

THE BOARD OF DIRECTORS OF THE SETTLERS PARK HOMEOWNERS ASSOCIATION HELD THEIR MONTHLY MEETING ON FEBRUARY 18, 2020 AT 7:00PM AT THE COMMUNITY CLUBHOUSE AT 3010 SETTLERS WAY BLVD., SUGARLAND, TEXAS.

Directors present: Bonnie Finnigan, Bill Sargent and Claudia Shakespeare and Jill Quinn. Diane Decker was ill. Christi Keller with CMC was also present. Several homeowners were also in attendance.

CALL TO ORDER: President Finnigan called the meeting to order at 7pm and presided over the meeting, establishing quorum. She welcomed the attendees. She introduced Christi Keller with CMC and announced that Christi would be the HOA's new property supervisor. Keller spoke briefly of her experience and what she wanted to accomplish with the Board and for the HOA.

GUEST SPEAKERS: Ross Woodfin, the City of Sugar Land's Senior Project Manager in the Engineering Department presented an update on the City's CIP Drainage Improvement Project for Settlers Park. He addressed the time line for awarding the contract, explained the scope and the limit of the project and how it would be done in phases. A Q&A session followed. Door hangers will be posted before construction starts and traffic flow that will be affected will be properly marked. He was thanked for his presentation. Carrie Paxton-Lamkin announced the Sugar Cube Block Party Trailer program and noted that reservations should be made at least two weeks in advance.

President Finnigan announced the Agenda would be adjusting the Order of Business and made some opening remarks that led into the Open Forum. Attendance at the meeting tonight is largely due to resident interest and concern for facility usage. The business contracts the HOA has are: management which auto renews annually and is not typically revised as it adheres to industry standards; pool management renews annual with updates regarding costs and swim schedules; landscaping auto renews annually and in the last month has been sent to the attorney for review and updates and is expected to be re-signed in the upcoming month; pest control and cleaning contracts for the clubhouse that auto renewal and are adjusted when necessary. The above contracts are not rebid on an annual basis; they are rebid if the current provider is not performing sufficiently and after the Board has taken appropriate steps to work with them without required improvement. When contracts are re-bid, we seek three or more bids.

Facility Use Agreements: FC Gold is a non-profit summer swim league catering to the community and has outside membership from nearby communities and the elementary school; Eric Kwok, Tennis Coach – the verbal agreement has been used entirely too long so a written agreement was established last spring with an option to update days of court time quarterly. We are due to review the agreement. The current cost he pays to the HOA ranges from \$150 to \$225 per quarter. This is an Agenda item tonight but a decision will be tabled until we hear input from our residents tonight. FCST – off season use; it's been a 10 year contract, reviewed by the team and the HOA attorneys due to the financial and long-term commitment. Team pays for additional chemical costs provided by the pool company, all gas/heating costs, all equipment and/or maintenance parts; the income benefit from the pool company using our heated facility for lifeguard certification classes brings \$1500 income to the HOA this year. Markell Lyng – clubhouse use is a resident and a Sports Performance Consultant; reoccurring usage based on a simple rental contract adjusted for hourly use based on rates at the time the agreement was signed. If this agreement continues will be revised and updated annually. This agreement has resulted in more than \$18,000 income since it began to the HOA. The benefits are a constant presence in monitoring the clubhouse status for AC performance, water damage, etc. We give her two weeks' notice if an adjustment to her schedule is needed for a resident full day rental of the clubhouse. Tennis League use of the tennis courts – residents on leagues have paid a nominal fee and there have been no recent issues brought to the Board's attention.

Resident input is always welcome and will be considered when the Board reviews and moves forward in their review of any of the service contracts; whether that be renewals, restructuring or discontinuing any of the agreements. Questions and concerns and feedback can always be directed between meetings to our HOA supervisor or to the Board using the HOA website. There are also opportunities for volunteering. At our upcoming annual meeting, we will have Board elections and the process for nominations will be announced once we work out the details for the Annual Meeting.

Q&A followed.

1. Was Bonnie an employee of FCST when the Swim Team agreement with the HOA signed. Yes, and she disclaimed that to the Board and it required the Vice President to sign the pool use agreement and she stated she would only agree to it if it was a unanimous vote of the HOA Board, which it was.
2. Boy Scouts and Girl Scouts haven't used the Clubhouse in some time and they want free use of it – would the Board approve that? The Board will have to discuss that. Lyng pays a rental fee to use the Clubhouse. The Scouts and other non-profit groups would have an expense to use the clubhouse but the Board could consider a nominal fee or perhaps a community service project in exchange for a complimentary use.
3. Do outside users/groups have appropriate insurance certificates on file with the HOA, such as the school for swim parties? Yes

Board Comment: For request of association documents and information, please make your formal requests through CMC and state your specific purpose for the requests. The Board will be developing and maintaining a Contract/Use Agreement Spreadsheet and will have the attorney review the agreements prior to signing or renewals for specific language needed for the HOA annual. There will be no future verbal agreements. Insurance for all service providers will also be reviewed annually.

