

**Tomball Hills Civic Association
Board Meeting
Held June July 14, 2016
First Presbyterian Church on Hwy 249 at Heidi Lane
Tomball Hills Texas**

Notice of this scheduled Board meeting was posted online 72 hours prior to the meeting time and all Directors had been notified by email. Notification emails were sent to property owners who have provided an email address.

7:04 p.m. meeting called to order by Rhonda Bolton-Burke, President, Tomball Hills Civic Club HOA

Rhonda called on Deborah Pursell, Secretary to confirm a quorum. The Secretary confirmed a quorum was established.

Officers/Board Members in Attendance:

Rhonda Bolton-Burke
Danny Williams
Babe Ellis
Deborah Pursell
Dennis Bell
Nan Bell

in addition to Officers/Board Members many property owners were present.

The meeting was opened with a prayer offered by Danny Williams.

Rhonda had several opening housekeeping items:

- 1) Reminder to those present that the church has been very generous in allowing Tomball Hills to hold meeting in their facility. If anyone would like to offer a donation to the Church, a plate would be passed and any offerings would be appreciated.
- 2) Thank you to Sandy Anderson and Suzanne Rodgers for delivering Notices of the Board Meeting to property owners. Since there was not enough time to allow for a 10 day notice for a homeowners meeting to be in compliance with By-Laws, they were kind enough to circulate the notices door to door, providing 72 hrs. notice so that any who wanted to attend the Board Meeting would be notified.
- 3) All present were reminded that this was a Board meeting not a homeowners meeting, however, comments would be welcomed.

Rhonda read the minutes from the meeting held on June 14th. Rhonda called for the approval of the minutes, Babe voted to accept the minutes as read, Deborah 2nd, all present voted "Aye".

The main purpose of the meeting was to discuss the details of the proposed Agreed Declaratory Judgement.

Rhonda reminded all that the Civic Club had filed for Summary Judgment in the suit Mr. Hildreth brought against Tomball Hills. The Court had already granted a Motion for Summary Judgment that released Rhonda from the lawsuit personally. To date there had not been a decision from the court Regarding the Motion for Summary Judgment for Tomball Hills that was filed later, and the case was scheduled for trial on July 18th. However, in a new turn of events, Mr. Hildreth's attorney had contacted Tomball Hill's attorney with an Agreed Declaratory Judgment, proposing that if Tomball Hills accepted the terms, it could be filed with the court bringing an end to the suit.

Rhonda read the Agreed Declaratory Judgment to everyone present and opened the floor for discussion.

The basis of the Agreed Declaratory Judgment stated what is already in the Deed Restrictions, that Tomball Hills deed restrictions do not provide for liens on properties.

The main differences between proceeding to trial verses accepting this offer is, 1) we do not know the outcome of a trial, 2) it would cost a considerable amount of additional attorney fees.

On the other hand, with the Agreed Judgment, Tomball Hills would not have the possibility to recover attorney fees from the plaintiff.

Sandy Anderson suggested we should cut our losses, accept the offer. It has already cost us too much.

Jo Free asked if we currently have any outstanding attorney costs. Rhonda stated Tomball Hills owes \$750.00 to our attorney for his attendance at the last homeowner meeting and any additional costs to complete the Agreement Declaratory Judgment if accepted.

Bob Cella stated he was still very concerned about what will happen with the residential lots. Dennis stated any future decisions related to those lots will be determined by the City of Tomball. Dennis advised that anyone could go to City Council meetings and voice their opinion as appropriate. There are requirements that the City notify all property owners located within 200' of any possible zoning changes and give them, as well as all property owners in the subdivision, an opportunity to voice their opinions prior to Council decision. The City already has an Agreed Judgment that requires the lots to remain residential. Property owners are all free to contact their City Councilman and city officials with questions and concerns.

Some property owners had questions about liens and it was again explained that any unpaid dues at the time of the sale of a property would not hinder the sale of their property as the debt was not against the property but against the owner, a personal debt. Tomball Hills deed restrictions do not provide for any type of property liens or foreclosures.

The Board asked property owners for a vote to either accept the Agreed Declaratory Judgment, wait for the Court's decision on the Motion for Summary Judgment or take the case to trial. All property owners in attendance agreed that it would be best to accept the Agreed Declaratory Judgment.

Babe moved to accept the Agreed Judgement as written, Danny 2nd all voted "Aye" in favor of accepting the offer. Rhonda asked of all present if there was any objection, no objection was offered. It was agreed to accept the offer.

The issue of updating the By-Laws was raised. Dennis stated there may be a need to clarify/update some parts of the By-Laws. Dennis suggested that there be a By-Law's committee formed to help update the current By-Laws and he agreed to be chairman of the committee.

Rhonda asked for there would be volunteers for a By-Laws committee. Suzanne Rodgers, Gary Henneke, Ed McNutt, Tom Borcky-Noblet and Sandy Anderson volunteered

Dennis moved to form the By-Laws committee, Babe 2nd, Nan, Deborah and Rhonda abstained, the remainder voted "Aye" and the measure passed, forming a By-Laws committee.

Rhonda stated that Deborah had purchased a recorder for use in recording meetings. Rhonda moved to reimburse Deborah for the cost of the recorder. Danny 2nd, all voted "Aye", motion was carried.

The issue of social media was raised and Nan Bell wanted to make a statement concerning a comment made on social media that the Board had "stuffed the Board" with husbands and wives. serving. Nan wanted to make it clear that the only reason she volunteered to serve was because no one else would come forward at the time. Her husband was putting in long personal hours working on the Board and she thought she could make a contribution.

It was pointed out that there had been other spouses that had served, i.e. Tom Borckey-Noblet and Theresa Borcky-Noblet were on the Board at the same time, before Tom was removed from the Board by the Board and Theresa resigned.

Carrie Gracey stated that these Board positions are not power positions. The reason for the Board is to help our subdivision to maintain property values and promote goodwill.

Rhonda encouraged those who would be willing to serve on the Board to contact Magnolia Property Management. You would need to be willing to devote personal time, effort and energies for the benefit and betterment of the neighborhood, setting aside personal agenda, and please read the By-Laws for qualifications necessary.

Notices will be sent prior to the Annual Meeting asking for volunteers to serve. Rhonda reminded all present that they could nominate themselves or someone else, provided that someone else is willing and qualified. Property owners will vote to fill all Board Positions at the Annual Homeowners meeting to be held in November or December.

Rhonda raised the question concerning reimbursing Dennis for the monies he personally paid to renew the old Tomball Hills website subscription. Dennis said he would prefer not to be reimbursed.

Tom Borcky-Noblet mentioned perhaps having Tomball Hills meetings at Lone Star College. Most who had seen the meeting rooms thought they were not big enough. There was no reason to move to the college when the Church has been so generous for many years allowing Tomball Hills to use the Church for meetings. Rhonda suggested this be tabled to be discussed at the Annual Homeowners Meeting.

Deborah requested to speak. She felt it needed to be stated that Rhonda Bolton-Burke has worked very hard giving of her personal time and treasure to defend Tomball Hills and herself in the lawsuit as well as handling ongoing Board business. We have been very fortunate to have such a dedicated individual to lead us through such a stressful time. Her position as well as all Board members are volunteer positions and Rhonda has gone above and beyond working endless hours with attorneys to repeatedly try to find a solution. Deborah stated she wanted to publicly thank Rhonda.

Rhonda asked for any additional business, none was brought forward.

Babe moved to adjourn, Deborah 2nded, all voted "Aye".

Meeting adjourned 8:16 p.m.