

NOTICE OF THE MEETING: Per Chapter 209 of the Texas Property Code, an open meeting of the Board of Directors of the Castle Estates Homeowner's Association will be held at 6:30pm on Wednesday, June 21, 2023, at Amegy Bank, 13030 Hwy 6. Santa Fe, TX 77510. The following items will be on the agenda for this meeting:

CASTLE ESTATES HOMEOWNER'S ASSOCIATION
BOARD MEETING AGENDA
MINUTES

1. Call to Order

- a. Meeting called to order at 6:31 PM

2. Roll Call

- a. Introduction of New Board Members
 - i. Treasurer, Stephanie Seward, term 2023-2026
- b. President – Jennifer Wolf, term 2022-2025
- c. Secretary – Denise Saylor, term 2021-2024
- d. Treasurer – Stephanie Seward, term 2023-2026

3. Open Forum

- a. 3 minutes each (sign up at entrance)
- b. D. O'Grady - voiced fence concerns; kids from outside our neighborhood have been kicking in the fence; police have been called; concerns about cars driving in the grass at the park; discussed overgrown trees and poisonous weeds; there is a dark corner where Castle Dr curves toward Ave P (jagged pavement near the fire hydrant is a safety concern)
- c. L. Hughes – questions about moving fence line and who is on the ARCC to contact, she was told to email the HOA with questions and those would be passed on to the ARCC; asked about connecting Castle Dr to Ave P (board will follow up with the city); asked about security for Halloween and can we ask the police for more presence, can they block the roads for Halloween?

4. Approval of Meeting Minutes

- a. Last Board Meeting – Motion made to accept previous board meeting notes by Stephanie Seward and Denise Saylor 2nd
- b. Annual Meeting (3/7/23) minutes – will send out to homeowners after Board approval, though still unofficial until next Annual Meeting. Stephanie Seward made motion to accept minutes as unofficial, Denise Saylor 2nd

5. Presentation of Reports

a. Officer Reports

i. President's Report

- 1. Lots of new Families moving in!
- 2. Complaints – mostly RVs and Loose dogs
- 3. Working on information consolidation for future Board Transitions
- 4. Website – still working to set up. Will discuss more later on under 7b on Agenda
- 5. Consider possible prepaid phone number instead of using Officers' personal cells?
- 6. Consideration of Neighborhood Event?
- 7. Consideration of starting up Yard/Home of the Month again?

ii. Treasurer's Report

- 1. All 2023 dues collected – exploring adding Zelle as an option next dues cycle
- 2. All bills paid (moving to electronic formats, like paying for lawn care via Venmo?)
- 3. Requested Bank Card (Denise) for ease of certain purchases (checks, USPS, flags)
- 4. Galv Co property taxes (up-to-date now, but somehow had not been paid since 2005)

iii. Secretary's Report

- 1. Most recent Directory (6/10/2023)

2. Consider welcome letter with Deed Restrictions, Directory, etc., to new Residents upon receipt of transfer payment?

b. Committee & Volunteer Reports

- i. Architectural Committee (given by President)
 1. Current Members – Tom Estep, Jack Foreman, Aaron Deluna
 - a. All Terms 2023-2025
 2. No current outstanding requests
 3. Review of Lot Side Yard Deed Restriction Language
 - a. Deed Restriction Section 6.6 - Side yard fences on corner lots located nearer to property line than building setback line
 - b. HOWEVER, the original plot (roller paper – stored at J.Wolf's home) shows a different setback line for some properties than most other corner lots in the subdivision
 - c. Architectural Control Committee will officially review and make decisions on a case-by-case basis with all information available including original plot
- ii. Flags (given by Secretary)
 1. Current Volunteer is Jack Saylor
 2. Reviewed discussions with Fire Dept about where they purchase, maintenance, etc.
 3. Now buying flags from Amazon per their recommendation – and cheaper!
 4. Plan for ~3-4x/yr change
- iii. Christmas Decorations (given by President)
 1. Currently done by the Wolf Family - Still looking for someone else to take this over
 2. Foreman's will take over and we will also investigate expanding to decorate for other holidays with secular decor

