

Board of Directors

Fort Clark Springs Association, Inc.
Regular Meeting
October 18, 2014



The Board of Directors of Fort Clark Springs Association, Inc. met in regular session on Saturday, October 18, 2014 in the Board Room, Fort Clark Springs, Kinney County, Texas. The meeting was called to order at 9:00 a.m. by President Roby Roberson. Roll call established a quorum with the following directors present: Roby Roberson, Sandra Hagen, Myrna Cassel, and B.E. Sweet and Bill Herman. Also present Monique Jensen –Interim Operations Manager. Observers recorded in Board Minutes Binder.

ANNOUNCEMENTS/CORRESPONDENCE: Ms. Cassel wanted to remind the audience that Ann Watts would appreciate if members of the audience announced themselves for the benefit of viewers of the video online. A certified letter requesting documents from Mr. Roy Howell representing Mr. Baker and Mr. Bauman was read aloud.

APPROVAL OF MINUTES: Cassel moved to approve the Regular Board Meeting Minutes for September 20, 2014. Herman 2nd the motion. Ms. Cassel stated there were minor corrections to be made. The motion carried with a unanimous vote.

DAILY OPERATIONS REPORT:

Director Hagen turned time over to Head of Maintenance Philip Garcia to address issues or member concern regarding the benches in the Amphitheater. Mr. Garcia stated that the benches had been lifted off their bases during that most recent flood and that they were damaged so was instructed to remove them for safety. They are now in motorpool. Mr. Garcia offered a couple of ways to fix the situation with the benches, one being to replace them as is with new wood and they would float again in the next flood or he could install heavy metal pipe frames and attach wood to that. He asked the BOD to inform him of what decision they would make. Mr. Garcia also informed the audience that with the current amount of rain we have seen is keeping his crew busy with mowing because of the “overnight” grass. Director Hagen then reported that the Deer Harvest is starting this month and guidelines are located on the Fort’s website. Reservations can be made at the Front Desk.. She reported the dance at the swimpark hosted by the Kinney County Chamber of Commerce went very well and well received. The Job Posting for Director of Operations has been posted. It was suggested that the posting be put on the Website and on Facebook. Ghostly Tours will start next week. October Fest is this evening at the Grill and a tournament is taking place at the Golf Course. Director Hagen added with the shuffle of duties in the office that financials are not available in this month’s BOD packets but will be available with next month’s financials.

COMMITTEE AND ORGANIZATION REPORTS: The following committees presented oral reports to the board: Architectural, Golf, Preservation, Community Council and Recycling.

Architectural Committee: Glenn White reported the committee met only 1 time this past month. He stated 4 permits were submitted and letters were sent to expired permit holders.

Golf Committee: Debbie Isaacs reported the committee discussed the new rates. The tournament today is scheduled for 1pm. Tournaments still scheduled for Nov, Dec, and Jan. She stated there is some interest in having a Marshall class so that we may have members Marshall the course.

Preservation Committee: The committee has sought out bids for the Service Club and Seminole Hall. They are advertising for more bids. Next project will be the Fire Station. An audience member questioned about the wall at the dog park. Mr. Philip Garcia received an estimate for \$4000 because it is a historical wall. Director Hagen followed that a witness has come forward and the fort should follow up and pursue damages from the person who wrecked the wall.

Community Council: Allison Watkinson reported that funds for Fort Clark Days 2015 have been distributed to the committee. She also stated that the Fort and Community Council have an approved partnership or Memorandum of Agreement. She reminded the audience of the Ghostly Tours and that each tour was filling up quickly and she only had a few slots left. A \$25 donation was given to Maverick

Board of Directors

Fort Clark Springs Association, Inc.

Regular Meeting

October 18, 2014

County to show appreciation. She reminded the audience that they are looking for a President, 1st Vice President, and 2nd Vice President for next year's elections for Community Council. She also stated that the Fort Clark Days Committee still is in need of a Chairperson and more volunteers.

Recycling Committee: Judy Winchell reported that another load is ready for pick up. Electronics pick up was very slow this time so they have extended or delayed the pick up until December. Reminder for no household appliances in this electronics pick up. Old TV's are ok. Take ink cartridges and toner cartridges out of printers.

RV Committee: No Report.

Discussion/Approval: Explanation of Golf Fees

Hagen moved to open discussion. Herman 2nd. Hagen stated that there is a misconception that the BOD or one Director set the new prices for the Golf Course. The Golf Committee made recommendations but the Director of Operations made the change. New prices were in effect Oct. 1 to coincide with the Fiscal Year. The price list was posted for 2-3 months prior. The new price list was set to encourage members to take advantage of discounts. The 3 month pass and 1 month pass were created to encourage those temporary residents like the windfarm people to play while here. There are people who play on all the passes. There are also people who play without paying. The Golf Committee through the couple rates were not satisfactory. Dan Sullivan (recognized by the BOD) asked if he had to pay in October when he normally renews every January. The response was "no" he could continue to pay in January. Debbie Isaacs stated that rates had not been increased since 2009. The Golf Committee suggestion for the Couple rates was on the 3 month pass be \$300 and the single rate on the 3 month pass be \$190. The Golf Committee also suggested Cart rental to be \$10 for 1 player for 18 holes with 2nd player at \$5. Cassel moved to approve the rates as set/recommended by the Golf Committee. Herman 2nd. Roby suggested to not vote on the new prices. Hagen called the question. Cassel, Herman, and Hagen voted in favor. Roberson, and Sweet against. Motion passed with majority vote.

