

**Sweetwater Ranch Homeowners Association, Inc.**  
**Annual Meeting Minutes**  
**January 28, 2023**

**Call to Order:**

The meeting was called to order by President Wes Jackson at 11:03 a.m. on Saturday, January 28, 2023, at the Kerens Library at 121 S. Colket Street in Kerens, Texas. The meeting was held as outlined and in accordance with the Bylaws of the Association. Two members also joined the meeting via conference call.

**Roll Call:**

It was determined by roll call that a quorum of the Association members was not present in person, by the proxy votes and via conference call. More than 40% are necessary to hold an official annual meeting with 41 lots represented. We had 40 lots represented when the roll was taken.

As we were establishing if a quorum was present for the annual meeting, Victor Delgado added the clarification that the 40% quorum applies to establishing an official annual meeting per the amendment to the ByLaws, but written consent of 66 2/3% of the Association is still required to amend the ByLaws. A quick review of the ByLaws during the meeting confirmed that Victor was correct.

**Proof of Notice:**

It was established that a notice of the 2023 Association meeting was mailed to each member within the proper period as outlined in Article IV, Section 4.5 of the Bylaws. Several homeowners acknowledged receipt. The notices were dated December 9, 2022 and were mailed the following week by the treasurer. Barbara Long made a motion of proof of notice and Mike Lawhorn seconded. Notice approved.

There was a suggestion that the Board introduce themselves for new homeowners at the meeting.

Wes Jackson – President  
Victor Delgado – Vice President  
Mary Wright – Acting Secretary  
Mike Lawhorn – Member-at-Large

**Reading of Minutes:**

The reading of the January 22, 2022 annual minutes was waived by a motion made by Joe Reed and Mike Lawhorn seconded and carried. Mary Wright added that copies were distributed to members prior to the meeting and were available at the meeting.

**Election of Board:**

Lashay Williams resigned as Secretary of the Association on November 27, 2022. Mary Wright is currently acting as Secretary and has volunteered for the position. The Treasurer has completed her term and we need a volunteer to complete the next two-year term. A Member-at-Large position is also available and we are looking for a volunteer.

**Report of Officers:**

**Treasurer’s Report**

Mary Wright presented the following report in Dana Ousley’s absence:

BEGINNING BALANCE 12/31/2022:	\$ 61,610.14
DEPOSITS since 12/31/2022	\$ 27,250.00
CASH EXPENSES 1/1/2023-1/18/2023 (utilities)	\$ <u>106.00</u>
<b>Checking Account Balance</b>	<b>\$ 88,754.14</b>

Our Beginning Balance from December 31st of 2022 is \$61,610.14. \$27,250 in dues have been received and deposited since December 31st. Of that amount, 2023 dues collected to date are \$26,825, and an additional \$425 of 2021 dues were collected in January 2023.

\$106 has been spent in January for electric.

Our checking account balance is currently \$88,754.14

Regarding Collections, total unpaid dues for 2023 are \$12,680 and include \$1,275 of dues for three lots which already have a lien. Total delinquent dues for 2022 and for 2021 are \$2,550 and \$1,775, respectively. Each of these two years includes \$1,275 for the three lots which have liens for multiple years. It appears that only the lots with liens are still outstanding for 2020. Fee notices from prior years (2021 and 2022) were included in the annual 2023 fee notice letters for those lots that are still outstanding.

Liens at the courthouse have been updated to include amounts due through December 31, 2021. While calculations for the lien updates have been completed, lien letters for the amounts due through December 31, 2022 need to be updated and filed.

The annual federal tax return and Texas franchise tax return also need to be completed.

The proposed 2023 budget, shown on page 2 of the Treasurer reports, has been created using the actual and budgeted items from the 2022 budget (which is shown on pages 3 and 4).

On the 2023 budget, the income section has been covered, and there are three expense items of the budget to highlight.

First, the budget for the roads has been increased to \$41,650 using the amount for roads not spent of \$19,806 in the 2022 budget. The expenses for 2023 will be larger than the receipts by \$25,280 but there is a surplus of \$30,212 from 2022 from liens collected and from road expenses not used.

