

**Meyerland Community Improvement Association
Board of Directors Meeting Minutes
Monday, October 12, 2009**

Board Directors Present:

Sidney Aron (1)		Ben Ramsey (1)
Marvin Blum (3)	Sondra Ludwick (1)	Elizabeth Ray (1)
Don Carter (1)	Mark Massett (1)	Sylvan Ruben
Mike Gavula	Scott Minchen (2)	Cynthia Ruiz
Shirley Hou	Steve Morgan (2)	Lynn Steen
Richard Jucker (4)	David Naff (1)	Margo White (3)
Ed Kile	Gerald Radack (1)	Richard Whitenton

Board members absent: (#) = Total meetings absent
Traci Romero (5);

Staff Present: Amy Hoechstetter; Jim O'Rourke (1)

Legal Present: Lewis Jost (1)

Visitors: Ms. Erica Burnett, Mr. Trent Conner, Mr. Mike Evans, Mr. Jerry Goldman, Mr. Bob Marshall, Mr. Rudy Michalk, Dr. Robert Primo, Dr. Larry Rose, Mr. Maury Sklar, Mr. Sam Totah

Call to order:

President, Ms. Ruiz called the Board meeting to order at the Jewish Community Center on October 12, 2009 at 7:35 PM. A quorum was present.

Secretary's Report: Ms. Ray, Secretary

A. Ms. Ray requested Board to table September minutes until November meeting.

Visitor Comments:

A. Mr. Rose

1. Provided information on Law Enforcement Conference scheduled August 13, 2009.
2. Discussed Precinct 5 Constables considering a Storefront in Meyerland area.
3. Provided information regarding Houston Police Department Security Seminar in cooperation with Precinct 5.

B. No other visitors requested recognition.

Committee reports:

A. President's Report: Ms. Ruiz, President

1. Ms. Ruiz thanked all visitors for attending.

Ms. Ruiz motioned to amend agenda to include Mr. Ramsey. Motion seconded. Board voted. Motion approved.

Committee reports:

A. President's Report: (continued)

2. Ms. Ruiz stated Mr. Whinton (section 3) & Mr. Ruben (section 10) interested in board positions.
3. Mr. Whinton and Mr. Ruben introduced themselves to board.
4. Mr. Whinton and Mr. Ruben excused selves from Board to allow discussion and voting to appoint to open positions.
5. Board Discussion. Board voted. Board approved Mr. Whinton to section 3 and Mr. Ruben to section 10.
6. Mr. Whinton and Mr. Ruben returned to board as new members.
7. Ms. Ruiz motioned to ratify the e-mail motion dated October 7, "That MCIA shall budget for the 2010 fiscal year the sum of \$501,056 for Precinct 5 Deputy Patrol Contract. MCIA President and MCIA General Manager shall immediately have authority to execute contracts with the County". Motion seconded. Board voted. Motion approved.

B. Treasurer's Report: Mr. Gavula, Treasurer

1. Mr. Gavula gave an update on expenses.
2. Mr. Gavula stated third quarter "looks good" and on track for goal of \$50,000 in reserves.
3. Committee Budgets requested for November meeting.
4. Discussed disbursement of Southwest Security Association (SSA) funds.
 - a. Mr. Gavula met with SSA Treasurer, Mr. Totah to discuss Chase Bank error in regards to SSA accounts and Mr. Marshall's private account.
 - b. Mr. Gavula motioned "MCIA conduct an audit of SSA bank transactions with Chase bank for past two years by an independent auditor prior to MCIA sending Release of Lien to SSA. Motion seconded.
 - c. Mr. Marshall commented on erroneous fund transfers and explained accounts are correct at this time. Mr. Marshall turned floor over to Mr. Michalk.
 - d. Mr. Michalk stated the statements are correct and offered to review reconciliation with MCIA Treasurer. Mr. Michalk stated two years is unnecessary for audit.
 - e. Mr. Radack stated an audit requires two years minimum for credibility.
 - f. Mr. Totah, SSA Treasurer, stated SSA has requested a statement in writing from Chase Bank regarding bank errors, but to date has not yet received letter. Mr. Totah reminded board 78% of SSA funds are due to MCIA. Mr. Totah did not recommend an audit.
 - g. Board discussion of auditing procedures.
 - h. Point of Order: Mr. Marshall stated the Bank Manager for Chase admitted verbally of employee and banking errors.
 - i. Ms. Hoehstetter, MCIA GM, suggested Chase Bank pay for audit.
 - j. Ms. Ruiz recognized visitor, Dr. Robert Primo. Dr. Primo stated the motion is whether or not an audit should be conducted, not who should pay. He requested the board keep this in mind when moving forward.