6. Old Business

a. Texas State Filings

- i. TX Secretary of State changes submitted Fall 2022 via mail. Reflected changes effective Oct 2022, but no changes actually made. SOS could not report why – said it mostly feeds from Comptroller Filing. SOS said it will auto-update on website following recent Texas Comptroller filing (5/2023)
- ii. As of 6/21/23 - Registered Agent Updated to Jennifer Wolf successful, and updated Board Members successful

b. Sprinklers

- i. Off most of Winter to save money, recently turned back on
 1. If too often, not enough, how (who?) to monitor?
- ii. Backflow Testing up-to-date 3/2023

c. Discussion of Remaining Work on Park Fence

- i. Discussion over the remaining work of the 580' of Park Fencing & funding
- ii. Jennifer Wolf will follow up with Tom Estep about his previous offer to help reduce material costs
- iii. Discussion about possibly getting trail cams for the back fence at the park
- iv. Need to investigate - Would insurance cover injuries for volunteers helping to replace the fence?

7. New Business

a. Review and Approve Budget

- i. Budget 2023 (Jan 1- Dec 31, 2023)
 1. Handed out budget to all present for input/review
 2. Discussion over adding/adjusting planned funding for Park Security, Fence Repair, HOA Website, and/or HOA Cell Phone
 - a. \$1000 allotted for security toward repairs of fence and cameras
 - b. \$100 allotted for prepaid phone for HOA
 3. Jennifer Wolf moved to accept, Denise Saylor 2nd – Approved (unanimous)
- ii. Fall/Winter Board Meeting – Plan to Set 2024 Budget & review Dues for 2024

b. Review and Consider Approval of Policies to align with State of Texas legal/legislative requirements

- i. Update from Lawyer regarding Risk Level/Minimum Recommendations following Annual Meeting request
 1. From lawyer:
 - a. "The guidelines that are in my opinion that are the most important to have filed are the payment plan policy, records and retention policy, solar panel (as an issue has already arisen in regards to this matter), security measures, and leasing."
 - b. "These guidelines are to help the homeowners understand what is or is not allowed in accordance with the state law and deed restrictions. Having guidelines helps with notice requirements for violations of guidelines and state law. This is the same concept as having the deed restrictions being filed; it puts the homeowners on notice of what they can and can't do with their property."
 - ii. President note – Making these changes in our DR/BL helps with new homeowner confusion is main purpose in adding all of these, but also being a smaller, volunteer-run HOA doesn't exempt us from potential legal issues.
 - iii. -ACC-related Policies- (underlined = most important recommendations per lawyer)
 1. Security Measures Policy – TPC 202.023
 - a. President reviewed Policy verbiage & Texas Property Code. The Board discussed/asked questions related to policy
 - i. Homeowners should request ACC approval for all security lights, cameras, etc., (front/side/back) EXCEPT doorbell cameras – this is to ensure placement does not offend/bother other homeowners
 - ii. "Perimeter Fence" is less clear, but we can still limit "Type" of fencing to comply with current Deed Restrictions
 - b. Decided to not vote pending possible minor wording adjustments
 2. Solar Panel Policy – TPC 202.010
 - a. President reviewed Policy verbiage & Texas Property Code. The Board discussed/asked questions related to policy
 - i. HOA can't restrict entirely – We actually have 1 homeowner with solar panels currently
 - ii. There ARE some limitations on where/what - but SOME
 - iii. 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.)
 - iv. Most important thing is for interested homeowners to check with their adjoining property neighbors as they can prohibit installation of any from their view
 - b. Decided to not vote pending possible minor wording adjustments
 3. Religious Displays – TPC 202.018
 - a. President reviewed Policy verbiage & Texas Property Code. The Board discussed/asked questions related to policy
 - i. 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
 - b. Passed (2 approved, 1 abstained)
 4. Swimming Pool Enclosures – TPC 202.022
 - a. President reviewed Policy verbiage & Texas Property Code. The Board discussed/asked questions related to policy
 - i. Must allow black color, could allow others well