Second, the budget for water was increased to \$1,160 based on 2022 actual expense. This is an increase of \$320 from the prior budget of \$840. We appear to have a water leak that needs to be located to reduce the water bill.

And the third budget item to highlight is a legal budget of \$5,250 to pay attorney fees for updating the HOA Covenants and By-Laws.

Please review the attached financials for more details.

And also please note that the 2022 financials are complete and an audit will need to be performed.

Dana also mentioned in her Treasurer's report that the inspection report was received from TRWD, and signs were posted on the dock regarding electric hazard. Pictures of the posted signs were mailed to TRWD. We are waiting to receive the certificate from TRWD. We should soon receive a new invoice for 2023 for TRWD.

Dan Williams made a motion to approve the Treasurer's report, Mike Lawhorn seconded, and the report was approved.

### **Report of Committees:**

#### **Report of Architecture Control Committee (ACC)**

Linda Denning provided the report on the ACC. Linda thanked Dewey Stevens and Holly Foxworth for their service on the ACC. In 2022 seven plans were approved as follows:

\*A house plan for Lot 93 on Jackson Circle for Thomas and Cecilia La Frenz. This is a one-story, 2766 square foot house, with a 2 car garage, and what appears to be a 3<sup>rd</sup> garage door is actually a dog room. This is a 4 bedroom and 3 ½ bath house.

\*A barn plan for Lot 107 on Sweetwater Trail for Victor Delgado. A 600 square foot barn.

\*A boat dock plan for Lot 60 on Arrowhead for Jeff Schwenk. These plans have to be approved by TRWD first, then come to the ACC.

\*Fence plans for Lots 68 and 69 on Sombrilla for Frank and Penny Miner and for Lot 93 on Jackson Circle for Thomas and Cecilia LaFrenz.

\*A sidewalk resurface for Lot 60 on Arrowhead for Jeff Schwenk. Approved by TRWD first.

\*Solar panel installation for Lot 77 on Jackson Circle for Mary Jane Morris.

There was a question regarding the requirements on a second building as far as limits on square footage on a property. Linda stated that a storage building cannot exceed 400 square feet, and on lots with 5 or more acreage, the building can be up to 600 square feet.

Linda mentioned that the ACC had received and approved a house plan for Lot 48, but the lot had been sold and the plan could not be used for another build. She questioned the Board if the ACC needed to keep the plan, and Wes Jackson said they could remove the plan from their approved files.

Wes Jackson thanked Linda Denning for the report, and Dewey Stevens and Holly Foxworth for their service on the ACC.

#### **Report of Road Committee**

Victor Delgado provided the report on the Road Committee. Victor noted the financial report and the surplus of \$19+ thousand on the road budget that was carried forward. Board members decided not to use a third party to make repairs that typically had cost an average of \$25 to \$30 thousand per year over the last several years. Victor said that he believed last year was first year that a third party was not hired to repair the roads. Instead, there were three events in the Spring and early Summer to maintain

and repair the roads by filling potholes. Mike Lawhorn and Victor did these events together, and for each event, they used 35 to 40 bags of asphalt at an average cost of \$17 per bag. \$2043 was spent in total to fill the potholes... a small percentage of the total budget and the balance of the 2022 road budget was rolled over to the 2023 budget.

Some repairs worked and some did not. This is no different than repairs done in the past. Victor also said they need more than 2 people to do this. If you can't come out to fill holes, you can help by making sure your builder follows the proper construction route and keeps their truck weight at no more than 44 thousand pounds. Please coordinate with Board members so they can be on the lookout for equipment coming in.

