

**The Woods POA Board Meeting
March 21, 2024
Meeting Minutes**

Meeting was called to order at 6:04 p.m.

Attendance: Sherry Robbins, Tonya Wheat, Joe Williams, Tucker Wheat, Melinda Weedon
Absent: Mark Dahlgren and Joey Rose

Secretary Report – The meeting minutes from February 7, 2024, were reviewed by email. One correction added to the February Minutes - Financial Report to include interest. Minutes approved as amended.

**Architectural Control
Melinda Weedon**

3700 Lake Vista Circle, Vidyasagar Gurram Reddy, owner

Board President Sherry Robbins and VP of Architectural Control Melinda Weedon met with attorney Glen Patrick to discuss how to handle rectifying the numerous complaints that have been received from association members about the condition of this home's exterior. The house faces Lake Vista Circle and Lake Forest Drive as well as the entry to the lake.

3306 Shadow Glen, Joe and Tonya Wheat

The Wheat's requested approval for the following updates on their home:

- 1) Installing a new roof that will be either the same color (brownish) as the existing one or black shingles.
- 2) Repairing rotten siding.
- 3) Repainting siding with color as close as possible to current color (Sheraton Sage).
- 4) Replacing current and old windows with new black-sash vinyl windows.

The Architectural Review Committee approved the updates, and the Woods POA Board voted to approve via an email vote.

Frequently Asked Questions handout

Proposed "Frequently Asked Questions" for website given as handout for board review and any additional questions that would be needed to add.

Lake and Common Grounds

Tucker Wheat

- 1) Getting information on company and cost to spray alligator grass in lake

- 2) Lights at Woods sign entrance possibly cut by Vexus. Hired Mr. Sparky Electrician to repair lights. The company quoted a bid of \$475. Mr. Sparky determined the interruption to the line would require reboring under the road and they could not do that. Mr. Sparky charged the full quoted bid. Board President Sherry Robbins contacted Mr. Sparky's for further explanation of the charge. The manager stated that he would speak to the owner to discuss the fee charged. Solar lights will be purchased and used until a permanent solution is completed. Sherry Robbins will contact Vexus about damage to the line and potential repairs.
- 3) Entrance lights at Lake Vista entrance may not be working as well.
- 4) Bob Westbrook, President of Storey Lake POA, has contacted the board to discuss construction on Calloway Road and the West Silt Pond. The board will investigate the matter. If necessary, a meeting will be scheduled to include the City of Tyler, The Rosewood Senior Living apartments, and Grace Community School.

Social and Recreational Activities

Tonya Wheat

- 1) The Woods POA board to volunteer with helping the Remax Easter Egg hunt on Saturday, March 23rd at 9 a.m.
- 2) The Woods brick entrance on Callaway is structurally unsound due to numerous times of being hit by cars. Cracks have been repaired, but at this point, the wall needs to be remade. Estimates are being received.
- 3) Garage Sale signs will be going up for the community wide garage sale on April 19th-20th
- 4) Yard of the Month shall begin again as spring has begun.

Recreational Facilities and Security

Joey Rose – Absent (Items covered by Joe Williams and Sherry Robbins)

- 1) Looking into automated equipment for daily water checks which are now required for the association's pool. The pool area must be connected to the internet and Wi-Fi for the equipment to work and report the dally findings. One option allows the equipment to be contained in the skimmer.
- 2) Researching competitive bids for pool maintenance
- 3) Pool furniture needs to be replaced within the budget allowance to do so.

Treasurer

Joe Williams

- 1) Alternate payment plan for homeowners behind on dues now required by the state. Motion to accept new payment plan policy made by Tucker Wheat and seconded by Joe Williams. Motioned passed unanimously.
- 2) Policy follows:

- 3) Statements will be changed with wording that states if payment is past due or if there is a credit

Board President

Sherry Robbins

- 1) Sherry Robbins and Melinda Weedon met with Glen Patrick, potential new attorney to represent The Woods POA. Motion to accept Mr. Patrick as the attorney made by Melinda Weedon and seconded by Tonya Wheat. Motioned passed unanimously
- 2) Tax Returns preparations

Meeting adjourned at 7:30 p.m.

