

# **FRIO CIELO RANCH ASSOCIATION - DRAFT MINUTES**

## **Regular Board of Directors Meeting – FCRA Pavilion**

**Saturday – October 27, 2018 – 10:00 AM**

Call to order at 10:00 am.: Joy Benetti, President

Quorum verified: Eduardo Saldivar, Sergeant-at-Arms

Board Members present: Joy Benetti, Clay Holland, Debby Lawrence, Eduardo Saldivar, Laura Cuellar, Max Morgan, Ricky Musquez, Larry Woodruff. Board Members absent: Sheree Perkins

Draft Agenda approved: Motion to approve the Agenda as presented was unanimously approved.

August 18, 2018 minutes were read by Pat Lawrence, Assistant Secretary. Minutes were amended to instruct owners or guests who call 911 to give their NAMES to the Dispatcher, in addition to their location. Motion to approve the Minutes as amended was made and seconded. Unanimously approved.

**PRESIDENTS REPORT:** Joy spent time supporting volunteers who worked to repair the river crossing and potholes and ruts caused by September and October's excessive rainfall. She kept in touch with Treasurer Debby to stay updated on assessment payments and general financial matters. She worked with other volunteers to produce FCRA's October newsletter. She officially thanked Dena Norman for the new curtains she made for the Mens and Ladies restrooms at the Bathhouse.

**TREASURERS REPORT:** Debby reported that one new Lien was filed against an owner who is not paying assessments, and has not contacted Debby to make any payment arrangements. There are four existing liens in place against other delinquent owners. Approximately 10% of owners have not paid assessments for the current period. Another 7% have not paid their assessments for two or three consecutive periods. Owners who have not paid for three consecutive payment periods will receive a notice to contact the Treasurer within 30 days to arrange to pay their past due assessments and avoid receiving an Intent to File a Lien letter. She mentioned that it is important for owners who have entered payment agreements to honor the agreement and pay the agreed-upon amount.

**BUDGET COMMITTEE REPORT:** Pat Lawrence provided a hand-out showing the status of expenses in various approved budget categories. She mentioned that the annual Audit will be conducted soon, and that the necessary audit paperwork is almost entirely compiled.

**BUILDING COMMITTEE:** Larry reported that there haven't been any new building plans submitted. Some projects that are in process are 'dead in the water' due to the excessive rain we've had. Otherwise, everything is going well.

**EQUIPMENT MAINTENANCE:** Max Morgan reported that the tractor is running well; he changed the oil and filter this weekend. He thanked Dave Lawrence for coming on board to help with road maintenance. Logging the hours the tractor is used in the log book helps Max stay current on the scheduled maintenance. All equipment except the string lawnmower is working well; he will probably take the mower to his home to work on and return it at the next Board meeting.

**WATER USAGE REPORT:** Dan Lawrence, owner and volunteer Water Operator, reported on water usage for September (~17,000 gallons/day) and October (~10,000 gallons/day). Excessive rainfall works in our favor and usage tends to decrease. He has a new water connection to install, as well as a leak to repair. We purchased a new water meter, to comply with a requirement that a new or re calibrated meter be installed every 3 years. Looking into recalibrating the old meter.

Dan reminded owners who order electrical service from Medina Electric to contact him or Joy. They will work with Medina to inform them about the location of our water lines to avoid installing a power pole on top of a line. Another reminder was given about the importance of shutting off water at your property if you will not be using it in the colder weather.



Dan reported that the Community Burn of tree limbs, brush and other yard clippings in the North Pasture was recently completed without incident. Ricky Musquez and the Reagan Wells Volunteer Fire Dept. Assistant Chief conducted the controlled burn. In accordance with TCEQ rules, a sign will be placed at the entrance to the FCRA designated burn site detailing what is permitted to be left at the site.

OLD BUSINESS: At an Executive Session during the August 2018 Board meeting, the Directors were given a copy of a resolution passed by a previous Board of Directors. The document is called "Resolution of the Board of Directors of Frio Cielo Ranch Association Regarding Rules and Regulations Regarding the Keeping of Animals." The previous Board recorded and filed the Resolution in both Real and Uvalde counties in April 2011, and it continues to show up on closing documents of every deed. In 2014, a lawsuit was filed, and settled out of court, after the Board of Directors agreed it had no authority to change the FCRA Deed Restrictions without an affirmative vote of 67% of the Association's membership. According to ranch attorney Peter Kilpatrick, the Resolution was an 'end run' around FCRA Deed Restriction #6 and should have been rescinded after the lawsuit was settled in 2014.

Joy presented the Board members with a draft of a "Rescission" document that she proposed the Board vote to approve. A motion was made and seconded and, without discussion, the Board voted unanimously to approve the Rescission of the "Resolution....the Keeping of Animals." Joy will sign the document as representative of the Board, have it notarized and recorded in Real and Uvalde counties. The "Rescission of the Resolution..." will now accompany owners' deeds when a transfer of real property is transacted.

NEW BUSINESS: A Board member suggested officially naming the "Low Road." After some discussion about the width of the road, whether or not it is a walking easement or actual road, whether or not it is on the FCRA plat map, etc., the Board voted to table this item until more research can be done.

Setbacks from owners' property lines and Ranch reserved area: Larry Woodruff and Joy reminded owners that FCRA Deed Restrictions require a 15' setback from another owner's property line and a 10' setback from Ranch reserved area. The roads are considered Ranch reserved area, and setbacks from the road right-of-way also apply. In the East Forty Unit, the road right-of-way is 50' wide; roads in earlier phases of development have 30' right-of-way easements.

Owners (or their contractors) were reminded to contact "811" when digging holes 24" or deeper on their property. Utility companies will make sure that phone, gas and/or electric lines are avoided during any construction. It is also necessary to contact the FCRA Water Operator. It was suggested that this information be updated on the FCRA website and included in the 'Welcome Packet' given to new property owners.

Dan gave a status report on his search for a 'Members Only' section of the website. Has found a program that looks promising and will keep the Board updated.

Joy mentioned that the Board plans to determine an acceptable size for prefabricated yard storage sheds, and notify the membership.

An owner complimented the Ranch on the good quality water it provides at a great price.

Fall Festival activities begin today at 5:00 PM. All owners are encouraged to come join the fun!

Motion was made and seconded to adjourn the meeting. Unanimously approved.

MEETING ADJOURNED. (Next meeting is Saturday, January 19, 2019)

Minutes approved on January 19, 2019. \_\_\_\_\_ Joy Benetti, President