

**LLE#3  
Quarterly Meeting  
October 16, 2021  
Minutes**

President Tena Oates called the meeting to order at 10:01 am.

**Announcements**

The August 2021 minutes were up for review. A motion was placed by Don Thomas to accept minutes of without changes. The motion was seconded by Diane Salvaggio and passed.

Upcoming Social Events were discussed:

1. October 23<sup>rd</sup> Taste and Dance at Pavilion starting at 7:00 pm. Live music and shots for a cause. See flyer or text Teri Sentz for more information.
2. October 30<sup>th</sup> - Little ghosts and goblins will be out Halloween trick-or-treating in our hood going door to door from 6 pm to 8 pm. Decorate your porch or leave light on for kids and their parents to know what houses are participating. For more info text Jenna Timmerman.
3. Dec 11<sup>th</sup> – Christmas party for kids and adults being planned. More info to come but a little birdie told me you can contact Cindy Foster, Jenna Timmerman or Tori Crocker to help with planning and committees.

Kathy Dyer is our new Pavilion Coordinator so please contact Kathy at 832.969.7762 to reserve the Pavilion for your next family or neighborhood function. She can also answer any question you might have about rates, dates, and requirements.

Daylight Savings Time ends Sunday November 6<sup>th</sup>. Set your clocks back an hour when you go to bed on Saturday.

**Standing Reports**

**Finance** – Diana Wilson gave report (via telephone) for 3rd quarter 2021. Per usual the report is included at the end of these minutes.

- Donna Dean moved to accept the treasurer's report. Don Thomas second, motion passed.

**Membership and ARC Review** – Tena Oates reported for 1<sup>st</sup> VP Pappy Paprocki:

- 98 membership families and 250.5 lots.
- Pappy reminded the group that anytime property ownership changes hands, please advise the POA Board so we can update records.

**REMINDER:**

**ALL CONSTRUCTION MODIFICATIONS/REMODEL/REBUILDS, OR NEW CONSTRUCTION MUST SUBMIT AN APPLICATION TO ARC AND BE APPROVED PRIOR TO STARTING WORK. NOTIFY ANY BOARD MEMBER FOR APPLICATION.**

**Old Business**

- Randy Smith is collecting ideas and suggestions for point and pavilion improvement including the boat ramp repair. Monies have been earmarked for this cause and will be voted on as soon as costs are collected and presented to membership.
- Roads and drainage will be addressed in New Business when road repair is discussed.
- Randy Vonarb is recovering from his accident.

- Kathy Dyer reported that the Generator used by LLWS when power is out is currently non-operating. She talked to LLWS and they are inundated with generator problems throughout Polk County and did not commit to a time frame when we might expect it back online. Good idea to keep bottled and jug water available should we lose power during storm, mist, drizzle, heat, cloudy, clear or otherwise unstable activity.

### **New Business**

- Survey 2021 Results were discussed. While several issues will be addressed one on one it was determined that, with a recommendation from the board, that rental properties are a source of concern and should be examined for possible regulation. To date, the current rentals (about 13%) in the neighborhood have been a positive but several members voiced concern that they did not want our neighborhood to turn into a commercial rental area. To that end, a motion was passed to establish a committee made up of BOD and members to research, examine, and make recommendations to find a good fit for our neighborhood that is equitable and at the same time protects LLE 3 from unwanted encroachment of commercial investments. The BOD is seeking volunteers for this committee that will be given up to a year to develop this plan.

After meeting: Sissy Smith and Tori Crocker volunteered. We are seeking 2-3 more members.

### **See attachment to this Minutes of Meeting for all information concerning this topic**

- A presentation was made by the BOD for Outer Loop Road repair. A motion was passed to approve the plan for PH 1 starting Nov 1, 2021 and for funding for PH 2 and 3 to be brought forth in the January 2022 meeting. It was decided that PH 2 and PH 3 be executed at the same time.

### **See attachment to this Minutes of Meeting for all information concerning this topic. If you have any questions please contact Tena Oates at 281-433-0325 or coog08@aol.com**

- Via information on Texas Realtors there are some new HOA Laws changing that were effective Sept 1, 2021. Two important changes that effect our LLE3 POA are the following:
  - HOAs are required to maintain websites with management certificates and meeting information included
  - HOAs are barred from requiring access to Lease Agreements and are only allowed to request tenant's contact info and lease beginning and end dates

For other changes made to HOAs please see the Texas Realtors website or visit the State of Texas website and click on HOAs.

