

Minutes
Board of Director's Meeting
Nantucket Preservation Association, Inc.
October 9, 2002
1510 Misty Lane

Meeting called to order 6:12 p.m.

A) Roll call and certifying proxies: David Reed, Pamela Rosynek, Penny Holmes, Gerald Atmar. Guest: Hank McQuaide. Absent: Bill Harris

B) Proof of Notice of Meeting or Waiver of Notice: Confirmed by presence and email response of members.

C) Minutes: Board approved as read minutes of Board meeting of July 10, 2002 on motion from Penny, second by Pamela.

D) Report of Officers:

1. President: As presented in body of minutes
2. Vice-President: As presented in body of minutes
3. Secretary: No report
4. Assistant Secretary: No report
5. Treasurer: No report

E) Report of Committees:

1) Architectural Control Committee

David reported that NPA Procedures for Non-Compliance of Covenants, Deeds and Restrictions or By-Laws have been prepared for distribution to members of the Association.

2) Lake/Park Committee

David reported that the lake has been visited by Canada geese and snow geese during the summer.

3) Annexation/Legal Committee

Penny reported on problems associated with the local sewage treatment plant (STP). The plant is owned by Nantucket Ltd and is located on NPA land by virtue of an easement granted by NPA. However, NPA has learned that while Nantucket Ltd has a permit from TNRCC to discharge effluent, it does not have a permit to operate the plant. Citations for more than 30 minor violations indicate that a permit to operate may be difficult to obtain. The land is within the corporate limits of the City of College Station, and Penny's discussions with CS representative indicate that the City may want to close the plant in conjunction with impending City annexation of a portion of Nantucket. This fuels concern over possible liability to NPA for potential pollution damage. Although NPA has a hold harmless agreement with Nantucket Ltd, we do not have a written agreement concerning operation of the STP. A **MOTION** by Pamela seconded by Gerald was passed to authorize Hank to work with our attorney to produce a contract agreement between NPA and Nantucket Ltd regarding STP operation, the NPA easement to operate, and the hold harmless agreement.

Penny reported that homeowners affected by annexation into College Station are divided: those in the retirement village are in favor of annexation; the homeowners around the lake are not in favor. The total of 22 or more lots probably will be annexed within 2 years. The rest of

Nantucket is slated for annexation within a few years. It is expected that a sewage collection line will be installed along Nantucket Drive and Harper's Ferry and homeowners will be afforded the opportunity to tie in. The Board discussed possible procedures for tie-ins.

Dog laws and concerns now and in the event of annexation were discussed.

4) Social Committee

Pamela reported that a Halloween trick-or-treat party is planned to be held in the park, a chili cook-off is planned for November, and caroling in December. A discussion of ways to publicize the events included permanent signs and reusable banners. Three signs would cost about \$1,000; a special mailing would cost about \$125. A **MOTION** by Pamela and seconded by Gerald was adopted to authorize a mailing. The mailing will include (a) a Social Committee flier publicizing the social events and (b) a copy of the Non-Compliance procedures prepared by the A.C.C.

Pamela reported that the Social Committee is developing a logo for Nantucket.

5) Maintenance Committee

No report.

6) Communication Committee

David reported that the NPA website is up and running.

F) Election of Directors:

David remarked that nominations from NPA homeowners are needed for Board members to replace the two members who will go off the Board under NPA bylaws. After discussion, David agreed to prepare a notice and ballot.

The bylaws must be changed to provide for mail-in voting, David reminded the Board. A December mailing will be prepared to include (a) amended bylaws and (b) a ballot for Board members nominations.

G) Unfinished Business:

- 1) The Procedures for Non-Compliance flier was reviewed and acquiesced to by the Board.
- 2) Penny provided an updated report on the interaction of property owners with the oil/gas well adjacent to Nantucket. Her report included issues of permits, property rights, and owner's attempts to work with the driller and adjust to the drilling.

H) New Business:

1) Home owner complaints

These include landscaping and weeding in the front bed, insufficient mowing in ditches and along fences, and inadequate trimming around culverts and street signs. To pinpoint the problems and develop remedies, Hank agreed to meet Penny and Pamela Monday for a windshield survey of the neighborhood. The Board agreed that mowing along fences will include trimming inside fences. Trash can policing in the park was identified as needing attention. Hank agreed to make sure the cans are emptied each time mowing is done in the park.

ROWs mowed will include those on Arrington Road. Since the Arrington Road ditches are on

County ROW, Hank will ask the County to clean and grade the ditches to facilitate mowing (this decision was made later in the meeting, just before adjournment).