Proper meeting etiquette will be followed and we will now go into Open Forum with one person being recognized and speaking at a time with no side discussions.

1. The sports consultant and tennis pro both have background checks through their professional organizations
2. Shouldn't the contracts that have been expired be suspended until they are vetted and finalized? The Board doesn't feel this is necessary since all are being reviewed. We will take this under advisement and consult with the attorney. If they are suspended then their services to the HOA will cease and that would be detrimental to the HOA in many cases.
3. Signing contracts – if the date is under question then that needs to be reviewed – the Board said already contracts will be reviewed prior to their expiration date.
4. Does the Board have a policies and procedure manual? In the past, there was one and Karen Metcalf, a prior board member offered to locate it and work to update it for the current Board.
5. Tennis Pro Contract – the question of it being current through March 2020 and under current review; residents want their feedback on the tennis pro to be considered seriously in his contract review. Board asked one resident to send them a good sample of a tennis pro contract she uses at her job and she agreed.
6. Why does a resident have to pay the HOA if they bring their own tennis pro for their child when Erik pays so little in use fees and he has such broad use of the courts? Board agrees Erik should have been paying long before this past year for 4 days a week use.
7. Deed restriction enforcement – complaints about lack of enforcement – Board said this was one reason they asked for a new manager. Board is considering a fining policy. Right now, they send a letter, then a 30-day certified letter than a legal demand letter. It is a lengthy process and one that has to follow state statute requirements. The Board agrees much improvement is needed in this area and Keller noted she will work hard in this area but there is a lot to catch up on and it will take time.
8. Better communication between the Board and the residents – the Board wants to improve communication but communication needs to be respectful on both sides. We will focus on communications, deed restriction enforcement, the City's CIP grant program for phase I of a perimeter brick wall along Settlers Way Blvd and contract management. Code enforcement issues should be reported to the City's 311 Department. The Board will not interact on NextDoor. NextDoor is not an HOA media platform except for meeting and social event announcements.

President Finnigan announced there may be a Board position opening up that would be an appointed position and not one ready for election. Residents suggested if a position comes open with six or more months left on their term that the position be announced for election and not appointed. Keller noted this would require a Bylaw amendment.

APPROVAL OF MINUTES

Upon motion made by Finnigan and seconded by Sargent, Be It Unanimously Resolved to approve the Minutes of the November 2019 and January 2020 Board of Directors Meetings.

FINANCIAL REPORT

Keller reported on the January 2020 financial report. She reviewed the Balance Sheet and the Statement of Operations noting it was for one month of income and expenses and it is on a cash basis.

REPORTS

Social – Kelley reported a large attendance at the December event with very positive feedback. With a committee of only 3 volunteers, they need help to continue the events. The Easter Egg Hunt is set for April 4th and high school volunteers can earn service hours. The Summer Kick Off will have a Dive In Movie.

Pool/Facilities – Jill reported new windscreens were installed on the tennis courts.

Landscape – Claudia noted Yard of the Month will take place May through August and then again in December and they want to improve on the Holiday Decorations. Two trees were removed – one was damaged and one was to clear a traffic line of sight problem.

Website/Communications – Bonnie stated the goal is to have an eblast monthly with a heavy trash day reminder.

UNFINISHED BUSINESS

Brick Wall Update – application for the CIP Grant was extended to February 28th. Three bids were obtained and the goal is to use the same brick that Chimneystone used on their wall but better construction methods. Keller is working on the grant application submittal.

Pool Surface repair or new plaster – Jill met with 2 companies and has one more meeting. The plaster is almost at it's end of life. Board doesn't expect the Swim Team to pay for the plaster job but the Summer Team will make a donation toward the project if it's in their budget. The Board is also looking at repairs to the pump room.

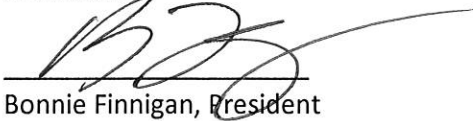
NEW BUSINESS

Tennis Pro contract – this will be handled amongst the Board by email with all the feedback from the attendees at the meeting tonight.

March meeting – it was decided there would not be a meeting in March.

Those in attendance were thanked for attending and for their input. The meeting was properly adjourned at 9:17pm after the Board announced they would be going into an Executive Session.

APPROVED:



Bonnie Finnigan, President