

Horse Creek Ranch Homeowners Association

Minutes – February 19, 2019

Meeting called to order by Dick Van Dyke at 6:00 PM

Quorum Present

Posting of meeting was verified on website.

Board Members Present:

Dick Van Dyke

Don Musel

Sandy Van Dyke

Johnnie Shull

Stefan Greene

Melisa Ward

Adrian Grimmett

No public comments.

Reports:

Dick met with Bob Harrell, emergency manager re road work bridge on

236 – scheduled for 2020. FM 107 road work scheduled for 2022.

Proctor Dam release of water in good condition. Log jams at the Iron Bridge is the problem.

Letters are going out to some HCR homeowners re pipe line to survey only for now for right of ways for oil and gas.

Cedar Report given by Don – work is going slow. Additional help really needed for the burns. The 10% of the monies earned is going into the Church checking account. Jimbo is also have cedar removed from his property. Dick will check with cedar worker to see how they are keeping up with what is being removed from what property.

Architectural/Compliance report is attached – by Don Musel.

Other Discussion: Proposed schedule of fines for violations is attached – for further discussion and with atty. advise.

Suggesting Policy Manual Hand Book be done to clarify do's and don'ts to elevate confusion.

Perhaps have an atty at meeting to answer the many questions.

Church/HOA – Lease agreement needed.

January minutes were accepted – Motion Stefan & Don second.

Financial Report not given, Truman did not attend, not feeling well.

Annual Membership dues and proposed increase discussion next meeting.

Research collection agency fees etc. for the delinquent dues.

Melisa Ward will continue to be a board member.

Secretary – Sandy Van Dyke will be recording secretary – Motion by Don and

2nd by Stefan.

Thank you Stefan for the wonderful wall map of HCR. Don will make frame for hanging.

Work Shop 3/9/19 9:00 to discuss fines, church, & legal issues. All are welcome.

Next Executive meeting 3/12/19. 6:00 PM

Next Board Meeting 3/19/19. 6:00 pm

All posted and scheduled agenda items having been handled, and with no objections, meeting was adjourned.

Horse Creek Ranch Meeting 2/19/19

Attended:

Dick Van Dyke

Sandy Van Dyke

Don Musel

Alma Musel

Stefan Greene

Johnnie Shull

Jimbo Hicks

Melisa Ward

Adrian Grimmett



To: HCRHOA Board
From: Donald Musel, HCRHOA ACC Chairman
Date: 19 February, 2019
Re: February 2019 ACC Report

Activity since the last scheduled meeting.

• Plans submitted for construction

1. Tract 34 - The ACC committee met with potential new owners of the property to give preliminary approval based on the home plans they provided for review. This was necessary because the construction type was not clearly addressed in the deed restrictions (Article 7.08 (b)). By unanimous vote of the committee, their preliminary plans were accepted, providing additional stone or brick be added to at least encompass the entire front facade. *Stone*

• Violations

1. Tract 15A - Loose dogs in the area- Exceeds allowable limit for dogs (5). - violation of Article 7.06 and (A.)
 - a. Owner contacted about complaints. - No progress.
 - b. County sheriff's office contacted - deputy's involvement is an option.
 - c. Violation letter drafted as a written notice of violations.
 - d. Need to discuss and/or propose penalties or fines for these types of violations of deed restrictions. (See attached fines schedule for future ratification by the board).
 - e. Now two additional owners with loose dogs. (Tract 10A, Tract 11A) - violation of Article 7.06.
2. Tract 56 violations.
 - a. Home is too small (720 ft²) and of improper construction type for the tract deed restriction. (Modular home of 1400 ft² minimum required) - violation of Article 7.08 (c)
 - b. General junk/trash on the property. - violation of Article 7.02
 - c. Structures located between the residence and street. - violation of Article 7.09 (b)
 - d. Violation letter drafted as a written notification of violations.
 - e. Before starting action, recommend contacting the Declarant to make certain no promises were afforded the owner that this dwelling would be permitted.

*Don -
Letter to
them.*

3. Tract 4 property clean up status.

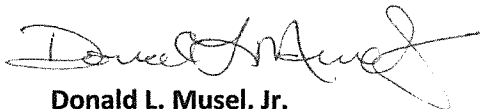
Boat

- a. Some progress. Weather may be a possible issue in lack of progress.
 - b. Awaiting further update from neighbors.
 - c. Open for discussion.
4. Phase 2, Tract 4 property clean up status.
 - a. No progress.
 - b. Open for discussion.

5. Several other violations noticed throughout community.

- Other activity

1. Started work on the fines schedule for violations but may have stumble on a road block with regards to Texas State law, primarily Chapter 209 of the Texas Property Code, titled the "Texas Residential Property Owners Protection Act" that may require legal guidance on proper process.
2. Recommend putting together a comprehensive policy handbook on HOA board of directors operations with regards to Architectural control among other things for consistency of future board member responsibilities.



Donald L. Musel, Jr.
Horse Creek Ranch
Architectural Control Chairman
254-681-2507



To: HCRHOA Board Members
From: Donald Musel, HCRHOA ACC Chairman
Date: 19 February, 2019
Re: Proposed schedule of fines for violations

This is part of a proposed policy amendment to the HCRHOA deed restrictions as a guideline for fines assessed to homeowners in violation of current deed restrictions. The two options proposed are meant to start a discussion between board members on how to proceed and not meant to be taken as a final solution.

Option 1 - itemized, fixed fine, recurring until resolved.

Type of Violation	Fine	Recurrence	Term
Dogs/cats in excess of 5	\$100 per	Monthly	Until resolved
Swine in excess of 1	\$100 per	Monthly	Until resolved
Livestock in excess of 1 per acre	\$100 per	Monthly	Until resolved
Poultry in excess of 10 per acre	\$100 per	Monthly	Until resolved
Abandoned cars/trucks, RVs or boats	\$100 per	Monthly	Until resolved
Failure to submit construction plans	\$100	Monthly	Until resolved
Unmaintained buildings	\$100	Monthly	Until resolved
Improper driveways/fences (Legend Oaks)	\$100	Monthly	Until resolved
RVs used as residence longer than 45 days	\$100	Monthly	Until resolved
Late fees for delinquent dues	10% of dues	Annually	Until resolved
Late fees for special assessments	10% of dues	Annually	Until resolved
Building encroachments	\$100		Until resolved

Option 2 - encompasses any violation, graduated fine for non compliance.

Type of Violation	Action	Fine
Initial Violation	Failure to correct within 10 day period.	\$50.00
Repeat Violation	Additional notice may be given but is not required prior to levy of fine.	\$100.00
Continuous Violation	Additional notice may be given but is not required prior to levy of fine.	\$500.00

*Option 2 - would include violations listed from table 1 but fines would be levied based on duration or frequency of the violation.

I recommend we continue work on this in a board member workshop setting to further define fee schedule, payment terms and processes including homeowner appeal/hearings and seek legal council to ensure we remain within the legal confines of Texas State Law, Chapters 204-209 before setting final policy.

Donald L. Musel, Jr.
Horse Creek Ranch
Architectural Control Chairman
254-681-2507