

Meyerland

Meyerland Community Improvement Association Board of Directors Meeting Minutes Thursday, October 8, 2020

ATTENDANCE

Board members present:

Bill Goforth (1)	Charles Goforth (1)	Jonathan Elton (3)
Patrick McAndrew (5)	John-Mark Palandro (10)	Cory Giovanella (8N)
Gerald Radack (2)	Larry Schwartz (8W)	Eddy De Los Santos (At-large)
Barbara Kile (3)	Bryan Holub (8S)	Bob Lordi (10)
Gerda Gomez (7)	Lucy Randel (At-Large)	Arthur Kay (6)
Sacha Bodner (8S)	Elaine Britt (8N)	Troy Pham (5)

Board members absent:

Justin Keiter (8W); Dr. Emilio Hisse (2); Cary Robinson (4); Susie Eshet (7)

Staff present:

Amy Hoechstetter

Legal counsel present:

Jonathan Clark (Hoover Slovacek)

CALL TO ORDER

- The meeting was called to order by Gerald Radack at 7:35 p.m.

SECRETARY'S REPORT

- Approval of the September 10, 2020 Board of Directors Meeting Minutes
 - Lucy Randel moved to approve the minutes. Eddy De Los Santos seconded the motion. There was no discussion and the minutes were approved by a vote of 14 in favor with one abstention

REPORTS & PRESENTATIONS

Office & Administrative

- Collections Activity
 - We have about 35 accounts that are in their first year of delinquency and a number that are multiple year delinquencies. All in all we have about a 2% delinquency which is remarkable for an association of this size.

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- Staffing
 - We have a new employee named Joy Gibson who will focus on accounts payable, accounts receivable, as well as learning the general compliance issues that all staff members run into when dealing with property owners.

Stairs/Fine Discussion

- Bill Goforth began the discussion on this topic with background on the issue (issue being homeowners exceeding the building lines with front stairs).
- There are approximately 8-10 current violations and there are another few being investigated.
- Extrapolating these numbers across the association, there could be up to 100 violations.
- Bill covered the universe of possible issues with the association fining homeowners for violating the policy
- Eddy De Los Santos added his thoughts on the discussions that have occurred with legal and warned of the blowback and issues with the association fining the homeowners
- There was a brief discussion regarding the possibility of homeowners getting a variance from the City of Houston and as part of that it was agreed that having time limits on how long a homeowner would have to get the variance from the COH would be beneficial. A proposal will be made on when that starts and how long will be given.
- Next, construction deposits were discussed as an option. Multiple variations for the amount of the deposit, how the governing documents allow for this as an option for the Board, and various potential procedural issues were discussed.
- Additionally, the potential issues surrounding holding money for others and the regulations involved were discussed.
- Lastly, the work that would go into enforcing a policy such as this one was discussed.

Gerald Radack proposed a simple poll of the Board members to find out if the DRCC should handle this, should an Ad Hoc Committee be created to handle this, or if the member is not interested. The poll was taken and the majority of members voted for the DRCC to handle the issue.

Structures Outside the Building Line Policy

- The policy document has been returned from Legal Counsel and they are being tabled until the next meeting

Sign Policy

- The policy document has been returned from Legal Counsel and they are being tabled until the next meeting.

Review of Modifications Package and Notice of Website Posting

- Request to Publish
- Bill Goforth noted his presentation to the Board last month and walked the board through the basic package that is proposed to be posted to the MCIA website.

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- He noted that there are a number of issues that will be worked through over a long period of time and he proposed getting a vote to have the package published and then specific issues will be presented to the board in subsequent meetings.
- Bill Goforth noted approval by legal counsel for publication on the Association's website
- Jonathan Elton with support from Charles Goforth suggested and Bill Goforth agreed that the items, estimated at 10% of the document, that had not been substantially discussed at the full Board should be the ones discussed first in the proposed subsequent monthly review of the document.
- It was noted that a vote was not necessary but just a notification that this is being posted along with a request for any objections.
- There was some discussion regarding dissemination of information and discussion of fees collected for construction issues.

Annual Meeting

- Gerald Radack covered the issues with the need for an annual meeting and the obstacles to having such a meeting. We will have a virtual annual meeting at the end of the year.
- The motion was made that we hold a virtual annual meeting on December 3, 2020 at 7:30 p.m. Charles Goforth seconded the motion.
 - Discussion followed regarding timing of election and duration of Director positions, potential legal issues surrounding the current timeline, obstacles to having a successful meeting (i.e. achieving quorum), along with other requirements for a valid annual meeting.
 - A key issue raised by Jonathan Elton was the risk to the MCIA, Board and individual Board members in not having an annual meeting in 2020 and waiting until March 2021 given the impacts of COVID19. Theoretical risks were raised with no quantification, but no practical material risks were described.
 - In Answer to a question legal advice was given that it was highly unlikely that Board decisions since March 2020 would be declared null and void in the event of an unforeseen challenge.
 - The motion passed with 12 for and 4 against.
- A subsequent motion was made that facsimile, electronic, and absentee voting be allowed this year, and that the Board be allowed to report results of the vote for Section Director up to 72 hours after, the Annual Meeting has concluded. Patrick McAndrew seconded the motion.
 - Discussion followed whether or not a motion was necessary as well as mechanics of the proposal.
 - The motion passed unanimously.

CLOSED SESSION

- Eddy De Los Santos moved to go into closed session. Larry Schwartz seconded the motion. The motion passed unanimously.
- While in closed session, the Board discussed a property issue and ultimately took no action.

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NEXT MEETING DATE

- Next regular monthly meeting will be Thursday, November 12, 2020 at 7:30 p.m.
- Annual Meeting will be December 3, 2020 at 7:30 p.m.

ADJOURNMENT

- A motion was made to adjourn the meeting at 10:00 p.m. by Eddy De Los Santos. The motion was seconded by Jonathan Elton and passed unanimously.

Approved by the board on November 12, 2020.