

4 October 2020

WPOA BOD
P.O. Box 9204
Belton, TX 76513

WPOA BOD Members,

As a WPOA member/property owner, I'm writing to advise you that the events leading to my resignation as Chair of the ACC did not result from the installation of the unauthorized "bus stop". The lack of trust and support from the BOD was a factor however, paramount to my decision was the deceit, the total disregard, ignorance or contempt for the Articles of Incorporation and the vote of "No Confidence" from an uninformed, misled or indifferent HOA membership.

I ask you to present these issues for the record reference the illegal "bus stop":

1. No record/minutes were published for the to the HOA identifying the need, priorities and resources.
2. No study/survey was published for the HOA identifying: risk/reward analysis, cost for lease, purchase, construction, maintenance, property/liability insurance, court and litigation.
3. No consideration was made to evaluate the facilities utility: Who, how many and how often will it actually be used during the normal school year (a few children for a few minutes in the a.m. for, at most, 180 days?)
These are minimal benefits over an intermittent, limited period for a very few with unknown risk, expense and potential special assessments - continuous expense burdened on the entire HOA.
4. No record exists explaining all these concerns BEFORE the ill-advised, poorly conceived and prematurely installed under a false-sense-of-urgency bus stop shelter and a rushed, last minute, unsubstantial survey initially neglecting Cliff and Cliffs Phase II homeowners.
5. On its face, the bus stop shelter is a TERRIBLE idea fraught with legal peril for owner of the property and the individual BOD member who acted impetuously because "No one else would do anything (to help or pay for it) to get it done" admitted the HOA doesn't have the funds for this.
6. The e-mail threads I have are evidence that the BOD knew that the ACC would never approve any structure, (Conscience of Guilt) without reviewing the application and plans. The BOD attempted to deceive me (the ACC) to act contrary to established policy and procedures by pre-approving a plan for a specific HOA property owner for an RV shelter as "a personal favor" because of "extraordinary circumstances, eggshells, and powder keg and to put past issues to rest" situation thus violating principles and, as before, recurrence of accusations of "showing favoritism, preferential treatment and discrimination".
7. The threads also contain statements of veiled threats to undermine the authority of the ACC by limiting or removing ACC autonomy and loss of support. Examples of why ACC should remain responsive to the property owners and to NOT be influenced by term-limited BOD members (who are supposed to REPRESENT the HOA) and why the statute allows ACC members to be vested by the HOA membership to whom they are responsible, not to the BOD.

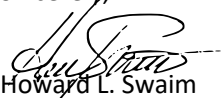
I, personally, oppose the installation of the bus stop shelter because I don't believe, in other than general terms, the entire HOA should be held accountable for the safety of a few select children or for the facilities misuse, neglect and upkeep. Had the BOD presented their proposal for the shelter with all the pro/con arguments, "unusual structure" remedies for code/deed restrictions by the state, and with the plan requesting the warranted variances/waivers with the application and acknowledgement by the property owners for the shelter's installation, none of this would be an issue.

The e-mail threads are evidence that the BOD acted reckless and dismissive of established Articles of Incorporation, the Deed Restrictions and Covenants risking liability and litigation this community neither deserves nor afford.

Therefore, I insist the BOD make my opposition statement public and to grant myself and others immunity from any/all unauthorized annual maintenance fee increases and any special assessments that may arise from this unauthorized "unusual" bus stop shelter.

I ask that you post this memorandum as an amendment to the minutes for it to be posted to the website or what ever distribution means necessary to make available for each HOA member.

Sincerely,



Howard L. Swaim
7100 Palisades Pt
Belton, TX 76513