Committee reports:

B. Treasurer's Report: (continued)

k. Board voted. Motion approved.

l. Point of Reference: The By-Laws allow up to \$5000 expense without notification.

m. Point of Order: Mr. Totah questioned "Who pays?"

n. Mr. Gavula stated MCIA will request Chase Bank pay for audit first, otherwise MCIA will determine later.

o. Mr. Evans, visitor, recognized by Ms. Ruiz. He questioned "Does MCIA board have authority to audit SSA accounts"?

p. Mr. Lewis, MCIA legal counsel, explained due to overlapping relationship of SSA board and MCIA board allows for MCIA to look into records.

C. Southwest Security Association (SSA): Mr. Marshall, SSA Director

1. Mr. Marshall reviewed details of September crime report.

D. Deed Restriction Committee Report: Mr. Kile, Chair

1. Mr. Kile provided recap of Sidewalk survey completed two years prior by Beautification committee.

2. Mr. Kile motioned "The residents of Meyerland shall be informed of the following criteria for the condition of unacceptable sidewalks in Meyerland - CRITERIA FOR THE IDENTIFICATION OF UNACCEPTABLE SIDEWALKS IN MEYERLAND - Repair, restoration, or replacement of sidewalks is required when any one of the following conditions exist:

- A vertical separation of one inch or more at either a joint or crack.
- Water ponds on the sidewalk for more than three hours following a rain due to insufficient cross slope or misalignment.
- Severe cracking resulting in multiple loose or unstable individual concrete pieces.

The criteria listed above are not intended to set a standard for a safe sidewalk condition that will prevent injuries. Each homeowner is responsible for the maintenance and safety of the sidewalk on their property. MCIA does not assume responsibility for injuries caused by sidewalks as a result of the creation of the above criteria". Motion seconded.

a. Board discussion.

b. Point of Clarification: Mr. Carter "...sidewalks on adjoining their property...". Motion seconded.

c. Board discussion.

d. Board voted. Motion approved.

Committee reports:

D. Deed Restriction Committee Report: (continued)

3. Mr. Kile motioned "An enforcement program for the sidewalk criteria shall proceed in the following manner-PROGRAM FOR MCIA ENFORCEMENT OF SIDEWALK CRITERIA-All homeowners shall be informed of the sidewalk criteria in an issue of The Meyerlander. Individual letters shall be sent to homeowners who have been identified as having sidewalks that were categorized as "Bad" during the sidewalk survey initiated by the Image Committee. The homeowners that receive individual letters shall have an opportunity to contest the "Bad" categorization of their sidewalks. Homeowners shall have twelve months to replace, repair, or restore sidewalks that have been identified as unacceptable sidewalks. After twelve months, MCIA shall cite homeowners with sidewalks that remain in violation of the sidewalk criteria. MCIA shall have the authority to contract for replacement, repair, or restoration of unacceptable sidewalks and invoice the homeowner for payment of the contract amount to MCIA." Motion seconded.

a. Board discussion.

b. Mr. Kile amended motion to "To the extent allowed by law, MCIA shall have the authority to contract for replacement, repair, or restoration...". Motion seconded.

c. Board voted. Motion approved with President breaking tie vote.