There is a sign that outlines the load requirements at the entrance to Sweetwater Ranch. That sign requires a permit and there was a question regarding the 18-wheeler permit and where that permit is obtained. Per Wes, there is not an actual permit, homeowner's should go to Linda Denning and Victor Delgado regarding new builds. Cement trucks should coordinate through Victor to explain the requirements. Homeowner's sometime forget the limits, Victor can help with reminders on limits and routes. Ted Snyder also watches as a courtesy to help Victor. Remember going forward to follow the requirements as a common courtesy. New builds seem to be slowing down, but we still have trucks carrying sod, gravel, etc... and it needs to be coordinated to keep the roads in the best shape we can.

Wes continued by saying we'll need hundreds of thousands to start a total fix on the roads. Right now we are band-aiding the roads by patching. We keep doing the same thing over and over again, but that's all we can do. Victor and Mike do a great job and have figured out how to do it well. If there is something dramatic that needs to be repaired, Victor will manage it and take care of it with common sense. But, this all comes down to money. We would need to put the HOA under a 3<sup>rd</sup> party agency and get a sizeable lien to really fix the roads, and that means HOA dues would have to substantially increase. We don't really want to pay more, but if we want the roads fixed, that's the only direction to take. Wes didn't want to invest too much time on the road discussion... they are what they are, and we need to approach it with common sense and within our budget.

Ted Snyder noted that the current approach is brilliant, but we are saving money each year... \$28 thousand this past year (which included the \$19k plus on the roads and collections from two outstanding liens). There is only one more house to be built on Jackson Circle, and Ted asked if that road could be fully repaired once the home on that one remaining lot is built. Maybe two years from now... Wes noted that cement vs. asphalt would be a better option for a full road repair. Wes did not make a commitment regarding this request as there could be other construction taking place on Jackson Circle besides new home construction. He also noted that Arrowhead and Sombrilla haven't gotten any attention. It is a couple of years down the road, and we'll address repairs at that time.

Victor asked that heavy deliveries be coordinated, especially in the summer, before noon. The asphalt gets hot and soft, and it damages the road more.

Linda Denning also added that the concrete should be limited to 6 yards to come in, but that is not always paid attention to. Per Wes, Linda lets Victor know when construction trucks are scheduled to come and Victor watches and if he can't be there he notifies someone else to watch. The HOA can enforce these requirements, some HOAs do, but we don't necessarily want to get into enforcement.

Tom LaFrenz noted that they have followed the rules with their home build. They had half loads of concrete coming in and had to pay more, but they wanted to be good stewards of the roads. Jeff Hein added that it is up to the lot owner to be responsible.

Joe Reed noted that concrete work done can be done at night, and Wes said most have done that when building a house on their lot. Tom LaFrenz added to remember to notify the neighbors when concrete is poured in the middle of the night as a courtesy. He also mentioned that his builder stood at 2 a.m. at the front entrance and guided the concrete trucks to use the proper route.

Ronnie Sullins asked if there was guidance of the “dos and don’ts” that tells new lot owners what we expect their builder to do regarding routes, weight limits, etc... Linda has a list of rules that is provided when there is new home construction and it is signed by the ACC, lot owner and their contractor. The La Frenz’s commented on the how well that document worked when communicating with their builder. The document is concise but a few nuances could be added such as follow the construction route and times of day that heavy loads can be hauled in. She agreed to add the construction routes and times for heavy deliveries to the document. Victor suggested that we post the document to the HOA website so requirements are clear and available to all. We all agreed to implement this suggestion.

### **Report of Landscaping Committee**

Mike Lawhorn provided the report on the Landscaping Committee. In mid-March the beds at the front entrance will be cleaned out and flowers will be planted. He could use suggestions on what flowers to plant. Coral Selma said she appreciates the work done at the front entrance because it always looks nice. Cathy Reed and Mary Snyder were thanked for their selections and keeping it nice for the seasons and the holidays.

Wes mentioned that Mike will let us know when we need to do the Spring clean-up. He also mentioned that the boat dock needs to be kept up, and that families should pick up trash, etc... when they use it.

