

DAVIS MOUNTAINS PROPERTY OWNERS ASSOCIATION, INC.  
BOARD OF DIRECTORS MONTHLY MEETING MINUTES  
APRIL 13, 2013

President Chuck Smith called the meeting to order at 2:10 PM. A quorum was established. Eligibility of members and posting of the Agenda were verified. Board members present are Chuck Smith, Phyllis Arp, Joe Rowe, Marti Fellers, Rick Draheim, Steve Barr, Sandra Holzheuser, Jeff Smith, Terry Segura and Jeff Fisher. (All Board members Present)

Joe Rowe led the Pledge of Allegiance and Jeff Fisher gave the Invocation.

Marti Fellers presented to the Board that she failed to attach the minutes to send them to the DMPOA, Inc. office for printing. Sandra Holzheuser makes the motion to table the reading of the March 9, 2013 minutes until the May 11, 2013 monthly meeting, seconded by Steve Barr. Motion carried.

Treasurer's Report Joe Rowe gave the Report. Jeff Smith makes the motion to accept the Treasurers Report and pay the bills, seconded by Marti Fellers. Sandra Holzheuser opposed. Motion carried.

Approve sending Second Notice of Past Due Assessments. Joe Rowe presents this request with the new payment schedule. Steve Barr makes the motion that the second notice be sent to those that require one, seconded by Jeff Smith. Motion carried.

Approve revision of Re-sale Certificate. Joe Rowe presents the revised documents for review and discussion. Rick Draheim makes the motion that we accept the revised Re-sale Certificate with the exception that Item 10 on page 3 be changed from \$10.00 to \$15.00, seconded by Joe Rowe. Motion carried.

Removal and disposal of old computer from DMPOA Office. Joe Rowe presents this item. Joe Rowe makes the motion that the Treasurer remove the old computer from the DMPOA Office and dispose of it properly, seconded by Phyllis Arp. Phyllis Arp withdraws her second, Joe Rowe withdraws his motion. Joe Rowe makes the motion that the Treasurer properly dispose of the old computer, in the office, if the Fire Department cannot use it, seconded by Phyllis Arp. Motion carried.

Approve Auditor. Chuck Smith appoints Ann Carter as Auditor for the 2013 Annual Audit. Joe Rowe makes the motion to accept the Presidents appointment, seconded by Steve Barr. Motion carried.

Road Committee Report. Toby Barker gives the report. Hard copy available in DMPOA Office.

Board adjourns to Executive Session for discussion of personnel matters.

Board returns from Executive Session. Board brought back to order.

Rick Draheim makes the motion that we terminate the employment of Rolando Garcia and authorize the Road Committee to take all reasonable steps to hire a new Road Maintenance Operator, seconded by Jeff Fisher. Motion carried.

Suggestions for changes of Employment Application Jeff Fisher moves that in order to expedite this process that Sandra Holzheuser and Toby Barker be allowed to work the employment application and get the advertisement together and post it in the paper as soon as possible, seconded by Joe Rowe. Joe Rowe amends the motion that this should be done in no more than two weeks, seconded by Steve Barr. Rick Draheim is opposed to this motion. Amended motion carries. Motion carries.

DMR VFD Report Marti Fellers read the Fire Chiefs Report. Hard copy on file at the DMPOA Office. Marti Fellers reports that the Fire Department does have vehicles that can make it to any property in DMR, no property will be "black balled", however, fire trucks will be hindered by any items that limit the width of the road. No action required at this time.

Budget Committee Report Joe Rowe presents the report for review.

Approve revised 2012-2013 Annual Budget Joe Rowe makes the motion that we approve the proposed revised budget, seconded by Marti Fellers. Motion carried.

Approve proposed 2013-2014 Annual Budget Phyllis Arp makes the motion to approve the proposed budget, seconded by Steve Barr. Sandra Holzheuser opposed. Motion carried.

Firewise Committee Report Phyllis Arp presents the report. Phyllis Arp makes the motion to request that the DMPOA BOD once again approve the Annual DMPOA Firewise Awards be organized and presented by the Firewise Committee at this years' Annual Property Owners meeting, seconded by Jeff Smith. Sandra Holzheuser opposed. Motion carried. Hard copy on file at the DMPOA Office. Sandra Holzheuser questions an assumed name for our DMPOA Firewise, why is there two? June 12, 2012 When the DMPOA BOD approved for the Firewise committee to set up their own bank account there was one filed but it was never used since there was never a separate account opened, and all monies returned to DMPOA. Joe Rowe makes the motion to authorize Phyllis Arp to contact the County Clerks' office and have this item revoked, seconded by Steve Barr. Motion carried.

