

# ***Bella Flora Corporate HOA***

## ***Meeting Minutes***

09 March 2017

### **I. Call to order**

Chuck Peterson called to order the regular meeting of the Bella Flora (BF) Corporate HOA at 7 pm on 9 March 2017 at Mira Vista Country Club.

### **II. Introduction of 2017 Board Members**

Chuck Peterson introduced the inaugural HOA board and the GloboLink Management Team to the residents.

### **III. 2016 Activity Report**

Chuck Peterson summarized recent events which included turnover of the Association to the residents on 1 January 2017, board elections, selection and initiation of the security service (Smith's Protective Service), landscaping projects, replacement of cameras at the front entry gate and the availability of camera for the Bella Ranch (BR) gate.

### **IV. Treasurer's Report**

Jerry Fisher presented the Treasurer's Report. He began by reminding the residents of the board's intent to enforce the current Covenants, and Restrictions (CCRs) and amend them as needed. He recommended residents take the time to read the document if they haven't as it's very informative.

Jerry presented the 2016 Financial Report and noted that, while the budget had come down some from 2015, the community was starting 2017 in a very favorable position.

- He noted that Texas Lawns had been very cooperative and provided line item detail on their responsibilities.
- The board has decided to retain the services of GloboLink and Jerry complimented the company on their invoicing, collections, accounting, audits and website services.
- Dues and fines were fully paid in 2016
- Only 10 unpaid dues or \$19K remain for 2017. Jerry explained that the CCRs allow liens to be placed against any home that goes significantly in arrears for unpaid dues and/or fines.
- Open fines of roughly \$1900 are being worked for a variety of CCR infractions, mostly minor.
- In response to a question from the residents regarding the number of families in BF/Creeks of Bella Flora (CB), the answer was approximately 150.

- Jerry indicated the board's intent to establish a capital improvements fund over the next few years to enable the Association to make improvements without resorting to assessments in every case.
- A resident asked how the fines could get so large at \$25 but Jerry explained the fines are \$25/day and can add up over time. Same resident asked if the builders were being fined for violations, particularly construction debris, and the answer was yes. Several warnings were issued for this subsequent to the meeting and these will accrue fines if not resolved within the time allocated within the CCRs.

#### **V. Answers to Questions Submitted by Homeowners**

The board members divvied up the questions submitted by homeowners in advance of the meeting and presented responses.

1. Jerry presented the first set of responses:
  - a. **Motorized Vehicle Usage:** A number of residents complained of underage residents operating motorized vehicles on community roads and jogging/walking trails, about their hours of operation and noise associated with their operation. Jerry pointed out the board's intent to issue operating restrictions similar to those employed in Monserrat and Mira Vista which have been drafted and are undergoing legal review. Motorized Recreational Vehicles will be defined as 4 wheeled ATVs, golf carts, and go karts. Proposed policy will limit usage to licensed drivers and vehicles with insurance, lights and proper safety features. They must be stored in accordance with the CCRs, kept off the jogging/walking trails and bridges, and operated only during daylight hours with potential exemptions for holiday usage (i.e., Halloween).
  - b. **Recycling:** Several residents asked how we could bring recycling to the community. Jerry explained that the program would have to be cost effective for the refuse company which would likely mean all residents switching to a single, or possibly two, providers. Several residents expressed a desire to stay with their current provider based on service and monthly cost but Jerry indicated it might be possible to establish a relationship with a particular provider that would give all customers a lower rate while adding recycling service. The Board's intent would be for a majority of homeowners to agree to switch to a common provider.
  - c. **Commercial Trucks:** Several residents asked why commercial trucks were being allowed to be parked in driveways overnight in violation of the CCRs. The CCRs clearly outline restrictions on commercial vehicles and the Board intends to enforce the CCRs.
  - d. **Noise Policy:** Several residents complained of noisy neighbors. While we encourage neighbors to work to resolve problems between themselves, the Board will enforce the CCRs which require residents to comply with noise restrictions.
  - e. **Trash Cans:** Residents complained of trash cans being left on the street past collection days and allowing them to be visible from the street at other times. The Board intends to enforce the CCRs and will require trash receptacles to be

hidden from view from the street. This means placed inside a garage or approved storage shed or screened by an Architectural Control Committee (ACC) approved screen or fence.

