

## Timbercreek Canyon Property Owners Association Board Meeting

4/07/2020 VIA ZOOM TELECONFERENCE

Directors present:

Caroline Landry, Robert Wyatt, Mark Stewart, Larry Naiman, Ayne Sharp

Guests present: Tara Murrell, Dick Baker, Christy Gruver, Ginny Monk

Meeting called to order at 7:08 pm.

1. Caroline Landry moved that the Minutes for the 2/11/2020 Board Meeting be Approved. Mark Stewart seconded the Motion and it passed unanimously.
2. Doug Messer resigned as Director and President of the TCPOA on March 27, 2020 because he had taken a position with the Navy that will require him to be out of state much of the time. Pursuant to the TCPOA Bylaws, the remaining Directors, by unanimous agreement, appointed Ayne Sharp as Director, whose term, pursuant to the Bylaws, will last until the next Annual Meeting. After seconded Motions, the Board unanimously elected Mark Stewart as President and Robert Wyatt as Vice President.
3. Caroline Landry presented the financial reports (P/L, Balance). There is about \$161,620 in available funds. It was anticipated that that most of this would be expended on the 2020 Seal Coat project, with remaining funds being spent on a new gate system, surveying projects, normal repairs and maintenance and professional fees (attorneys, engineers). However, it is unknown at this time whether the 2020 Seal Coat project can be effectuated this year (see next paragraph). Assessment payments have been comparable to last year and collection of delinquent accounts proceed as necessary and in coordination with the attorneys. Demand letters have been sent to delinquent Members. One foreclosure case is in litigation and other delinquent accounts are being handled by the attorneys. After discussion and clarifications, Ayne Sharp moved that the reports be approved, Robert Wyatt seconded the Motion and it passed unanimously.
4. Mark Stewart gave an update on the roads, primarily focusing on the bids received via the bidding process effectuated under the supervision of Shehan Engineering (see prior minutes and road report). Bids were submitted by LA Fuller & Sons and by Advanced Pavement Maintenance. Unfortunately, both bids far exceeded the amount anticipated by the TCPOA/Ten Year Road Plan. Neither bid could be paid for by current funds available to the TCPOA. The difference between the bid amounts and anticipated amount resulted primarily from the fact that the TCPOA expected the seal coat would be about \$1.80 per sq.-yd, while the bids used \$4.45 from LA Fuller and \$3.90 for APM (later was changed to \$3.65) per sq. yd. TCPOA's expectations were based on engineer's input, which included input from seal coating contractors. This obviously presented a very difficult problem as to how to proceed,

particularly considering that conversations with at least one contractor (who could not bid this year) indicated that they could put it on their schedule for next year at an estimated cost of 2.50 per sq.yd. Another contractor may submit a bid, but at this time, it does not appear likely that the seal coating will be attainable this year. The Board will consider other maintenance projects, such as recommended blading, if the seal coating cannot be achieved this year.

Ginny Monk expressed comments and concerns regarding the roads in Colony Catherine. Mark Stewart noted road maintenance that has been performed in the past on those roads and noted that the anticipated 2020 Seal Coat project includes the roads in Colony Catherine.

5. The Board discussed again the Amarillo Power Gate Proposal to install the new gate system. Caroline Landry had spoken to David Smith about removal of the existing pedestal located at the Osage Main Gate. He suggested that the installation of the new gate system should be completed first and then we can address removal of the pedestal. One reason is that location and use of electrical lines will then be known before removal of the pedestal. Larry Naiman made a motion to accept and proceed with the Amarillo gate Proposal. Caroline Landry seconded the Motion and it passed unanimously.
6. Robert Wyatt provided an update on the Architectural Committee. An Architectural Committee Training seminar was presented on April 14 by Greg Cagle via Zoom conference. Randell Robb, Tim Koetting, Larry Naiman, Mark Stewart, and Robert Wyatt attended the seminar. Greg Cagle is the name partner in Cagle Pugh, an Austin firm that specializes in property owners' associations and is the firm that represents the TCPOA in various matters, including delinquent accounts. A formal Notice of Submission Address for the Timbercreek Canyon Architectural Committee will soon be filed with Randall County. The address is: Timbercreek Canyon Architectural Committee, 101-B Timbercreek Drive, Amarillo, Texas 79118. Among other things, Deed Restrictions applicable to the nine Units comprising Timbercreek Canyon include the following: *No building, fence, wall, utility or other structure shall be erected, altered or maintained upon, under or above any tract unless plans and specifications therefor and a plot plan indicating the location of such structures upon the tract to be built upon have been approved in writing by the Architectural Committee. All buildings must be new construction and no old building shall be moved upon the property. Prior to the commencement of any excavations, construction or remodeling or adding to any structure theretofore completed, there shall first be filed with the Architectural Committee a complete set of building plans and specifications therefor, together with a block or plat plan indicating the exact part of the Lot the improvements will cover as well as indicating the location of fences, walls, utilities and other structures and said work shall not commence unless the Architectural Committee shall approve such plans in writing.* Many other related restrictions, provisions are set out in the Deed Restrictions.

7. Robert Wyatt gave an update on the progress of the TCPOA deeding the gatehouse to the Village. He noted that a meeting was scheduled for the next morning (April 8) with Shehan Engineering and the surveyors. Mayor Bill Young, Robert Wyatt, and Larry Naiman will attend the meeting, which will take place here in Timbercreek. The parties will begin at the West gate (McAfee) and proceed down McAfee Road to the Bridge and then to the Osage Main Gate/gatehouse area. The engineers/surveyors will convey what their work and surveying has produced/revealed and the parties can finalize the specifics of exactly what will be deeded. The Village will be deeding to the TCPOA areas around the West gate and also involving portions associated with McAfee road and specifics will be determined involving the areas around the Osage Main Gate and the Gatehouse. After this, final steps can be done to effectuate the transfer of the properties.

8. EXECUTIVE SESSION (Specifics regarding delinquent Members and related legal issues/proceedings)

9. Robert Wyatt moved to Adjourn. Caroline Landry seconded the Motion and it passed unanimously. Meeting was adjourned at about 9:24 pm.

### **2020 TCPOA BOARD MEETINGS (7 pm via Zoom)**

February 11, April 7, May 5, June 2, August 4, October 6, November 3

### **Annual TCPOA Members Meeting December 13, 2020**

3:00 pm, Firehouse