Texas A&M Forest Service Fuels Project in DMR. Phyllis Arp presents the report, expecting one more updated report to contain the final numbers of this project. Hard copy on file at the DMPOA Office. No action required at this time.

Firewise "Fire & Dogs" Community Event. Phyllis Arp presents the report on the turnout for this event. There is a new awards form available at the DMPOA Center. Hard copy on file in DMPOA Office. No action required at this time.

Legal Status update on Causes 2400, 2401, 2389, 2418. Joe Rowe presents the update(s) on these. Court was held March 22, 2013. Cause 2400 was scheduled to be on the docket, but the property owner had indicated that she would settle, she did not. We have a default judgment against her. Cause 2401 the property owner did not appear in court, her attorney did. Her attorney made an offer to settle but the amount was not sufficient. He said if we would take what he currently was offering then he would send the balance. If this is not done then the Judge has already scheduled it for May 9, 2013. Cause 2389 Attorney states that he is working with the property owners on the re-plat. This is rescheduled for May 9, 2013. Cause 2418 their attorney wanted to settle yet this is scheduled for May 9, 2013. In addition their attorney has said that they will be pressing charges on us for trespassing to set up a game camera.

Annual Meeting preparations

Nominating Committee Report Michele Boulter gives her report for what the committee has been doing. Currently there are 11 people running for the Board of Directors. Joe Rowe makes the motion to allow the Nominating Committee to post their ad on the DMPOA website, seconded by Rick Draheim. Motion carried.

Approve Election and Annual Meeting Forms. Joe Rowe presents this item. Due to changes in the laws all of our forms must be redone as to incorporate these changes. Steve Barr makes the motion to approve the Ballot, as is (Exhibit A), and the Proxy Form (Exhibit B) as changed, for use by the Nominating Committee in preparation for the upcoming meeting of the members, seconded by Marti Fellers. Motion carried.

Approve Election Preparations Joe Rowe makes the motion that table these items and we schedule a Special Meeting in workshop format in the next two weeks to review and approve these documents, seconded by Steve Barr. Motion carried. Steve Barr abstains.  
Meeting schedule for April 27, 2013 at 2 PM

Approve Election Procedures See above motion

Approve Election Judge Procedures See above motion

Develop Records production and copying Policy Joe Rowe presents this item. After discussion Rick Draheim makes the motion to approve and accept this as proposed, seconded by Jeff Fisher. Motion carried.

Develop Records Retention Policy Joe Rowe presents this item. After discussion Rick Draheim makes the motion to adopt these as presented, seconded by Jeff Fisher. Motion carried.

Update on Trammell encroachment Joe Rowe presents this item. Jeff Smith reads the letter written by Ms. Trammell submitted to Richard Baker. Jeff Fisher makes the motion to call an end to this legal proceeding she is not going to claim adverse possession, seconded by Joe Rowe. Motion carried. Jeff Fisher withdraws his motion, Joe Rowe withdraws his seconded. Joe Rowe makes the motion to be authorized to write Ms. Trammell a letter to finalize our understanding that she is not claiming adverse possession, seconded by Rick Draheim. Motion carried.

Report on Thackerson encroachment Joe Rowe presents this item. The utility company has not moved the power pole. Joe Rowe has sent out a letter to Mr. Thackerson. Joe Rowe makes the motion to table this item until further action has been taken, seconded by Marti Fellers. Motion carried.

Access to DMPOA records and privacy Sandra Holzheuser presents this item. No action required at this time.

Approval to prepare and file an Amended Management Certificate and change DMPOA address Joe Rowe presents this item. Due to various changes that we have had to make due to law changes we are required to amend our Management Certificate and while we are doing this we are changing our address to the 9-1-1 address. Joe Rowe makes the motion that we approve these changes, seconded by Jeff Smith. Motion carried.

Web-page Lee Scarborough brings this item up. The web master and secretary both answered his questions. No action required.

#### OPEN COMMENTS

Steve Barr makes the motion that we adjourn, seconded by Jeff Smith. Motion carried.

Meeting adjourned at 7:40 PM

Respectfully submitted  
Marti K. B. Fellers  
DMPOA, Inc. Secretary

May 11, 2013