Coral Selma asked if there could be a sign posted at the front entrance for when burn bans are in affect. There was discussion about burn ban signs that are posted at the Fire and Rescue Center on 287 and 309, etc... Someone also noted that they have the county send text notifications to them when burn bans are on, but not always when they are taken off. Currently the HOA secretary sends emails out when burn bans are in effect, but it was agreed that a sign would be helpful for everyone. Fabi Jackson volunteered to put a sign up at the front entrance for when burn bans are in affect and she will manage it as the bans are lifted and reinstated.

### **Report of Safety Committee**

Bobby Ousley was unable to attend to report for the Safety Committee. Wes Jackson noted as far as safety, there are no recent issues. He noted about a year and half ago we had some trouble with items being taken from vehicles. Some of the property was recovered, some was not. He noted that we are not close to town and have to depend on the Sheriff’s Department out of Corsicana.

Coral commented on improvements to the hog situation. Wes noted that with more houses being built and staying on top of mowing, there has been improvement. There are a few lots that have not been cleared/mowed and they typically have liens on them. He has made a point of going in and mowing

what he can unless it's too bad for his mower to handle it. Jaime Pulaski said he has equipment...tractors, brushhogs, etc... that can get into those difficult lots to mow.

Ted Snyder noted that he talked with the Sheriff deputy, and he said he comes through the neighborhood every morning around 1 a.m.

There was a question about putting up a camera at the front for safety to record people coming in. Wes said he has considered possibly making it a gated community with a code. The HOA has electricity now at the front, we have \$40 thousand plus in the budget, we could pour concrete at the entrance and put in a gate. It would cut down on people coming in that don't belong here and would give us a sense of safety and security. Wes will do some research to see if it's feasible. We could give a set gate code to police, fire, etc... they have to follow protocols to keep the code secure. Maybe use an admin code for construction workers... he has several thoughts on security cameras for the front entrance and maybe a gate. However, if we install a gate, no camera would be needed. Tom LaFrenz noted that The Shores has a gate and a camera that records where it can be viewed if there is a problem. Wes noted that we now have fiber optics and can install a camera. Coral Selma noted that the homeowners have talked about installing a gate for 20 years. Wes committed to researching the gate and camera options since we have electricity up front, fiber optics and some funding to go toward it.

### **Report of Welcoming Committee**

Frank Miner was unable to attend to report for the Welcome Committee. Wes noted that Frank is doing well and we appreciate his work with that committee.

### **Open Floor for Questions**

Dan Williams asked for the code to be changed on the boat dock...it's been a couple of years. Wes Jackson has the key and plans to change it before Spring, and Mary Wright will send out the new code to HOA members.

Lynne Russell asked about her communication with Commissioner Eddie Perry regarding paving County Road 3240 at the entrance of the subdivision. She had shared details of her communication in writing with Wes and Mary Wright and had not heard back. She had hoped he would be invited to the meeting. Wes received Lynne's email and decided not to invite him. He researched the county budget and the legislation. There is not enough money to address our road repair. He noted that \$5.7 million had been committed to 11 miles of road in Kerens just north of us. The four precincts had established funding for the roads that were worse off than ours. He did not want to set the Commissioner up for failure publicly, but plans to talk with him on the phone.

Lynne mentioned that when she spoke to the Commissioner, he was going to look at putting some money toward the road at the first of the year. They had a plan to use ground up shingles to pave the road, and that business owner went bankrupt, but the county could still consider an approach to paving the road. She suggested that we get together as a group and approach him.

There was discussion among several homeowners regarding sending in individual requests, or inviting the Commissioner to a separate meeting. Barbara Stephens suggested that instead of individual requests, we should band together as a group as there is more power in that.

Ted Snyder said that there are 4 Commissioners in Navarro County and a Judge (Judge Davenport) that leads them. Eddie Perry is the Commissioner for our precinct. They don't want to pave because it doesn't hold. Ted asked for more maintenance on our road, put a sand paver down. We should go to the Council's monthly meeting and ask for the budget to pave our road. There was discussion about our HOA getting on the agenda for a meeting of the Commissioner's Court with several of us attending the meeting as a group. The meeting is held at the county annex in Corsicana. We agreed to look into a date to get on the agenda and Mary will send an email out.