There being no other business, Tena Oates moved to adjourn the meeting. Motion passed. Time 10:59 am

The next POA meeting will be January 15<sup>th</sup>, 2022 at 10am in the Pavilion.

Happy Holidays!!

Respectfully submitted,

Tena Oates for Teri Sentz  
Secretary

LLE #3 Financial Report	Total for the Period			
	Jan - Mar	April - July	Aug - Sept	YTD 2021
<b>First State Bank Checking Account:</b>				
Operating Deposits:				
Mem Dues & Maint Fees	7,806.00	2,850.00	57.00	10,713.00
Pav Donations, Trf Fees, Other	50.00	225.00	120.00	395.00
<b>Total Oper Deposits</b>	<b>7,856.00</b>	<b>3,075.00</b>	<b>177.00</b>	<b>11,108.00</b>
Operating Disbursements:				
LLWS&SSC - Water	(150.75)	(201.00)	(100.50)	(452.25)
SHECO – Electricity	(550.94)	(765.56)	(619.85)	(1,936.35)
Lawn, Trees, Ditches Maintenance	(580.00)	(1,210.00)	(220.00)	(2,010.00)
TRA - Annual Shoreline/Septic Fees	-	-	(180.10)	(180.10)
Tapco Underwriters - Com Liability Ins	-	-	(1,141.58)	(1,141.58)
Property Taxes	-	-	-	-
Cleaning for Pavilion	-	(60.00)	-	(60.00)
Postage, box rental, copies, fees	(55.00)	-	(118.00)	(173.00)
Supplies	(24.88)	(80.82)	-	(105.70)
Professional fees	-	(250.00)	-	(250.00)
<b>Total Oper Disbursements</b>	<b>(1,361.57)</b>	<b>(2,567.38)</b>	<b>(2,380.03)</b>	<b>(6,308.98)</b>
<b>Excess Oper Deposits (Disbursements)</b>	<b>6,494.43</b>	<b>507.62</b>	<b>(2,203.03)</b>	<b>4,799.02</b>
Fundraising and Capital Spending:				
Memorial Day Fundraiser	-	-	-	-
July 4th Fundraiser	-	5,764.00	-	5,764.00
Pavilion Repair/Addition (refrigerator, plumbing}	-	(2,395.29)	-	(2,395.29)
Drainage, roads, boat ramp, HVAC	-	(1,440.00)	-	(1,440.00)
<b>Excess Fundraising (Capital Spending)</b>	<b>-</b>	<b>1,928.71</b>	<b>-</b>	<b>1,928.71</b>
Beginning Balance	34,330.58	40,825.01	43,261.34	34,330.58
<b>Ending Balance Checking Account</b>	<b>40,825.01</b>	<b>43,261.34</b>	<b>41,058.31</b>	<b>41,058.31</b>
<b>First State Bank CDs - Total</b>	<b>23,061.68</b>	<b>23,074.81</b>	<b>23,078.95</b>	<b>23,078.95</b>
<b>Petty Cash</b>	<b>70.00</b>	<b>70.00</b>	<b>70.00</b>	<b>70.00</b>
<b>Total Cash</b>	<b>63,956.69</b>	<b>66,406.15</b>	<b>64,207.26</b>	<b>64,207.26</b>

OUTER  
LOOP ROAD  
REPAIR

OCTOBER 2021



# OUTER LOOP ROAD REPAIR

## Bid from County

Description	County Paid	POA Paid	Total
West Lake Shore Dr (.4 mi x 16')	\$18,560.00	\$26,533.10	\$45,093.10
North Lake Shore Dr (.3125 mi x 16')	\$14,464.00	\$20,679.98	\$35,143.98
Leisure Lane (.263 mi x 16')	\$12,160.00	\$17,396.00	\$29,556.30
<b>Subtotal</b>	<b>\$45,184.00</b>	<b>\$64,609.38</b>	<b>\$109,793.38</b>
Estate Road (1.4 mi x 2')	\$6,514.45		

