



Woodlake Property Owners Association

Minutes of the Board of Directors Meeting - Sunday, August 21, 2016

CALL TO ORDER: This meeting was called to order by board member and Association president, Bill K. at 2:04pm at 8045 Key Largo, Belton, Texas, after a 15-minute field visit to Cliffs of Woodlake, Phase II lot #8 to observe the rearmost 10% of that lot.

OTHER BOARD MEMBERS PRESENT: Eric S. (Vice President), Michael G. (treasurer), Robin R, and Nancy G. Bruce S. was not able to attend.

OFFICERS (NOT BOARD MEMBERS) PRESENT: Tom K. (sec/scribe/webmaster).

GUESTS PRESENT: None.

COMMITTEE AND PROGRAM LEADERS PRESENT: Howard S. (Architectural Control Committee and Neighborhood Watch)

OTHER PROPERTY OWNERS PRESENT: Vicki B, Mike G, Dave P, Joe G, Julia G, and Debbie K.

DECLARATION OF QUORUM: The president declared a quorum for this meeting, based on the board members present.

PROPERTY OWNERS/VISITORS/CITIZENS FORUM: The president offered time for anyone to speak about any matter not already on the agenda for this meeting. No one offered comments at this time.

APPROVAL OF THE MINUTES OF THE LAST REGULAR BOARD MEETING: The Board voted to approve the minutes of the 22 May 2016 Board of Directors meeting as published at Woodlake.net.

OFFICERS REPORTS, COMMITTEE AND PROGRAM REPORTS:

Treasurer's Report:

Mike G. briefed the treasurer's report:

Beginning balance (at May 22nd BOD meeting): \$18,322.58

Activity since the May 22nd meeting:

---Deposits: \$500

---Withdrawal: (petty cash) None

---Expenses paid: \$10,064.03 (including \$9,722.33 legal fees)

Balance of funds 21 August 2016 (including petty cash on hand): \$8,837.37

Architectural Control Committee (ACC) Report:

Howard S, briefed the following:

There were no reportable ACC actions since the last meeting.

Neighborhood Watch (NW) Program Report:

Community Emergency Response Team (CERT) program preparations continue for the Woodlake community.

OLD BUSINESS:

The president briefed the current status of the Woodlake Property Owners Association's (WPOA's) efforts to enforce deed restrictions concerning prohibited animals in the Cliffs of Woodlake Subdivision. The decision of the 146th Judicial District Court, Bell County is now final. That court affirmed the WPOA's decision that the prohibited animals must be removed from the Cliffs of Woodlake property containing the animals. The court also approved \$6,335 in fines levied by WPOA against the property owner for violating the restrictive covenant which outlawed the animals. The court additionally awarded the WPOA \$12,013 in legal fees which should, along with the approved fines, cover all our legal fees regarding that case. The court "severed" the defendant's claim of discrimination based on alleged violations of Federal and State fair housing laws and assigned a separate case status and case number to that claim. To date, no hearings are scheduled for this severed case. Defendants also appealed the 146th Judicial Court's decision, described above, to the 3rd Texas State Court of Appeals in Austin, Texas. To date, no hearings are scheduled for this appellate case.

NEW BUSINESS:

1. The board, for the 3rd time, considered whether the owner of Cliffs of Woodlake, Phase II lot #8 will be required to mow/trim the steep downslope at the rearmost portion of that property. This issue was first considered at the [BOD meeting 28 July 2013](#) and considered again and decided at the [BOD meeting 19 July 2014](#). The board declined to reconsider that 19 July decision at its [22 May 2016 meeting](#). The president included it again, on today's meeting agenda, because complainants called attention to a written correspondence between the previous owner of lot #8 and the Woodlake ACC, more than 12 years ago. The correspondence contained a discussion about landscaping the steep slope in question for erosion prevention and safety reasons. Complainants reason that this discussion about landscaping in 2004 should serve as a landscaping mandate for the current owner. After considering the correspondence described above and after a personal visit to the slope just prior to the meeting, board members voted that the board's decision on 19 July 2014 will stand, without alteration. The owner of 7009 Palisades Point will not be required to mow/trim the steep downslope at the rearmost portion of that property for the reasons outlined at the meeting on 19 July 2014. Mike G. suggested that a

written policy statement may be useful to define how much of the rearmost portions of any Woodlake property must be mowed/trimmed. The president asked Mike G. to draft such a policy statement for consideration at a future meeting.

2. The board considered whether the owner of Cliffs of Woodlake, Phase II vacant lot #13 will be required to pave (hard-surface) a rarely used dirt/gravel access trail onto that lot. Complainants claim that windborne dust from the trail aggravated a health condition of a Woodlake resident. They also argue that the health condition constituted a disability. Complainants contend that it would be “reasonable” for the board to “accommodate” the person with the health issue by requiring the owner of lot #13 to pave the access trail and, thereby, eliminate airborne dust that could result therefrom. Because Bill K. has an indirect legal interest in lot #13 and therefore a possible conflict of interest, he recused himself as a voting member of the board for this issue and turned control of the meeting to Eric S. (vice president) for resolution of this particular complaint. Board members observed the trail just prior to this meeting. Some discussion ensued between board members about whether significant dust could originate from the trail, considering the stony surface materials that were already on it to avert dust. There was no evidence of dust before the board, other than complainants’ statements. Board members’ discussion next focused on the board’s power to compel such construction. Board members agreed that requiring any construction on an otherwise vacant lot was beyond their purview and, therefore, not an action that the board of directors had the power to mandate.

FURTHER COMMENTS FROM THE BOARD: There were none.

ADJORNMENT: This meeting was adjourned, by the President, at 3:13 pm.

Tom Kirwan, secretary/scribe/webmaster
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