. When we develop our 2024 Budget, we will reimburse the Encumbered Funds for the cost of the project and add our annual amount to the Roads line item. This will allow us to perform the paving during the summer this year rather than wait until next summer after approval of the 2024 Budget. Bob Gotter has talked to the City and has obtained the permit from the city. This will be done over the summer. Appreciation expressed to Bob for heading up this project. Ideas expressed by the Homeowners included:

- Traffic can be rerouted to Camilla when Carnation is congested. It is not necessary to destroy green space for additional parking.
- This has never been a concern in the past.
- Park on the grass on the east side of Wertz during Happy Hour and Homeowners' meetings, or begin pulling up on the grass in front of Wertz.
- Money should not be tapped from the Encumbered Funds since additional parking is not a street repair.
- In the past when money from Encumbered Funds were spent, Homeowners voted on the proposal. If the Activity Fund was tapped for this project, a Homeowners vote would be required.

Pres. Venker indicated the project would not be completed this summer and the Homeowners would vote on it next season.

6. Sound Proofing of 19th Hole - Due to the number of large gatherings at the 19th Hole, a request had been made to investigate soundproofing options because of the poor acoustics. Tiles of different shapes, colors, patterns, textures, artworks, etc. are available via Amazon for costs from \$20 to \$240 per set based on size. Tiles could be used on either the ceiling or walls using self-adhesive command strips, so they don't damage the walls. Most options are flame retardant. The Board voted to allow up to \$800 from the Activity Fund for adding soundproofing to the 19th Hole. Jim and Sheila Jeffcoat are working on this.

7. Refrigerator for 19th Hole – The Board had voted to bid on a like-new refrigerator at the auction. We were out bid. The refrigerator went for \$500.00 which went into the auction proceeds and then the Activity Fund. So, at the March 6th Board meeting the Board voted spend up to \$800.00 to purchase a

new refrigerator to replace an old refrigerator at the 19th Hole which is 27 years old, has rust on the front and a broken and missing handle. Pres. Venker is looking for one on sale to match the other refrigerator purchased last summer.

- 8. North Side Gas Leaks** – On March 2nd natural gas to the North Side was turned off by Texas Gas due to a gas leak. It was not turned back on until March 16th. Numerous leaks were found; some were underground, and some were at the regulators. Texas Gas brought teams several different times to try to locate the leaks with laser gas detectors. Then every time the system was pressured up, leaks were still present. Finally, Texas Gas indicated the need to get a City Inspection. The city passed it, but Texas Gas still would not turn the gas back on. Eventually, they suggested having our plumber pressure it up and if the pressure didn't drop within 5 minutes, the gas would be turned back on. The pressure held, and the gas was restored. These gas lines are very old. We have no maps showing how they run, and lines can't be located because there is no tracing wire. Adobe Wells is in the process of trying to get the Texas Gas Development Committee to meet with us to determine if we can run new lines to each home with its own meter. A case number has been received but they have not contacted us. Pres. Venker extended a huge thank you to Dave Zimmerman who had worked for the gas department in Iowa for 35 years. He was a huge help in dealing with this. Appreciation also expressed to Denny Hahn, Jim Jeffcoat, Sylvia Stillwell and Larry Schuett for their help. Denny spent many hours working with Dave. Pres. Venker spent many hours on this as well.

Announcements:

Pres. Venker:

- Residents, please remember to sign out of the business office with Veronica before leaving for the season and to give her the name of the person who is taking care of your property while you are gone. This includes trimming, picking up fruit, taking care of flower beds, etc.
- Pres. Venker thanked Mark Werdeman and Rick Schindel for all of their work on redoing the bulletin boards at the Post Offices and #1 and #17 Tee Houses.
- A letter of appreciation from "His Hands Ministries Inc." was shared.
- Victor is missing 3 live animal traps. If a Homeowner has borrowed one and forgotten to give it back, please return it to Victor or let him know if its use is still needed.
- All Park Breakfasts summary of 2022-2023: Meals served totalled 1136 for a profit of \$6,016.41 which goes into the Activity Fund. The last breakfast is Saturday, March 25th. Many thanks to John Fjelsta, his crew of cooks and everyone that volunteers to help.

Adjournment: Motion made, seconded and passed to adjourn at 11:30 am.

See attached voting results.

Respectfully submitted,

Laurie Lee

Recording #DM620135