- ii. This is separate from yard fencing, which is still currently limited to wood per current Deed Restrictions.
 - iii. May possibly include gate/latch requirements from 2018 International Swimming Pool Guidelines?
 - iv. Pre-existing pools should comply with legal requirements, but that's more city enforcement than HOA
 - b. Decided to hold on vote pending possible minor wording adjustments
- 5. Policy on Flags – TPC 202.012
 - a. President reviewed Policy verbiage & Texas Property Code. The Board discussed/asked questions related to policy
 - i. Can't restrict US, TX or Military Branch flag in pole/freestanding
 - b. Decided to hold on vote pending possible minor wording adjustments
- iv. Non-ACC Policies/Amendments
 - 1. Website – TPC 207.006
 - a. Plan to set up and go live later this summer
 - b. Establishing & maintaining our own HOA Website (required >60 lots)
 - c. Right now, looking at ~\$15/month for the web host
 - d. Suggestions were given for what to include on the website
 - i. Policies and Deed Restrictions
 - ii. Suggestion "box" for homeowners
 - iii. Suggestions for agenda items for upcoming meetings
 - iv. Ability to report deed violations
 - 2. Architectural Review – TPC 209.00505
 - a. Will request policy draft from our lawyer
 - b. Policy or By-Law/Deed Restriction amendment? to provide more separation between Board & ACC – so, no current Board or spouses of current Board on ACC or anyone residing in the current Board member's home
 - c. Appeal Process to include Board of Director Hearings if desired
 - 3. Board Meetings – TPC 209.0051
 - a. Notices & Open to Members
 - i. 6 days notice via e-mail & on website, mailing 10 days
 - ii. *However, still clarifying about if website notice is sufficient for those without current e-mail (7)
 - b. All annual budgets must be approved in a formal Board meeting
 - 4. Payment Plan Policies (From 2011 + also some in 2021 including TPC 209.006, 209.0065, 209.0064)
 - a. This will supersede any previous payment policies
 - b. Late Fees can start at 30 days, but can't start collecting until 45 days
 - c. Limits credit reporting for delinquent owners (currently have 4 not paid 2023)
 - d. Passed (unanimous)
 - 5. Deed Restriction Violation Hearings TPC 209.007
 - a. Requested copy of policy from our lawyer
 - b. Regarding resident violation hearings, if requested
 - 6. Leasing Policy – TPC 209.016
 - a. Can't legally restrict leasing
 - b. Just says HOA needs contact info and basic lease info for residents
 - c. Discussed creating a form with contact information that the leasee/renter signs
 - d. Passed (unanimous)
 - 7. Record & Retention Policy - TPC 209.005 (Prior to 2021 Legislative Requirements)
 - a. How long, where/when, how to request, fees (per the TX Administrative Code 70.3), etc.
 - b. Passed (unanimous)
- v. Other

1. Dedicatory Instruments TPC 202.006 – will be filed once all updated policies approved at TBD Special Meeting? (Board first, then all Homeowners)
 - a. Policy on Management Certificates (Galv Property & the TX-HOA Website)
 - b. Deed Restrictions/By-laws being updated to become searchable documents? What about filing/re-writing for clarity, correctness & submission to correct entities?
 - c. VOTING ON CHANGES required by ALL Homeowners – will be 67% of homeowners, NOT 75% in current D.R./By-Laws (75% is in conflict with the current legislature TPC 209.0041)
2. Annual Meetings
 - a. Future annual meeting format changes – discuss now or Fall meeting when discussing dues/next meeting?
 - i. To include/allow for Open Forum (likely require time restriction & sign-up in advance), Executive Sessions (if needed), etc.
 - b. Minutes – plan to be posted prior to next annual mtg (though may only be Board approved by that point)
- c. Review and Consider Approval and/or Scheduling Special Homeowner Meeting**
 - i. Needed for Homeowner Approval to amend By-Laws/Deed Restrictions to reflect updated policies?
 - ii. Decided to hold on vote pending updated policies & need per lawyer

8. Adjourn

- a. Meeting was adjourned at 8:59 PM
- b. Denise Saylor moved to adjourn, Stephanie Seward 2nd