

**Twin Isles POA Board Meeting**  
**April 27, 2024**  
**Granite Shoals, Texas Fire Department**

The Twin Isles POA Board of Directors met April 27 at the Granite Shoals Fire Department. The meeting was called to order at 10:04 a.m. All board members were present and established a quorum: David Allard, Matthew Kohls, Barbara Kimmell, Phyllis Nunez Sattler, Alice Gilroy, and Don Baker. Note President Rob Dunagan resigned last month due to medical reasons.

The minutes which had been previously reviewed by board members and posted on the community website, were read by Allard at a member's request. As there were no additions or corrections, Gilroy moved to accept the minutes and Kohls made the second. The minutes were unanimously approved by the board.

The meeting started in a contentious atmosphere created by frequent interruptions and verbal outbursts directed at the board. Several of those in attendance were there to voice their concerns over details of the BOD process considering Bylaws and/ or support of those who had received violation notices. Allard tried to move through the POA agenda as scheduled, but was continually interrupted. (see Attachment 1)

The **Financial Report** was presented by the Treasurer, Matthew Kohls who reported as of March 31, 2024 the POA has current assets of \$33,777.35 and \$42,522.92 in total Assets and Liabilities & Equity. *Fiscal year-to-date we are in line with our annual budget.* Kohls stated the annual dues and waterway assessments will be mailed out to members in May. The assessments are based on the lot ownership with fees as per Bylaws. He said assessments have not changed from last year unless you have bought or sold property. The report will be posted on the Twin Isles website. Initial discussion of the annual budget was completed.

**Committee Reports:**

**Waterways Review:** Brad Kimmell gave an update on the weed control work in the waterways. He stated the treatment looks successful and that he was

currently putting out muck blocks and will do that once a month for 7-8 months. He also confirmed that numerous property owners purchased muck blocks taking advantage of the reduced price made by Lochow Ranch. It is expected that the increased number of blocks being placed in the Waterways will reduce the amount of muck at a more rapid rate. He stated the LCRA is offering reimbursements to communities up to \$7,500 for 2023 – 2024 work in weed control. Kimmell does not know at this time what reimbursements could be given to Twin Isles, but we will apply for it. He told those in attendance that the waterways committee meets at his house and anyone who is interested in being part of that work is welcome to attend. A member asked why the Lochow Ranch invoice (provider for invasive milfoil weed herbicide) was made out to Brad. (Brad is the BOD approved Waterways Chairman/ operations manager; BOD Officers must approve any expenditure).

**Architectural Review:** Tomm Patterson called in his Architectural Review report, as he was out of town. Allard placed his phone on the Board table so those in attendance could hear. Currently we have one outstanding AR request with Braiden Hagle @316 CR 136B. Braiden was sent requested additional information and AR recommendation was forwarded to Board.

Patterson stated he believed there was gray area in the AR process and wanted to know what the committee could do to clarify intent and eliminate gray areas such as dwelling construction or renovation standards. He said the architectural standards were outdated. He pointed out a problem for the committee was issues that had been grandfathered in and they are thinking about what best practices may be applied in those situations. (See Attachment 2)

**ByLaws Committee:** Deborah Allard presented a draft created by the Bylaws Committee and reiterated that specific procedures for current bylaws need to be clarified and new bylaws also need to be generated. The draft was approved with a majority vote by the board, following discussions since the Feb. BOD meeting. (April Vote 5 Yes, 1 no vote) The Twin Isles Board will now propose changes and present the final draft to the community for voting at the Annual Meeting in July. (See Attachment 3).

**Violations:** Chairman, Don Baker stated the board had voted 4-2 to cease fines on Lot 86. The property owner presented signed letters/ affidavits he had received from KMUD and PEC concerning the construction occupying

the easement. The property owner expressed appreciation for the vote results and asked about a fine closing letter. The BOD confirmed one will be sent. Baker reported that the violation for Lot 39 had been resolved and briefly reviewed the work the owner did to reduce erosion which had caused dirt and gravel runoff onto the road. (The BOD voted 6/unanimous 4/10/24 to end the erosion violation fines and establish a 2 year probation). Baker said road safety and road maintenance is a neighborhood wide concern.

The Lot 55 owner was on the agenda to speak. He stated his carport had been approved by the board in 2019. Board VP David Allard reminded him that there is no record of the 2019 BOD verbal approval of a non-setback compliant carport and the fines were concerning new 2023 garage construction, related member complaints about the garage neighborhood beauty, walls blocking the view and safety of the enclosure at the road edge. Baker reminded the owner he said he would take the garage walls down when he was done with his truck. Allard asked the owner if he could estimate how much longer it would take to remove the garage walls and he said: I don't know.

Another member spoke up briefly and stated her Lot A violation fines were unfair and the current condition of the property had been grandfathered in. Allard replied, you have multiple violations.