Prepared by:

Melinda Weedon

Sherry Robbins

JANUARY

**WPOA Treasurer's Report
ACCOUNTS SUMMARY (CASH BASIS)
1/31/2024**

Southside Checking Account	
JANUARY 1, 2024	Beginning Balance: \$17,570.43
JANUARY 1-31, 2024	Deposits/Credits: \$18,198.00
JANUARY 1-31, 2024	Disbursements: \$6,067.03
JANUARY 1-31, 2024	Outstanding Checks: \$550.00
JANUARY 31, 2024	Ending Balance (cash basis): \$30,251.40
Southside Challenge Account	
JANUARY 1, 2024	Beginning Balance: \$47,346.78
JANUARY 1, 2024	Challenge Account Transfer: \$606.25
JANUARY 1, 2024	Dredging Account Transfer: \$1,000.00
JANUARY 31, 2024	Interest: \$0.00
JANUARY 31, 2024	Ending Balance: \$48,953.03
	Challenge Amount Reserve: \$29,953.03
	Dredging Amount Reserve: \$19,000.00

FEBRUARY

**WPOA Treasurer's Report
ACCOUNTS SUMMARY (CASH BASIS)
2/28/2024**

Southside Checking Account	
FEBRUARY 1, 2024	Beginning Balance: \$30,251.40
FEBRUARY 1-28, 2024	Deposits/Credits: \$7,625.00
FEBRUARY 1-28, 2024	Disbursements: \$5,709.31
FEBRUARY 1-28, 2024	Outstanding Checks: \$550.00
FEBRUARY 28, 2024	Ending Balance (cash basis): \$32,167.09
Southside Challenge Account	
FEBRUARY 1, 2024	Beginning Balance: \$48,953.03
FEBRUARY 1, 2024	Challenge Account Transfer: \$606.25
FEBRUARY 1, 2024	Dredging Account Transfer: \$1,000.00
FEBRUARY 28, 2024	Interest: \$0.00
FEBRUARY 28, 2024	Ending Balance: \$50,559.28
	Challenge Amount Reserve: \$30,559.28
	Dredging Amount Reserve: \$20,000.00

**Woods Home Owners Association
Architectural Control Report
March 21, 2024**

**3700 Lake Vista Circle
Vidyasagar Gurram Reddy, owner**

Met with attorney to discuss how to handle rectifying the numerous complaints that have been received from association members about the condition of this home's exterior. The house faces Lake Vista Circle and Lake Forest Drive as well as the entry to the lake.

**3306 Shadow Glen
Joe and Tonya Wheat**

The Wheat's requested approval for the following updates on their home:

- 1) Installing a new roof that will be either the same color (brownish) as the existing one or black shingles.
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The Architectural Review Committee approved the updates, and the Woods POA Board voted to approve via an email vote.

Frequently Asked Questions handout

Frequently Asked Questions by Homeowners

Do I need The Woods POA Board's approval to paint my house?

- A) If you are changing the color of the paint on your home, then you do need board approval. If the color is the same as the existing color, you do not need board approval.

Can I paint my brick?

- A) You do need to submit a request form and have signed board approval to paint brick that has not been painted prior.

Do I need board approval to change my roof?

- A) If the shingles match the existing roof, you do not need board approval. If the shingles will be a different color than the prior roof, board approval is needed.

Are sheds allowed?

- A) Sheds are considered temporary buildings and are not permitted in the association. Some homeowners have installed sheds and the board is working to have them removed. Sheds are not "grandfathered" in when purchasing a home in The Woods regardless of what a realtor may have promised.

Can I have a permanent storage unit on my property?

- A) Homeowners requesting to have a permanent storage building or a pool house must submit a request with plans/drawings to The Woods POA Board for approval. A permanent storage building or pool house must have the same construction as the home – a concrete foundation, 2X4 wood construction, sheet rocked walls, brick exterior matching the home and a shingled roof. The structure must fit within the setback requirements of the covenants and the city, and the drawings must show the exact location of the structure.

Can I store a boat, camper, trailer in my driveway?

- A) No boat, bus, camper, camp-mobile, tractor, trailer, truck, pop-up camper, or any vehicle other than an automobile, standard size pickup or van is permitted to be stored in the driveway. The covenants require them to be stored in the garage. If they do not fit in the homeowner's garage, the item must be stored offsite.

Can I park my mobile home, motorhome, travel trailer or other vehicle next to my home or in the driveway?

- A) Any such vehicle, without limitation, which cannot be stored in a conventional garage shall be brought into the neighborhood on a permanent basis. The temporary parking of the aforementioned vehicles is allowed for a maximum period of ***one week***.

Do I need approval to replace my fence or install a new fence?

- A) If the fence is replacing an existing fence, board approval is not required. The fence must be wood and no taller than 6 feet. If there has not been a prior fence, the homeowner must submit a request for the fence including a drawing of the exact location, and that it meets covenant and city setback requirements.

Are fences allowed on lake-front properties?

