

Castle Estates Homeowner's Association Meeting MINUTES for Tuesday, March 7, 2023

1. Call to order – Verification of Quorum; quorum met; meeting called to order at 7:11 PM
2. Opportunity to meet & greet new homeowners since last meeting & introduce the board
 - a. President noted that Secretary's phone number is incorrectly listed on most recent agenda
3. Pledge of Allegiance (if Flag(s) are available)
 - a. U.S. Pledge and Texas Pledge said
4. Recognition of Service to our Subdivision's Volunteers by president
 - a. HOA Board Members
 - i. President – Jennifer Wolf (3-year term, 2022-2025)
 - ii. Secretary – Denise Saylor (3-year term, 2022-2025)
 - iii. Karey DeVries – Interim Treasurer (Treasurer's 3-year term ending 2023 anyway)
 - b. ACC Members – Currently, Jerry Cross, Tom Estep and Jack Foreman. Only Jack Foreman was in attendance tonight of current 3 members
 - c. Volunteer to put Flags Half-Staff and to change them out when needed
 - i. Adam Bauer (until Sept 2022)
 - ii. Jack Saylor (Sept to current)
 - d. Volunteers for Holiday Lights
 - i. Currently the Wolf Family – updated décor purchased for next year. They would love another Homeowner to take this over if anyone is interested.

Old Business:

- a. Approval of May 10, 2022's Meeting Minutes, as presented – Jill Kaiser made a motion to approve the minutes as presented and David Seward seconded; minutes passed as presented
- b. Approval of the December 31, 2022's Treasurer's Report, as presented – Jill Kaiser made a motion to approve the report as presented and Terri Foreman seconded; report passed as presented
- c. Discussion over the remaining work of the 580' of Park Fencing & funding
 - a. No one was present as planned to update on fence condition/longevity, though it is still standing - no action taken
 - b. Discussion about homeowner votes for alternate fence material – no action taken. This type of change would require 67% of all homeowners to sign & approve.

New Business:

Jennifer Wolf proposed discussing bullet c (policies) before bullets a (treasurer election) and b (architecture committee elections) so those volunteering would be more informed; there were no objections raised.

- a. Election for the Treasurer position (3-year term, 2023-2026) - discussed role/responsibilities of the position
 - Tommie Geddes resigned March 2022
 - Melissa Gaston was acting as Interim Treasurer and resigned June 2022
 - Karey DeVries has been acting as Interim Treasurer since June 2022
 - Cheryl Pearson made a motion to nominate Karey DeVries to continue as treasurer
 - Jill Kaiser made a motion to nominate Stephanie Seward and Jane Fox seconded
 - Karey DeVries relinquished her nomination
 - Stephanie Seward was unanimously elected treasurer (3-year term, 2023-2026)

b. Election for Architectural Committee Members (2-year terms, 2023-2025)

- All 3 end in 2023, so need votes on all 3 positions
- Karey DeVries resigned June 2022 to become Interim Treasurer
- Richard Ferdinandtsen resigned June 2022 for personal reasons
- Tom Estep and Jack Foreman have been acting as Interim ACC members since June 2022
- Jerry Cross was not in attendance, but it was reported that he no longer wishes to serve on the ACC
- Jill Kaiser nominated Jack Foreman and Tom Estep for the ACC and Aaron Deluna seconded
- David Seward nominated Aaron Deluna for the 3rd position and Terri Foreman seconded
- David Seward moved to close nominations and Jill Kaiser seconded; all in agreement
- Jack Foreman, Tom Estep, and Aaron Deluna will serve on the ACC (2-year terms, 2023-2025)

c. Discussion of updated policies to align with State of Texas legal/legislative requirements

- President provided overview of changes from 2011 & 2021 legislative sessions.
- Per lawyer input, there is very little wiggle room overall to come into compliance.
- Tonight is only for initial discussions.
- ACC Members will have a chance to review those specific policies prior to Board voting.
- The Board agreed to ask our attorney about the risk level if we do not update our policies to align with the state, and further discussion will happen in the Board meeting (date TBD).