- f. Pool Fences: Residents asked if pools are required to be fenced. The CCRs will be amended to incorporate compliance with Texas State Law, Title 9, Chapter 757, Section 214.101, which requires pools to be fenced with outward opening gates. Fencing can be in the immediate area surrounding the pool or can encompass a larger portion of the yard but must be approved by the ACC in advance per the CCRs. A resident asked if this included ponds but it does not as they are not manmade. However, residents are advised to caution their families and guests of the dangers associated with the ponds. This led to a question regarding signage being posted. The Board agreed to look into signage. A follow-up question was related to a particular pond that is part of a resident's lot. Initial response is that this should be no different from other community ponds but the resident should check state laws to be sure.

2. Chuck Peterson responded to the next set of questions:

- a. Corner Landscaping: Residents asked if corner landscaping could be more standard. Chuck explained that the designs vary based on who owned the lots when they were developed. Several homeowners have taken responsibility for their corners. The Board has no plans or budget allocated for this project.
- b. RV Parking in Driveways: Several residents expressed an interest in being able to park RVs in their drives for multiple nights when preparing for or returning from trips. The CCRs limit this to a single night. The Board prefers to leave the policy as is and advised residents to request a temporary exemption from the Board when needed.
- c. Restricted Construction Hours: Residents complained of construction crews beginning work extremely early and extending well into the night. The Board will consider an amendment to restrict work hours.
- d. Creeks Turnover: Residents asked if The Creeks had a set turnover date and would they be incorporated into BF. There is currently no hard turnover date. Graham Hart owns several remaining lots and is in control of the HOA today. CB is a separate corporation with its own CCRs. Their residents can participate in BF HOA committees and activities as they contribute a portion of their dues to the BF HOA.
- e. Fireworks: Residents expressed safety concerns associated with fireworks usage in the neighborhood. One homeowner witnessed a grass fire started by one of the displays last year and also saw debris on a neighbor's roof. The Board agreed to review policies and make a recommendation to the community.
- f. Water Conservation: Residents inquired about watering of common areas during periods of rain and drought. Asked if Texas Lawns could install rain sensors on the system. The Board will inquire but reminded the residents that the common area sprinklers are fed by a shallow, non-potable underground stream so they have no direct impact on residential lawns or wells. The Board was also asked to look into

restricting watering hours and the need for over seeding to reduce the amount of mowing and watering required in the Fall.

- g. Street Lights: Residents asked if street lights could be installed at intersections throughout the development. Signage is admittedly difficult to read. The Board agreed to look into alternative street sign designs and believes the current signs can be swapped out for more visible, reflective signs. We have explored additional lighting but the cost is prohibitive with the cost exceeding \$3500 per light when trenching for power and wiring are factored in. The community would also incur a monthly fee to power the lights. Solar assisted lighting may be an option. LED lighting could help reduce power consumption.

3. Ken Merchant addressed the final set of questions:

- a. Fire Hydrants: Residents expressed interest in adding fire hydrants throughout the community. Hydrants would require city water and sewage service to be extended to BF and CB. GloboLink has checked the city plans and they currently have no plan to extend service to our area through 2030.
- b. Duck Protection: Residents asked if it was possible to provide a floating island for the ducks to move to in the event they are threatened. The Board agreed to look at options that would enable the ducks to move to safety.
- c. Broadband Service: Residents asked if it would be possible to get fiber or other broadband service extended to BF and CB. Ken explained, like trash service, this would have to be cost effective for the provider and at present it is not. We'll continue to monitor extension of service into neighboring areas and solicit providers to bring the service to our area.
- d. Power Outages: Residents for Board assistance in dealing with recurring power outages. Ken explained how the city decided how power distribution would be handled within the development. A portion of BF Phase I is served by Tri-County Electrical Co-op (TCEC) and the remainder by Oncor. TCET customers seem to enjoy more consistent service than those served by Oncor. The Board has been in contact with Oncor and will work with the company to demand they deal with the situation but the Board encouraged residents to make similar calls to Oncor. We believe this will force them to find a root cause and remedy the problem.
- e. Security: Numerous homeowners voiced concerns over the current security service provided by Smith Protective Services, who were represented at the meeting by Larry Applewhite, the firm's Business Development Director.

Ken explained that, as a result of the transfer agreement that handed the HOA to the homeowners, the Association is obligated to provide shared security with Bella Ranch. He reported having read and analyzed the daily reports from the security team and from their reported patrol logs for the last 3 weeks, finding Bella Ranch has received roughly 40% of the patrol time while they've only agreed to fund 30% of the cost. Since they have a much larger area to cover, we believe the agreement is imbalanced. The Board's preference would be to sever the agreement with BR and focus security on Bella Flora only but we need to talk with

the lawyer to determine our true obligation from the transfer agreement.