Another resident spoke up, but Allard tried to explain that the public BOD meeting is not the time and place to have a long discussion about specific property issues and a BOD hearing could be arranged ( See Attachment 4).

### ***Unfinished Business***

In unfinished business Allard stated a member's document request for data from the BOD had been compiled and mailed to the member who made the request.

Allard also reported on the status of the professional POA manager/consultant whose help was requested (as per our Bylaws) 1Qtr24 by the BOD President Rob Dunagan; to advise the BOD and whose salary has been paid for by members in the community (not a POA budget item) as a 6 month trial to help the Twin Isles POA with the technicalities of Bylaws, Violations, the Architectural Review Committee process re-design and changing Texas laws. He started to explain further but stopped due to noise.

### ***New Business***

Under new business Allard welcomed Harold Daniel, a new volunteer from the community who will serve as the new Web Site Manager and IT consultant.

Allard reminded the board that July 20th will be the annual meeting involving the election process for new board members and Bylaw improvements. A team of volunteers will be needed for the election. Three Board members term's will end after the Annual Meeting.

The meeting adjourned on a motion by Don Baker and 2nd by Barbara Kimmell. When the room cleared the board entered executive session at 11:26 am. During the session, the board held a general discussion about budget and future work priorities as per the agenda. The Treasurer pointed out that the financial report had not been reviewed in the open meeting due to meeting disruptions. The BOD reconvened the open meeting as per agenda at 12:20 pm and approved the POA Treasury report. The meeting was adjourned at 12:39 p.m.

***End of Minutes to read/ review for approval in the next BOD meeting***

### **Attachment 1. Meeting Dynamics**

*The meeting started in a contentious atmosphere created by frequent interruptions and verbal outbursts directed at the board. Several of those in attendance were there to voice their concerns over details of the BOD process considering Bylaws and/ or support of those who had received violation notices. Allard tried to move through the POA agenda as scheduled, but was continually interrupted. In the beginning, Ollie Buchanan approached the Board table, before the meeting could be called to order and pointed her finger at each board member individually shouting, "I'm going to get you". Ollie shouted, "I'm your worse nightmare", followed by Jay Buchanan's agreement adding: "She really is." Comments such as these were taken by some board members as threats.*

Within minutes of the meeting start, a Granite Shoals Fireman stepped up to state he had called the police. At least 3 Firemen remained standing in the meeting area until the meeting was over. An officer arrived by 10:15 am and

was there during the remainder of the meeting. *The Granite Shoals Police Department Case number for this meeting is #24GS04601.*

## **Attachment 2. Architectural Review Committee – Update 4/27/24**

It was difficult to hear Tomm Patterson’s remarks because of the phone volume and due to interruptions by Mr. Buchanan standing at the board table and shouting into the phone. Because of the situation, Patterson wrote out the points of his report that he spoke from and sent the comments to the secretary. The following comments from Patterson were delivered by email.

Patterson relayed to board that currently there is one AR request in process with Braiden Hagle of 316 CR 136B. The AR recommendation was forwarded to Board.

Patterson wrote our biggest challenge on the committee is the lack of more specific definition of Building standards. At this point, said Patterson, the only specific requirements we have are any details listed in the By-Laws & Restrictive Covenants.

Patterson wrote, “In my research I have found that many more sophisticated HOA organizations have developed and adopted a Code of Building standards.

- These cover everything from colors of paint that can be used on a structure to types of acceptable fencing material that can be used and much more.
  - We know it is impossible to document “every” detail / requirement in our restrictive covenants.
    - But. It may be possible to document more by developing a **building standards document**
    - From my research I have not been able to discern if adopting building standards requires A) first developing the document and then amending the restrictive covenants to add these standards. Or B) if we can merely adopt these standards as a tool for the AR Committee to operate from.
  - I would suggest that the board research what other HOAs have done with established Building Standards and then ascertain what needs to be done to implement such.

- Questions arose from Jay Buchanan during my presentation
  - Jay questioned how I could be a volunteer on the AR Committee when I was in violation of setback requirements on my own property.
    - I noted to him he was correct that a small portion of our trailers is over the lot line into my neighbor's property.
    - I noted that this was not done by me but rather my mom in 2004 . I also noted she had been instructed by the POA to check with the neighbor at the time (Paul Wiebel) and if he had no problem then she could proceed.
    - Buchanan then noted "his" property was also in violation. To which I responded that according to the Burnet CAD Interactive Map around 30 homes in the neighborhood have been and are in violation for the last 20+ years.
  - In general, I was confused about why Jay was asking me questions at all. I am not sure he had a question but wanted to vent and hoped to offend me somehow.

### **Attachment 3. Bylaws**

The Bylaws Chair, Deborah Allard provided a report for the meeting minutes to state and clarify the Committee results and proposals. It was difficult to hear her reading of the report on 4/27/24 due to others talking.