-ACC Related Policies-

- Religious Displays – TPC 202.018
 - i. President reviewed Texas Property Code requirements.
 1. HOA cannot prohibit size of display of religious items, except for things such as displays not motivated by “sincere religious belief” (which would be difficult to prove); threatens public health/safety; contains language, graphics, or any display that is “patently” offensive to a passerby for reasons other than religious content; installation violates building requirements like setbacks or easements
- Swimming Pool Enclosures – TPC 202.022
 - i. President reviewed Texas Property Code requirements.
 1. Must allow black color, could allow others well
 2. This is separate from yard fencing, which is still currently limited to wood per current Deed Restrictions.
 3. May possibly include gate/latch requirements from 2018 International Swimming Pool Guidelines
 4. Pre-existing pools should comply with legal requirements, but that’s more city enforcement than HOA
- Security Measures Policy – TPC 202.023
 - i. President reviewed Texas Property Code requirements.
 1. Homeowners should request ACC approval for all security lights, cameras, etc., (front/side/back) EXCEPT doorbell cameras (not required ACC approval) – this is to ensure placement does not offend/bother other homeowners
 2. “Perimeter Fence” verbiage is less clear, but we can still limit “Type” of fencing to comply with current Deed Restrictions
- Policy on Flags – TPC 202.012
 - 1. President reviewed Texas Property Code requirements.
 - a. HOA can’t restrict US, TX or Military Branch flag in pole/freestanding
 - 2. **Side note – President reported that the current Board wasn’t aware of how often flags needed to be replaced. They were replaced July 3, 2022 and recently replaced again on March 3, 2023, with a plan to be replaced moving forward 3-4x/yr. Also discussed flags previously cost \$200/both, and new flags just purchased \$135/both.
- Solar Panel Policy – TPC 202.010
 - 1. President reviewed Texas Property Code requirements.
 - a. HOA can’t restrict entirely – We actually have 1 homeowner with solar panels currently

- b. There ARE some limitations on where/what - but SOME
- c. Still requires adherence to other Deed Restrictions policies like the tree requirements (Section 6.4.D) and Requests for Subpanels/Breaker Boxes/Battery Systems (must be included in ACC requests, follow current D.R., etc.)
- d. Most important thing is for interested homeowners to check with your adjoining property neighbors as they can prohibit installation of any from their view

-Other (Non-ACC related) Policies/Amendments-

- HOA Website – TPC 207.006
 - i. President reviewed Texas Property Code requirements.
 - 1. Establishing & maintaining our own HOA Website is required since we have >60 lots
 - 2. Right now, looking at ~\$15/month for the web host (between \$10-\$20/mo) with no online payment or large webhosting abilities
 - 3. Suggestions were given for what to include on the website
 - a. Contact information
 - b. Copies of Bylaws and Deed Restrictions
 - c. Suggestion “box” for homeowners
 - d. Suggestion “box” for agenda items for upcoming meetings
 - e. Ability to report deed violations
- Architectural Review – TPC 209.00505
 - i. President reviewed Texas Property Code requirements.
 - 1. Not so much a policy, but By-Law/Deed Restriction amendment to provide more clear separation between Board & ACC as no current Board or spouses of current Board can be on the ACC
 - 2. Appeal Process to include Board of Director Hearings if homeowner desires
- Board Meetings – TPC 209.0051 (Likely Amendment, not new policy)
 - i. President reviewed Texas Property Code requirements.
 - 1. Notices & Open to Members
 - a. Notice required 6 days prior via e-mail & on website, mailing 10 days. Still need to clarify if website notice is sufficient for those without current e-mail (7)
 - 2. All annual budgets must be approved in a formal Board meeting
- Payment Plan Policies - TPC 209.006, 209.0065, 209.0064
 - i. President reviewed Texas Property Code requirements.
 - 1. This will supersede any previous payment policies
 - 2. Late Fees can start at 30 days, but can't start collecting until 45 days
 - 3. Limits credit reporting for delinquent owners (currently have 4 not paid for 2023)
- Deed Restriction Violation Hearings TPC 209.007 (likely Amendment, not full policy)
 - i. President reviewed Texas Property Code requirements.
 - 1. Allow Hearings in front of Board if requested
- Leasing Policy – TPC 209.016
 - i. President reviewed Texas Property Code requirements.
 - 1. HOA can't legally restrict leasing
 - 2. However, HOA needs contact info and basic lease info for current residents
- Record & Retention Policy - TPC 209.005
 - i. President reviewed Texas Property Code requirements.
 - 1. How long, where/when, how to request, fees (per the TX Administrative Code 70.3), etc.
- Other
 - i. Dedicatory Instruments TPC 202.006
 - 1. President reviewed Texas Property Code requirements.
 - 2. Will be filed once all updated polices approved at TBD Special Meeting (Board first, then all Homeowners)
 - 3. Policy on Management Certificates (Galv Property & the TX-HOA Website)
 - 4. Deed Restrictions/By-laws being updating to become searchable documents, as well as filing/re-writing for clarity, correctness & submission to correct entities

5. Voting on Changes require approval of 67% of ALL Homeowners (NOT 75% in current D.R./By-Laws as 75% conflicts with the current TPC 209.0041)
- ii. Annual Meetings
 1. President reviewed Texas Property Code requirements.
 2. Future annual meeting format changes to include/allow for Open Forum (likely requiring time restriction & sign-up in advance), Executive Sessions (if needed), etc. Will be a work in progress.
 3. Minutes – plan to be posted prior to next annual meeting, though may only be Board approved by that point
- iii. Loose pets (dogs)
 1. President reviewed Texas Property Code requirements.
 2. Won't require any changes to current Deed Restrictions/By-Laws as really if pet is off homeowner property, homeowners should contact the local Animal Control (currently Bayou Animal Services 281-337-3117). B.A.S. staff report that pictures help them.

Adjournment:

Jill Kaiser moved to adjourn the meeting; Karey Devries seconded and the meeting was adjourned.