Reading/Approval: Proposed Amended Election By-Laws

Cassel moved to approve the 1st reading of the Amended By-Laws. Hagen 2nd the motion. Cassel read the Amended by-Law. Mr. Sullivan was recognized as a member of the Election By-Law Ad-Hoc committee and stated that he finally spent time reading Section 209 of the Property Code and has found 2 objections with the current Amended By-Laws and that they are non-compliant 1) An HOA cannot put a restriction except for moral turpitude; 2) January 1st is the suggested date of record in what was read today but the Code says the "record date" cannot be more than 60 days prior to an election. Cassel asked why Mr. Sullivan changed his thoughts on this from when they met originally and his reply was that he did not have the Property Code given to him. Mr. Sullivan stated that By-Laws read today are far different from the original discussed, but suggested to the BOD "do what you want". The question was called to approve the 1st reading of the Amended Election By-Laws. The motion did not carry with 4 directors against; Hagen, Herman, Roberson, Sweet; and Cassel abstained from the vote.

Break: 10:22

Return: 10:36

Discussion/Approval: 2014-2014 Levy of Common Property Tax

Herman moved to discuss and possibly approve the Levy of Common Property Tax for 2014-2015. Cassel 2nd the motion. Hagen stated the proposed amount for the levy of common property tax is \$27. If the tax bill is paid by Oct. 31 there is a 3% discount. Herman amended his motion to approve the Levy of Common Property tax for 2014-2015 for the amount of \$27. Cassel 2nd the motion. The motion carried with a majority vote from Directors Hagen, Herman, and Cassel. Roberson and Sweet voted against.

Board of Directors

Fort Clark Springs Association, Inc.
Regular Meeting
October 18, 2014

Discussion/Approval: Appointment of Registered Agent – ReAnna Hay

Hagen moved to open discussion of the Registered Agent. Cassel 2nd the motion. Hagen stated the registered agent is normally the Director of Operations. It was suggested the registered agent be an employee because they are on property during business hours. ReAnna Hay was recommended by Hagen. Hagen amended her motion to appoint ReAnna Hay as the FCSA's Registered Agent. Herman 2nd the motion. Motion passed unanimously.

Discussion: Community Council proposal for Electricity for Fort Clark Day – Charles Fields

Charles Fields is the food vendor coordinator for Fort Clark Days. Every food vendor wants/needs electricity. We don't have the capacity for everyone. Mr. Fields submitted a plan for putting in electrical boxes similar to what the RV Park has to provide electricity to our RV guests. Roberson states it's the right thing to do and gives direction that the staff needs to work with Philip Garcia, Maint. Manager and Dan Laws, Rio Grande Electric to see what we can do. He states that we need to find out what the cost will be. Roberson also suggests that food vendors should be charge extra to pay for the electricity used.

15-MINUTE MEMBER DISCUSSION:

John Rosettsky: Pleads for the Association to send out bills appropriately; Happy that problems of the past are not being repeated; we have a competent staff. Art Baker: Wants answers: Sandee-Why do you want this to be an HOA? Bill-Why? Questions the 2002 elections. Uses dictionary to define the word "define". William Haenn: Registered Agent for Las Moras Corp has wrong people listed; TX Historical Commission info given was inaccurate; there isn't any credible evidence that he wants FCS to become a municipality; Hagen reports untruths about the Historic Property Tax being filed 2 days late—we are paying \$3000 extra for that mistake; Herman lied when he said he was on the Historical Buildings Preservation and Repair Committee; repeatedly denying members has fanned the flames of mistrust. Allison Watkinson: It's not fair to say we are paying last minute. Taxes have gone up. Several years ago the membership chose not to decrease the 1600 acres. She stated she doesn't have a problem paying the 60% of the taxes. As President of the Community Council she announced the Ghostly Tours for tonight is full. Dan Sullivan: Election By-Laws requirement for notification in November will present a problem since we need to have more readings. BOD tasked to possibly have a Special Meeting to read. Garland Young: Suggested bring forward copy of the money spent each month to help the BOD understand. Cecelia Roberson: Not present.

RECESS OPEN MEETING TO GO INTO EXECUTIVE SESSION: TIME: 12:23 PM

RETURN TO OPEN SESSION – Oral Summary of discussion held: TIME: 2:24 PM

Roberson stated that contract for pest control, legal bills, personnel issues and how to present open records was discussed. Roberson also read from the Rules & Regulations for FCSA regarding Personal Conduct of Members. He states that more responsibility should be had and held by the BOD of the mistreatment of employees and members. The BOD job is to support the employees and to take action against members who verbally abuse our employees.

CONFIRMATION OF NEXT REGULAR BOARD MEETING, TIME AND DATE: The next regular board meeting will be held on November 15, at 9:00 a.m. in the Board Room.

WITH NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 2:28 P.M.

Myrna Cassel, Secretary

M.E. (Roby) Roberson, President

Minutes submitted by: Monique Jensen