As stated previously in Board Meeting Minutes, BF HOA owes Smith Protective Service 30 days' notice to terminate our month to month agreement but we also owe the same notice to the BR HOA.

The board committed to standing up a security committee to bring them a recommendation on how to proceed. Longer term residents will recall the developers established the security arrangement in response to homeowner desires. This action followed the discovery of an alleged child molester being harbored by a resident. The other issue driving the response was the constant onslaught of solicitors in the neighborhood. Some residents wanted the gates closed and manned 24/7, others wanted armed security, some wanted to establish a neighborhood watch while others didn't want to shoulder the bill at all.

Now that we're responsible for our own security, we have the flexibility to adjust that level of service. We're going to do that through our established governance process. Subsequent to the meeting, a resident reported finding a Smith's agent asleep while on patrol in the Hills area. The Board has contacted Smith's leadership regarding the agent sleeping on duty and plan to meet with company representative in the coming days. During that meeting, the Board will discuss the patrol coverage disparity shown in the aforementioned analysis. Additionally, the Board will request their interpretation of what their officers are responsible for today under the terms of the agreement as we weren't the ones who charged them initially. Once we have that baseline established, we'll then ask for pricing for expanded service.

Regarding the gates, they're heavy and slow to close which enables piggy backing or tailgating by unauthorized visitors. Their weight implies they won't take a repeated opening and closing load without requiring a considerable amount of maintenance. As an example, last year, we spent a considerable amount of money having them removed and refurbished and went weeks without gates. If we decide to close them 24/7, we'll drive more maintenance and expense to the HOA. The community will need to balance that cost with the cost of manning the gate the Board also plans to petition the city to allow the gate between BF and BR to be closed. We'd add the cameras we already own and a keypad to allow entry from the BR side by BF residents. This city of Fort Worth requirement has been forced this gate to remain open to provide dual exit for BR. The Board wants to work an arrangement with the city to reduce vehicle traffic of all types through BF by closing these gates. We also plan to explore other options such as issuing stickers to residents so they're more readily identifiable by security, possibly adding (visually appealing) swing arm gates and a visitor's lane to control entry to the development but again, there's a cost associated with each of these

alternatives. Therefore, we'd like the security committee to examine options and bring us a set of recommendations.

Ken mentioned one more topic. Smiths has reported instances where their agents have stopped residents for speeding in the development only to be verbally assaulted for making the stop. The roads in our development are private so the Sherriff is unable to issue citations for infractions. Smith's is our Association's agent and they have the ability to issue citations on our behalf. If we want law and order in the community we need to abide by its laws, rules and covenants. The Board asks that residents treat our security team with respect if stopped and accept responsibility for their actions. If we have them look the other way for residents, it'll be difficult for us to enforce the rules for visitors and contractors.

#### **VI. New Business**

Chuck addressed new business and solicited membership in the following committees: Security, Neighborhood Watch, Social, ACC, Communications, Landscaping and Contracts.

The floor was opened to questions from those in attendance:

- A resident asked if a backup battery could be installed on the front gate. GloboLink believes there is one there but residents complained that the gates would not open due to a power failure on at least one occasion. The Board agreed to have our maintenance team look into the problem.
- A pothole was identified at the intersection of Bella Flora and FM 1187. The Board agreed to determine who has responsibility as this is on the berm of FM 1187.

#### **VII Safety Report by Tarrant County Sherriff**

Tarrant County Sherriff's Department Deputy Biggs took the floor to address residents' security concerns. He presented some options for citizen patrols and tips on securing personal property (upgraded locks on doors and windows, alarms, etc). He encouraged residents to call TC Sheriff any time they believe they or their property are threatened. The intent is to make criminals leave our community alone. In the event of vandalism, he also encouraged residents to call 9-11 or the non-emergency line, 817-884-1213. He reminded those in attendance that parents of minors can be held legally and financially responsible for the actions of their children. Criminal mischief charges and lawsuits can result to remedy damages. Children can be forced to appear in Juvenile Court and parents can be assessed fines. Criminal trespass orders can also be issued with vested authority of the Board. If residents deem ATV usage a danger or property is threatened call the Sheriff.

#### **VIII Adjournment**

Chuck Peterson adjourned the meeting at 9:05 pm.

Minutes submitted by: Ken Merchant