The By-Law Committee report 4/27/24

The Committees goals were:

- 1) incorporate the most recent changes in the Texas state code regarding:
  - a. HB 866 – new procedures on filing liens
  - b. HB 614 – requiring HOA's to produce and publish a "Fine and Enforcement Policy" (Completed 4Qtr23)
- 2) Review the following state codes with specific procedures and make sure they are incorporated into our By-laws so current and future BOD know how to conduct business
  - a. Property Code Chapter 202 Construction and Enforcement of Restrictive Covenants
  - b. Property Code Chapter 209 Texas Residential Property Owners Protection Act

3) generate new By-Laws and Restrictive Covenants to deal with issues in Twin Isles

If the BOD approve the proposed amendments, we advise the following method of having the membership vote on them:

- 1) Have the procedural changes made in response to goals 1 and 2 above grouped as one item on the ballot – for or against, stating whether they are in our By-Laws or not, the POA is governed by them. (Subsequent work with Professionals verified the Texas codes supersede what our Bylaws say and just go in with no vote; suggest just an FYI.)
- 2) Individually vote on those made in response to number 3 as separate items to vote for or against each one. These would include sections:
  - 10.10 – treasurer committee
  - 14.06 - harassment clause
  - 14.12 – fencing policy
  - 14.13 – large rock construction
  - 15.03 – approved dwellings
  - 15.04 – increasing dwelling size
  - 18.01 – easement restrictions

Finally Deborah would like to thank CJ Payne for being on the committee and taking a huge amount of time out of his life to review the Texas state property codes, compare them with our By-Laws and suggest where changes needed to be made. CJ has greatly served this community for many years.

#### **Attachment 4. Violations**

**Violations/ additional content:** Chairman, Don Baker stated the board had voted 4-2 to cease fines on Lot 86. The property owner presented signed letters/ affidavits he had received from KMUD and PEC concerning the construction occupying the easement. The board thanked the property owner for the paperwork and the property owner expressed appreciation for the vote results.

Baker reported that the violation for Lot 39 had been resolved and briefly reviewed the work the owner did to resolve erosion issues causing dirt and gravel runoff onto the road. (The BOD voted 6/unanimous 4/10/24 to end erosion violation fines and establish a 2 year probation period). Baker said

road safety and road maintenance is a neighborhood wide concern. This Lot owner was not present but spoke at the Feb. BOD meeting.

The Lot 55 owner Mark Moyle was on the agenda to speak but spoke out of turn during this period saying F-\_\_ your agenda and said he was angry at the violation notice and potential fines. The Lot 55 owner stated his carport had been approved by the board in 2019, However Board Vice President David Allard reminded him that there is no record in any past minutes or written proof provided from the owner of the 2019 BOD verbal approval of a non-setback compliant carport. Allard reminded him the fines were concerning new 2023 garage construction and related member complaints, about the garage neighborhood aesthetics, walls blocking the view and safety of the enclosure at the road edge. *Baker reminded the owner when the committee met with him, he was granted time to complete the work on his truck (inside the garage) based on plans he described to us with the hope that the BOD would not vote for a fine process. He stated he would take the garage walls down when he was done.* Allard asked the owner if he could estimate how much longer it would take to complete his truck and remove the garage walls and he said: I don't know. Mr Buchanan said: "it's illegal to say Lot numbers in public (That is not correct, as per an Attorney, our POA Professional and Texas meeting law. The Twin Isles BOD and Annual meetings are member only public meetings and results are public record).

Another resident spoke briefly and stated her Lot A violation fines were unfair and the current condition of the property had been grandfathered in. Allard replied, you have multiple violations.

Another resident spoke up, but Allard tried to explain that the public BOD meeting is not the time and place to have a long discussion about their property issues or violation warnings and a BOD hearing could be arranged.

*Violations & Unfinished Business.* Allard also reported on the status of the professional POA manager/ consultant whose help was requested (as per our Bylaws) 1Qtr24 by the BOD President Rob Dunagan; to advise the BOD and whose salary has been paid for by members in the community (not a POA budget item) as a 6 month trial to help Twin Isles POA with the technicalities of Bylaws, Violations, the Architectural Review Committee process re-design and the changing Texas laws. A key point is to have a professional manage the Violations process to maintain property values and avoid the angst of neighbor to neighbor Violation negotiations. Allard started to explain the Committee search for a qualified professional at a



price that the POA can afford took 2 years but was interrupted numerous times by audience members, not on the agenda to speak. A member, Mrs. Buchanan said (in her opinion) since the POA professional was not a board member, the professional should not be listed on our Community website.

The Treasurer pointed out that the financial report had not been reviewed in the open meeting due to disruptions. The BOD reconvened the open meeting as per agenda at 12:20 pm and approved the POA Treasury report. The meeting was adjourned at 12:39 p.m.