

DAVIS MOUNTAINS PROPERTY ASSOCIATION, INC.
BOARD OF DIRECTORS MONTHLY MEETING MINUTES
MAY 11, 2013

President Chuck Smith called the meeting to order at 2:04 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, Sandra Holzheuser, Steve Barr, Jeff Smith, Terry Segura, and Jeff Fisher. (All members Present).

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

Marti Fellers read the March 9, 2013 regular monthly meeting minutes. Jeff Fisher makes the motion to approve the minutes as presented, seconded by Rick Draheim. Motion carried.

Marti Fellers read the April 13, 2013 regular monthly meeting minutes. Rick Draheim makes motion to approve the minutes as amended, seconded by Jeff Fisher. Motion carried.

Marti Fellers read the April 27, 2013 Special meeting/workshop minutes. Rick Draheim makes the motion to approve the minutes as corrected, seconded by Jeff Fisher. Motion carried.

Treasurer's Report Joe Rowe gave the Treasurer's Report. Phyllis Arp makes the motion for the DMPOA to pay for the cost of running ads for candidates for the Board in the local papers, seconded by Steve Barr, opposed are Jeff Fisher and Rick Draheim, Marti Fellers abstains. Motion carried. Rick Draheim makes the motion to accept and pay the bills, seconded by Marti Fellers. Motion carried.

Renewal of Fire & Comprehensive Insurance Joe Rowe presents this item for approval. Rick Draheim makes the motion to pay for the Renewal, seconded by Steve Barr. Motion carried. Paid to Talley Reed Insurance \$1401.60

Road Committee Report Toby Barker gave the Road Committee Report. Steve Barr makes the motion that the applicants for our new maintainer operator be interviewed by Harold Barker and Chuck Smith and if one of them appears to be satisfactory for our requirements then hire that person as our Maintenance Operator, seconded by Terry Segura. Motion Failed. Rick Draheim makes the motion the Road Committee Chair Toby Barker and Board President Chuck Smith interview our applicants and make a recommendation to the Board for hiring a Road Maintenance Operator, seconded by Phyllis Arp. Motion carries.

DMR VFD Report Fire Chief Fellers gave the DMR VFD Report. Hard Copy in DMPOA Office.

Budget Committee Report

Approve revisions to 2012-2013 Annual Budget Joe Rowe presents the changes to the current budget. Phyllis Arp makes the motion to accept the 2012-2013 Revised Budget, seconded by Marti Fellers. Motion carried.

Approve revisions to Proposed 2013-2014 Annual Budget Joe Rowe presents this item with the needed changes. Steve Barr makes the motion to approve the Revised Proposed 2013-2014 Annual Budget, seconded by Jeff Smith. Motion carried.

Website update report Phyllis Arp presents this item as to updates and working with the new format. Phyllis Arp makes the motion that the Board approve one page for Evacuation Information, Rick Draheim seconds. Motion carries. There were requests for the Financial Report to be on the DMPOA website.

Firewise Committee Report Phyllis Arp presents her report and the Abandonment documents for the Firewise Committee. The Firewise Committee has received photos from the Forest Service of the before and after of our Fuels Mitigation Project.

Evacuation committee report Marti Fellers gave a short report on recent activity.

Water Resource Committee Report Steve Barr states that the committee is still formulating their opinion for the report at the Annual Meeting.

Annual Property Owners Letter President Chuck Smith presents this year's letter. Board members make suggestions for improvement. Jeff Fisher makes the motion that this letter with the additions be approved and sent out with the Annual Meeting packet, seconded by Jeff Smith. Phyllis Arp abstains. Motion carried.

Annual Meeting Preparations

Nominating Committee Report – Terry Segura gave the Nominating Report.

Nominate Election Judge and counters Terry Segura presents this with Betty Smith being nominated as the Election Judge and Edna Queen, Toi Fisher, Peggy Flanders, and Maria Lejeune as Counters. The Nominating Committee would like the Board to approve these nominees. Steve Barr makes the motion to approve the Nominating Committee recommendations, seconded by Marti Fellers. Motion carried. (Hard copy of the Nominating Committee Report is on file in DMPOA office)

Present 2013 ballot, proxy and proxy handling procedures Jeff Fisher presents the documents for the 2013 Annual Meeting for approval by the Board. Joe Rowe makes the motion that we approve the documents as presented, seconded by Steve Barr. Motion carried.

Purchase of supplies for the Annual Meeting Betty Smith would like Board approval to purchase the items needed for the Election Judge and counters for the Annual Meeting. Steve Barr makes the motion that Betty Smith be allowed to pick up supplies that are needed after inventorying what is on hand and purchase them on her trip to Odessa to be reimbursed, seconded by Jeff Smith. Motion carried.

Update on letter to Donna Trammel Joe Rowe presents the letter that was written and mailed to Donna Trammel. Marti Fellers read the letter to the Board and no further action is needed at this time.

Possible encroachment by Ambassador Johnson Ambassador Johnson was present and provided documentation to the Board to justify his request that the DMPOA instruct their attorney to take all appropriate action to assure the owner of Lot 15 Block 38 that the DMPOA is not claiming adverse possession. Sandra Holzheuser makes the motion that our attorney be instructed to furnish Mr. Johnson with the form that he needs to show that the DMPOA does not intend to claim adverse possession, seconded by Steve Barr. Motion carried.

Legal Status update on Causes 2400, 2401, 2389, 2418 Joe Rowe presents this item.

May 9, 2013 Docket – We had three cases on this docket. Cause 2400 was not on the docket. The property owner had contacted DMPOA to make arrangements at one point and we have not heard from her since. Will issue Writ of Execution and make public notice for sale.

Cause 2401 – On the Docket. We had previously filed a motion to dismiss. Item was acknowledged dismissed at the May 9, 2013 meeting.

Cause 2418 – A settlement was proposed to them that if they will accept a Hunting Injunction with no hunting or target practice in the DMR and pay us approximately \$4000.00 in Attorney Fees and costs, with Board approval, we will settle this cause; otherwise it is set for trial June 7, 2013 Docket. Steve Barr makes the motion that the Board settle Cause 2418 for the final cost of the combined court cost, attorney fees and permanent injunction, seconded by Terry Segura. Motion carried.

Cause 2389 – Mr. Mead (Attorney for the Bailey's) was not present but has reported that the Bailey's have secured the necessary easements with the people across the road to be able to provide the DMPOA the right of way easement that we need to get around Block 11 Lot 11 and they are working on getting the Plat prepared and this is set to be heard on June 7, 2013.

Discuss legal representation concerns for the DMPOA This item was requested by Michele Boulter, she is ill and has requested this item be tabled until the June 8, 2013 meeting.

Access to Minute Binder and Monthly Financial Reports Binder This item was requested by Michele Boulter; she is ill and has requested this item to be tabled until the June 8, 2013 meeting. Joe Rowe did point out that there is a request form in the office to get copies of public record materials.

OPEN COMMENTS

Peggy Flanders mentions the Fund Raiser for the VFD on Memorial Day weekend, Saturday from 10:00 AM to 5:00 PM and Sunday from 1:00 PM to 5:00 PM, 100% of all proceeds will go to the DMR VFD.

Joe Rowe makes the motion to adjourn, seconded by Jeff Smith. Motion carried.

Meeting adjourned at 5:44 PM

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

June 8, 2013