- A) Any fence installed on lake-front property must have board approval. Fences on lake-front property may **not** be wooden as they block lake views; rather they must be constructed of brick and wrought-iron fencing. If there has not been a prior fence, the homeowner must submit a request for the fence including a drawing of the exact location, and that it meets covenant and city setback requirements.

What can be done about a homeowner's yard that is not being maintained?

- A) If at any time, an owner of any residential lot shall fail to control weeds, grass, and/or other unsightly growth, or rubbish, the Association has the authority and right to go onto the lot for the purpose of mowing and cleaning the lot and has the authority to assess and collect from the owner of the lot a reasonable sum for mowing and cleaning the lot.

Can I install a pool?

- A) A homeowner must have a city permit and board approval prior to installing a pool.

How do I get a key to the pool?

- A) Contact the VP of Recreational Facilities and Security. A fee of \$25 is required for a key or and for replacing any lost key.

Can I fish on the lake?

- A) Yes, homeowners may fish on the lake. Any guest of a homeowner **must** be accompanied by the homeowner when fishing.

Can trespassers on common grounds and lake property be ticketed and/or arrested?

- A) Yes, the signs, gates, and fencing clearly indicate that these premises are for Woods homeowners only.

My Realtor told me.....

- A) Please know that any statement and/or promise made by any realtor that is contrary to the bylaws and/or covenants is not binding. Every household in the association is legally governed by the by-laws and the covenants, not what a realtor may say or promise.

How does a homeowner submit a request to the board for changes to the exterior of a home?

- A) * Go to thewoodspoa.com
- * Under the Resources
- * Click on Architectural Control
- * After submitting the form, if everything was completed correctly, you should see this message appear just above the "Contact Information" heading at the top of the form:
"Thank you! Your application has been sent. You will be contacted following review of your application."

THE WOODS PROPERTY OWNERS ASSOCIATION
ALTERNATIVE PAYMENT PLAN POLICY

WHEREAS, pursuant to Section 209.0062 of the Texas Property Code, the Board of Directors of the Woods Property Owners Association (the "Association") is required to adopt reasonable guidelines regarding an alternative payment schedule in which an owner may make partial payments to the Association for delinquent regular or special assessments or any other amount owed to the Association.

NOW, THEREFORE, IT IS RESOLVED, that the following guidelines and procedures are established for the establishment of an alternate payment schedule, and the same are to be known as the "Alternate Payment Plan Policy" of the Association (hereinafter the "Policy").

1. Purpose. The purpose of this Policy is to assist Owners in remedying delinquencies while remaining current with ongoing amounts owed to the Association. Owners will be allowed to cure delinquencies by making payments pursuant to an alternative payment plan without accruing additional penalties.

2. Eligibility. To be eligible for an alternate payment plan, an Owner must meet the following criteria:

- a) The Owner must be delinquent in the payment of regular assessments, special assessments, or other amounts owed to the Association;
- b) The Owner must not have defaulted on an alternative payment plan within the prior two year period; and
- c) The Owner must submit a signed payment plan as defined below, along with the initial payment to the address designated by the Association for correspondence.

3. Payment Plan Schedule / Guidelines. The Association adopts the following alternative payment schedule:

- a) Requirements of Payment Plan. Within 45 days of the date of the initial letter which informs the Owner of the availability of an alternative payment plan, an Owner must submit a signed alternative payment plan to the Association's Board.
- b) Term. The term of the alternative payment plan must be no less than three (3) months and no more than 18 months. The Owner must include with the alternative payment plan an initial payment of 10% of the total amount owed. The remaining balance (the delinquent amount less the 10% paid) must be paid in equal monthly installments over the term of the alternative minimum plan.
- c) Date of Monthly Payments under Plan. The Owner must make the monthly installments under the alternative payment plan so that the payments are received by the Association no later than the first (1st) day of each month. The first monthly payment shall be made no later than the first day of the month following the

expiration of thirty days after the alternative payment plan and initial payment of 10% of the delinquency are submitted to the Association. The Owner may pre-pay the delinquent balance at any time. All payments must be received by the Association at the Association's designated mailing address or lock box for all payments. Payments may be made through auto draft bill payment, in check or certified funds, or by credit card (to the extent the Association is set up to receive payment by credit card).