Jaime Pulaski mentioned that they are trying to put a 47 foot tall, 4 faced billboard along Hwy 287 by Oak Cove Marina and a string of others. Jamie, along with several others, is trying to stop it. Currently the base of one of the billboards is sitting along the side of the road disassembled. These billboards would be leased for 25 years. There is no legal precedent and no zoning requirements. In the past, Kyle Construction and Anderson Homes had to get approval for their billboards and they had to be 5000 feet away from the lake. There will be meetings regarding this problem, and Jamie will let us know when the meetings take place. Wes and Mary will broadcast it out via email. Jaime would like to see homeowners get involved with stopping this action.

Brent Truitt asked if the contact list with all of the homeowners could be shared with all of the homeowners. Wes and Mary have been updating the list. Mary Wright stated that typically the list is shared with the Board and with homeowners only upon request. Barbara Long confirmed that the list should not be distributed widely due to privacy concerns. It was agreed members will email Mary Wright for the contact list as needed.

Tom LaFrenz had a question and concerns about mowing of lots and keeping the lots maintained for the overall good of the neighborhood. He is specifically concerned about the lots behind him and he can't get in with his mower. Jamie mentioned again that he has equipment. Tom feels that lot owners should be charged to keep their lots mowed if they fail to mow themselves. While the HOA does mow and charge the homeowner, Wes noted that several of the problem lots are with members that already have liens against them. Wes stated we do send notifications out for mowing and will try to do better with the lots that are not being maintained.

Cathy Reed asked if we need a new mower. Wes stated that we should go with an agency for mowing and stop double paying for mower maintenance and for the service. We can enforce it better, and if we have a major repair that costs more than the mower, we might want to look at this option. Jaime Pulaski said he has equipment available for mowing.

Linda Denning mentioned to be on the lookout for a fundraiser on July 22nd. We have helped out a lot in past years.

Victor asked Wes to mention NextLink and the fiber optic project and anything pending. Wes stated that the fiber optic service is now available, but while the installation was taking place there were several ruts, tracks and holes made that need to be fixed. NextLink told Wes they would be out in the Spring when it is dryer to fix everything. If you have specific concerns on your lot, let Wes know and he'll convey it to NextLink. Wes thanked NextLink for moving our power to the easement and off of Lot 1.

Wes noted that we have an attorney hired to update the Covenants and ByLaws with new regulations and legislatives. He has paid the deposit, apologized for the attorney's delay, and said they will get a draft out within 45 days for review. Wes and Mary Wright will meet with the attorney to review the updates. Wes noted that we really needed an update as it was last done a long time ago. There is about \$5 thousand set aside in the budget, and it should be done soon.

#### **Ratification of 2022 Board Activities**

Joe Reed made a motion to ratify our board activities for last year and Victor Delgado seconded, motion passed.

#### **Nomination and Selection of New Board Members:**

Wes asked for volunteers for the HOA board. We need a Treasurer and to get the audit complete. Cathy Reed volunteered to be the new Treasurer. Many thanks to Cathy! We have another vacant position, we have one at large, but a second at large can assist as well. Jaime Pulaski volunteered to fill the available Member-at-Large, and Mary Wright had volunteered previously to be Secretary. The positions will be voted on by the Board at the post member meeting following the annual meeting.

#### **Open Floor for New Business:**

Wes said we've been doing well over the last years, appreciate the help with decorating the front and cleaning up the boat ramp. There was a question about the timing of the Spring cleaning, and Mike Lawhorn will coordinate that.

Cathy Reed mentioned that we need to schedule a Fall cleaning as well, especially the boat dock area that can get pretty grown up and needs to be tended to especially with the lake being low. Wes agreed and it will be addressed.

#### **Call to Adjourn:**

Mary Snyder made a motion to adjourn the meeting and Barbara Long seconded. Meeting was adjourned at approximately 12:20 p.m.

Wes thanked everyone for coming.