4. Mr. Kile motioned "The following incentive program shall be offered to the residents of Meyerland-INCENTIVE PROGRAM FOR THE IMPROVEMENT OF SIDEWALKS IN MEYERLAND:

- A total budget of \$85,000 shall be created. \$75,000 will be offered as credits for sidewalk repairs. The remaining \$10,000 will be utilized for additional assistance to the MCIA staff in the administration of the incentive program.
- MCIA will credit homeowners at a rate of 0.15 cents per dollar with a maximum allowance of \$6.00/square foot for sidewalk repairs. The credit will be applied to the homeowner's MCIA account in subsequent years.
- The incentive program will be offered to all homeowners regardless of whether their sidewalk was categorized as "bad" during the sidewalk survey.
- The repair may be either replacement or restoration (mud-jacking, grinding, or leveling).
- Credit will be provided on a first-come, first-served basis. The completion date for construction shall identify the order of priority for the application of credits.
- The incentive program offer is retroactive for sidewalks that have been repaired since Sept. 1, 2008.
- In order to receive credit, the sidewalk repair must have been completed within twelve months after the announcement of the incentive program.
- Homebuilders are not eligible for credit for sidewalk repair or replacement.
- New sidewalk replacements must satisfy the sidewalk specifications that appeared in the Winter 2009 issue of The Meyerlander.
- Homeowners must submit approval for sidewalk repairs using the Meyerland Architectural Control Committee construction form. The Architectural Control Committee will waive the standard application fee of \$25 for sidewalk repairs.
- Credits for repairs to driveways are not included in the incentive program.
- Proof of payment must be submitted with a request for credit." Motion seconded.

Committee reports:

D. Deed Restriction Committee Report: (continued)

4. a. Board discussion.
- b. Mr. Kile amended motion to include bullet item "Repair must be completed by bonded contractor". Motion seconded.
- c. Board voted. Motion approved.

E. By-Laws Committee: Mr. Ramsey, Chair

1. Mr. Ramsey provided written report regarding proposed amendments to Sign Policy (adopted January 2009).
2. Committee reviewed policy and proposed amendments to clarify, and make consistent, the requirements of the deed restriction of each section of Meyerland, regarding the use and placement of signs on personal property.
 - a. Mr. Ramsey motioned to change wording of #5 to read: "Political signs...which are not larger than five square feet each..." and to omit the word "personal" from last sentence of policy. Motion seconded.
 - b. Board discussion.
 - c. Board voted. Motion approved.

F. Legal: Mr. Jost, Attorney

1. Stated collection demand letters mailed to residents.
2. Provided update on Conner Litigation.

Unfinished Business:

- A. Mr. Gavula requested Safety report be included in monthly agenda.

New Business:

- A. Next meeting scheduled November 9, 2009.
- B. Committees scheduled to report in November:
 1. Budget and Finance
 2. Programs Committee
 3. Human Resource Committee
 4. Beautification Committee
- C. Mr. Gavula stated a representative from Memorial Hospital requested to place an article in Meyerlander regarding Senior Citizen health care information.
 1. Ms. Ruiz requested Publication's Committee contact and review for inclusion if article is not an advertisement.
- D. Programs Committee: Ms. Hou, Chair
 1. Ms. Hou stated National Night Out was successful with an average of thirty persons per house. A Target gift certificate was given to "Host with the Most".
 2. Ms. Hou informed board of a new e-mail notification system to allow faster transmissions. All individuals will be required to re-confirm email to be included in e-mail notification system.

New Business:

- E. Human Resources Committee: Ms. Ludwick, Chair
 - 1. Office remodel project started today.
 - 2. Ms. Hoechstetter, GM, stated the office will be closed from October 21-23 (Ms. Hoechstetter will forward phones to work from home).
- F. Ms. Ruiz announced acceptance of Shared Decision Making Committee (SDMC) position at Kolter Elementary.
- G. City of Houston Yard Ordinance: Ms. Hoechstetter, GM
 - 1. Three applications approved and signs will be posted in resident yards.
 - 2. MCIA State Tax Exempt application approved.

Mr. Naff motioned to adjourn at 9:15pm. Motion seconded and adopted.

Prepared by: Elizabeth Ray, MCIA Secretary