2) Condition of the dam - mowing and soil work

Hank reported that bids have been received for brush hogging the dam: 2 for \$500, one for \$400. He expects to get a bid for \$300 or less. A **MOTION** made by Gerald and seconded by Pamela was adopted to authorize Hank to get the job done for no more than \$300 and within 30 days from this date.

Details of earthwork on the dam were discussed. The work will consist of spreading topsoil now stored on the dam to cap the dam in such a way as to cover eroded areas without excessively disturbing existing grass. Winter rye grass would be planted to hold soil until spring, when buffalo grass would be planted. Hank will determine cost and inform Board members by email.

3) Sewage Treatment Plant - who owns land and liability

Hank showed NPA's deed to the land and stated that the County has been alerted to correct its records.

4) Brazosland Properties - Management Report

Hank presented a printed report that included (1) Income and Expense Statement, budget and expense comparison year-to-date, and estimated expenses through 12/30/02;

(2) Report of home owner delinquent accounts; (3) Summary of Major Projects; (4) Draft 2003 budget; (5) New business. Board review of item (1) indicated that home owner annual dues might remain at \$185. Five accounts were reported delinquent. One is considered to be making an honest effort to pay in installments; one paid after NPA agreement to strike off a disputed amount; on **MOTION** by Penny and second by Pamela the Board agreed to remand three accounts to our attorney.

The adequacy of flag poles at the entrance was discussed, whether to leave them as they are, or to increase the heights of existing poles, or to replace the 6 existing poles with two, or to replace them with one pole. Estimated cost to purchase and install new poles was \$200 per pole. On a **MOTION** made by Penny and seconded by Pamela the Board voted to lengthen the 6 poles for an estimated total cost of \$100.

5) Budget - Management Report

In connection with the 2002 budget the Board discussed problems with the entrance area plantings. David reported that his examination of the planting area showed it consists of a layer of mulch, a plastic sheet, and a layer of gravel over native earth. He recommended removal of existing material and replacement with top soil and planting with Asiatic jasmine. A **MOTION** by Gerald and second by Pamela to authorize Hank to get bids for the work and submit a recommended bid to the Board for approval by email was adopted.

The 2003 draft budget was modified to include replacement of expired pines with two or three live oaks and to purchase two commercial-grade park trash cans. Other budget items were discussed and some modifications were made. The 2003 budget was approved as modified

(see below), so **MOVED** by Pamela, Penny second.

6) Items from the floor

Penny raised the problem of speeding within the neighborhood. Hank will request the County to erect more speed limit signs.

One home owner has a reverse-osmosis water filter that clogs frequently. The home owner thinks there must be suspended particles in the tap water. David requested that Board members relay to him any accounts of bad water quality. With enough reports he will request relief from the water company.

There have been requests from different home owners for copies of deed restrictions on their property. Any further requests should cause the home owner to be advised to make the request through Hank, who is authorized to charge the owner for materials and labor to reproduce the documents.

Board members discussed certain possible violations of deed restrictions regarding vehicles, boats, and outbuildings. The Board agreed to put to the NPA members at annual meeting the question of what constitutes appropriate action--ranging from admonishment to enforcement. Where does appropriate end and onerous begin?

I) Adjournment: At about 8:50 p.m.

2003 ANNUAL BUDGET			
Income			
Home Owner Fees (227 X \$185)	\$41,995		
Less Delinquency 2%	-\$840		
Total Income	\$41,155	100%	
Expenses			
Mowing - Hwy 6 frontage	\$1,600	4%	
Mowing - right of ways/culverts (12 times)	\$7,400	18%	
Mowing - Park and Entrance (27 times)	\$7,000	17%	
Sub-Total Mowing	\$16,000	39%	
Fence - Painting/Repair	\$3,500	9%	
Herbicide spray - roads (6 times)	\$600	1%	
Herbicide spray - fence (4 times)	\$400	1%	
Lighting/Electrical Repair	\$400	1%	
Signage	\$300	1%	
Miscellaneous Repairs/Projects	\$500	1%	
Flags	\$200	0%	
New Plantings	\$0	0%	
Lake and Park Restoration	\$2,000	5%	
Property Tax - Lake and Park	\$2,607	6%	
Liability Insurance	\$4,242	10%	
Management Fee - \$25/member	\$5,675	14%	
CPA	\$800	2%	
Utilities - Electrical and Water	\$1,100	3%	

Legal	\$500	1%	
Postage and Administration	\$900	2%	
Contingency and Reserve	\$1,431	3%	
Total Expenses	\$41,155	100%	