- d) Correspondence. Any correspondence to the Association regarding the amount owed, the payment plan, or such similar correspondence must be sent to the address designed by the Association for correspondence. Such correspondence shall not be included with an Owner's payment.
- e) Amounts Coming Due During Plan. Owners must remain current on all assessments and other charges coming due during the term of the alternative payment plan.
- f) Additional Charges. An Owner's delinquent balance included in an authorized alternative payment plan shall not accrue interest, late fees or other monetary penalties if Owner is in compliance with a payment plan under the Association's alternative payment plan schedule.
- g) Other Payment Arrangements. At discretion of the Board of Directors, and only for good cause demonstrated by an owner, the Association may accept payment arrangements offered by owners which are different from the above-cited schedule provided the term of payments is no less than three (3) months nor more than eighteen (18) months.

4. Default. If an Owner fails to timely submit an installment payment under an alternative payment or fails to timely pay any amount coming due during the term of the plan, then the Owner will be in default. If an Owner defaults, the Association may proceed with collection activity without further notice. If the Association elects to provide a notice of default, the Owner will be responsible for all fees and costs associated with the drafting and sending of such notice. In addition, the Owner is hereby on notice that he/she will be responsible for any and all costs, including attorney's fees, of any correction action which the Association pursues.

5. Board Discretion. Any Owner who is not eligible for a payment plan under the Association's alternative payment plan schedule may submit a written request to the Board for the Association to grant the Owner an alternate payment plan. The decision to grant or deny an alternative payment plan, and the terms and conditions for any such plan, will be at the sole discretion of the Association's Board of Directors.


6. Severability and Legal Interpretation. In the event that any provision herein shall be determined by a court with jurisdiction to be invalid or unenforceable in any respect, such determination shall not affect the validity or enforceability of any other provision, and this Policy shall be enforced as if such provision did not exist. Furthermore, the purpose of this policy is to

satisfy the legal requirements of Section 209.0062 of the Texas Property Code. In the event that any provision of this Policy is deemed by a court with jurisdiction to be ambiguous or in contradiction with any law, this Policy and any such provision shall be interpreted in a manner that complies with an interpretation that is consistent with the law.

IT IS FURTHER RESOLVED that this Alternate Payment Plan Policy is effective on 21st day of March, 2024, to remain in force and effect until revoked, modified or amended

This is to certify that the foregoing resolution was adopted by the Board of Directors at a meeting of same on March 21, 2024, and has not been modified, rescinded or revoked.

Date: March 21, 2024



Sherry Robbins, Board President
The Woods Property Owners' Association

GLEN E. PATRICK
PATRICK LAW OFFICES
2495 S. MAIN ST.
LINDALE, TEXAS 75771
TELEPHONE 903-882-6173

BIOGRAPHICAL INFORMATION

EDUCATION:

Bachelor of Arts, Southwestern University, Georgetown, TX 1981
Juris Doctor, Baylor University School of Law, Waco, TX 1983
Faculty Member, Instructor of Law & Banking, Tyler Junior College, 1988

PROFESSIONAL:

Partner, Patrick Law Offices, 2021 to present
Partner, McNally & Patrick, L.L.P., Tyler, Texas, 1996 to 2021
Partner, Lawrence, McNally & Cooper, L.L.P., Tyler, Texas, 1991 to 1996
Member, State Bar of Texas Bankruptcy and Civil Litigation Section

ADMITTED TO PRACTICE IN THE FOLLOWING COURTS;

All State Courts of Texas - 1984
United States District Court for the Eastern District of Texas - 1988
United States District Court for the Northern District of Texas - 2003
United States District Court for the Southern District of Texas - 2004

LEGAL EXPERIENCE

More than 35 years experience as an attorney in private practice

Practice areas include:

Representation of political subdivisions on land development matters including the City of Lindale, Emerald Bay Municipal Utility District, Tyler Reinvestment Zone No. 1 and Lindale Reinvestment Zone No. 1, 2 and 3. Drafted the comprehensive Zoning Ordinance and Subdivision Ordinance for the City of Lindale, and Project Plans and Finance Plans for the Reinvestment Zones.

Representation of individuals and homeowners' associations in land use matters including drafting of covenants and restrictions, bylaws, and policies for use by a subdivision, enforcement of covenants and restrictions, and drafting development agreements for public and private development.

Representation of debtors, creditors and trustees in business and consumer bankruptcy cases under all chapters of the Bankruptcy Code.

LAW RELATED PUBLICATIONS, ACADEMIC APPOINTMENTS AND HONORS

Author and Speaker for the State Bar of Texas Professional Development Program:
Advanced Business Bankruptcy Course
"Eligibility and Chapter Selection for the Small Business" - 1999
"Issues in the Individual Business Bankruptcy" - 2000

Course Director State Bar of Texas Advanced Consumer Bankruptcy Course 2000