

COMMUNITY OF NOLAN RIVER ESTATES  
RIO VISTA VOLUNTEER FIRE DEPARTMENT, FM916 RIO VISTA, TEXAS AT 7:00PM

2023 CNRE Q2 COMMUNITY BOARD MEETING – TUESDAY JULY 18, 2023

1. Call to Order @ 7:07PM
2. Invocation done by Jim Ely
3. Welcome New NRE HOA members/guests: 2 new Members Santos family on Ascot and the Cagney on Preakness
4. Immediate Action Items:
  - A. Approval of minutes from Prior Meeting voted Jim Ely and Jay V. second. Unanimously approved.
  - B. Review/Approval of Financial Statements 2023 Q2. 46 out of 100 have paid their dues. \$320 for Rio Vista Fire, \$431.13 Legal fees, \$300 ownership transfer fees. Voted Mary Stotler 1<sup>st</sup> and D. Vidler 2<sup>nd</sup>. Unanimously approved.

COMMITTEE REPORTS:

1. Activities: Annie Guereca stated we have had the dumpster program, garage sale, spring fest and plan on having another garage sale and the Fall Festival
2. Animal Safety: Open
3. Architectural: Jim Ely reported same as on the newsletter, 6 projects going on, one is complete, Artrie Allen stated that she isn't putting or requesting an RV cover/carport
4. Clean-Up: Open
5. Good Samaritan: Jennifer V. not present
6. Loaner: Mary Stotler gave her report stated we do need repairs on some of the tables and that we need more chairs. She also stated a new home for the loaner tables/chairs because she is selling. An active member suggested looking into a Conex for future storage so that the responsibility could be relocated to member owner properties in a portable form of storage.
7. Neighborhood watch: Kerry not present but emailed Jon stating what was stated in the newsletter that 16 mailboxes have been opened and mail been gone thru
8. Realtor: Stephanie not present but Jon stated house on Nolan River is for Sale for \$640,000 and that the house on CR 1219 sold for \$390,000

Jim Ely also stated that the Goat neck bike race is the last weekend in July, which is July 29<sup>th</sup> and that he would like some help cleaning the bridge since the cyclist will be coming down Nolan River Road if anyone can help him it will be the week of the 24<sup>th</sup> contact him.

5. Old Business
  - A. Property CC&R Violation Complaint Updates:
    1. 4333 Ascot Drive, Jeannie Allen's Property: Artrie Allen present, Artrie stated that she is still in the process of removing the inoperable vehicles and trash from the property, but these things take time. The extra 90 days that the HOA granted her was up on 7/18. She stated that on 6/20 she removed most of one RVs. Jay V made a motion to grant additional 90 days and Gabe Bailey 2<sup>nd</sup> the motion. Jon Puryear stated he was handing the gavel to the Vice President Scott Lingo and would speak as a homeowner and not as President. Jon stated that we

have granted her two 90 days to clean the property since the January 12, 2023 court date. Artrie was told in court that if the property wasn't cleaned by the 90 days (April 12, 2023) that the court will hire a 3<sup>rd</sup> party clean up crew and she will be billed that amount. The HOA has offered help to her and she has not contacted anyone and Artrie also stated that the workers that she has hired on a couple occasions have been harassed. Jon stated if that happens again to let him know. Artrie stated 6/16/23 every week trying to clean up but it's been so hot. Jon also stated that 5/2022 was when her first notice went out as an email, text, phone call, USPS mail, and a certified letter with no response and the certified letter was returned to sender. Jon stated that he feels the CNRE have been more than gracious and empathetic to her since the house first burnt down 8 years ago, and this has now been going on for 1.5 years. However, she is now asking that the CNRE Board give her an extra 90 days and she would report back letting everyone know her progress at the next quarterly meeting in October. She would then ask for an additional 30 days and continue to report back until the property was clean. Many CNRE members then asked Artrie questions about several different things to clarify her request and why she hasn't accepted the offered Community Clean-Up Project and CNRE neighbors help? Artrie said she has not yet acted on the offer. Jon stated as President, he was requesting that this vote be made by a Secret Ballot of one member per household. The vote was taken by each Active Member as one per household and the results were 7 No and 5 Yes and one didn't vote in which the motion didn't pass. Another motion was made by Doug Cagney and seconded by Darren Vidler to take her back to court to enforce the cleanup. The motion was voted on by all active members and the motion carried. The decision to take her back to court to enforce the original Judge McBroom's order to clean the property by a third party was granted.

2. 4900 St. Leger Drive, Ray Bejar's property: Cars that are inoperable are in front of the tree line, ongoing agreement to keep these vehicles behind the tree line, it's a decade agreement that was ordered by the Court Judge McBroom back around 2015. Jon stated the EBOD voted to send an official letter giving him 30 days that he is violating deed #14 and to move the vehicles behind the tree line and remove the trash/debris. Then if there is no response the EBOD will file a court hearing again for enforcement.
- B. Annual CNRE Dues: Voluntary to Mandatory: Amy Lingo stated that her and Scott bought property because there was an HOA but not mandatory dues, that voluntary dues help those that for financial reasons cannot pay their dues. With inflation at 8% and property taxes increasing, mandating dues would impose an additional burden on property owners, even if a cap was placed on the due increases. She also stated that in 2009 we had 66% of the residents that had paid their dues and 2023 only 46% but we are up from 20% in 2021 and the trend is increasing. She suggested we encourage owners to pay dues and show them the benefit of how their dues are used, rather than forcing them to pay dues by mandating. Jon stated that HOA Texas laws allows the HOA Bylaws and EBOD to recommend the set the dollar amount for

dues and then must be approved by the Board. This was an answer to a question posed by another active member during discussion of "Is it legal for us to change the dollar amount of annual dues?". Amy Lingo made the motion to keep dues voluntary and D. Vidler 2<sup>nd</sup> motion to keep annual dues voluntary. The motion unanimously passed.

6. New Business

a. Property Violation

- i. 4437 Ascot Drive Francisco Santos Property: The Santos family was present at the meeting. Deed violation #7, less than 25 ft to build their out building. Requesting having the 25ft being waived since they are on a corner lot asking for 15ft. Jim Ely with the architectural committee said he had contacted them to fill out the proper paperwork but no response, Jim tried to contact them before they poured the slab no response. Jim Ely tried to contact Alejandro and went to his house to make sure the building is in property location because of the pipeline, needing a copy of their survey. Slab is now poured and the HOA had to get a temporary restraining order to halt the building of this out building which cost \$1366.25 the building size is 40 x 30 storage shed. Dave V made 1<sup>st</sup> motion to have the Santos reimburse the HOA \$1366.25 and Jim Ely 2<sup>nd</sup> this motion. The motion unanimously passed. Amy Lingo made a motion for Santos to submit their plans to Jim and get everything approved the right way, then they can submit for a variance of 15ft, Jim Ely 2<sup>nd</sup> this motion. The motion unanimously passed. Jon stated the EBOD can call an emergency meeting to have a vote on this issue once all the paperwork is correct and approved by the architectural committee.

7. Discussion of issues/items not listed on the Agenda:

Mary Stotler stated that she made an official complaint on Ray Sherry that has individuals that are possible drug addicts aka tweakers and suspicious activity on other surrounding properties. She is to call the JCSO and report any suspicious individuals or activity. She also stated another incident is that he had a stray dog off of his property and on Mary's property. She called Ray and told him about the dog and he said he would come get it. She walks out of her residence and there is an unknown man behind her house which startled and had her fear for her life. Heather McCall and the Vanderlaans have also experienced issues with suspicious activity on their properties as well as the NRE.

8. Adjournment: 8:49pm