# OUTER LOOP ROAD REPAIR

## Bid inclusions

- DOUBLE Chip and Seal (see new road at Goodrich for example)
- Cost build-up is \$7.05/sy
- Bid valid for one year from October 2021
- 16 ft width is traditional two-lane width
- County prepared to start November 1, 2021



# OUTER LOOP ROAD REPAIR

## Board of Directors Proposal for Implementation

- ♦ Execute the repair in three (3) phases
  - ♦ Phase 1 - West Lake Shore Dr in November 2021\*
  - ♦ Phase 2 - North Lake Shore Dr in Spring/Summer 2022\*\*
  - ♦ Phase 3 - Leisure Lane TBD

\* Includes improving drainage area at Goff's

\*\*Includes improving drainage areas at Leisure Lane and North Lake Shore and West of Estate Road at the McCollums'

# OUTER LOOP ROAD REPAIR

## Board of Directors Proposal for Implementation

### Financial Impact:

#### PHASE 1 – WEST LAKE SHORE DR

Total Available Funds – Treasurer’s report Oct 2021

- \$64,207.26

Total Operating Expenses thru March 2022

- \$3,400.00

Capital Expenditures earmarked for Boat Ramp and Pavilion

- \$15,000.00

Total Remaining after Expenses and Earmarked Capital Improvements at Point

- \$45,807.26

Keeping \$20,000.00 for emergency that leaves **\$25,807.26 (amount for PH 1 is \$26,533.10)**

**This is enough for Phase 1 Repair**



# OUTER LOOP ROAD REPAIR

## Board of Directors Proposal for Implementation

Phases 2 and 3:

Committing to Phase 2 will require:

- Additional fundraising (possibly outside neighborhood )
- Special Assessment
  - Ex:  $250.5 \text{ lots} \times \$80.00/\text{lot} = \$20,040.00$
- Outside donations (LLE No 2)

Phase 3 can be addressed at a later date



## Lake Livingston Estates #3

**PROPERTY OWNERS' ASSOCIATION**



**P. O. Box 704  
Livingston, Texas 77351**

**Tena Oates, President 281-433-0325  
e-mail: coog08@aol.com**

September 23, 2021

Lake Livingston Estates No 3 POA Members  
PO Box 704  
Livingston, Texas 77531  
-or-  
Individual emails on file w/secretary

Dear Members:

Attached to this letter are the results of the very successful resident survey performed the past couple of months for our POA. National Statistics state that a 25% return rate on any survey is recommended to help achieve the goals of the survey in the first place; getting answers and guidance to help with making decisions. Well, we achieved a whopping 32% and for that the BOD thanks every one of you that responded.

The numbers bear out that there are four (4) of the six (6) items that many responders have significant interest. 1) safety on our roads as it pertains to 4-wheelers specifically and all off-road generally and, combining 2), 3), and 4) into one category concerning rental properties. Items 5) and 6) indicate an overwhelming desire to not merge with Section 2 and not open our annual July 4<sup>th</sup> activities to non-residents, therefore items 5) and 6) will be tabled for now.

While the numbers for Item 1) show an aversion for making 4 wheelers "illegal" in our Deed Restrictions, the comments indicate a desire to see some sort of deterrent to any operation of dangerous vehicles by unsupervised and unprotected minors. Texas law states that all off-road vehicles, including golf carts, be driven off-road only, minimum age driver is 14 unless accompanied by adult, and helmets are recommended. At this time, the BOD will monitor the situation with issued guidelines, warnings to violators, and possible requests for suspended use of the vehicle.

Regarding Items 2), 3), and 4) which deal with capping rental properties, non-resident owners, and lease agreements, the members of the POA are split evenly in their responses. These items can and should be merged into a single issue of rental properties and studied as such. The BOD recommends the formation of an exploratory committee consisting of board members and POA members to address the concern indicated on this survey. The significant interest shown by our members, both positive and negative, must be addressed in a proactive way to ward off the documented decline of neighborhoods that have shrinking levels of non-owners. The scope of the committee will be to provide a list of recommendations and guidelines to all members that may or may not go through the rigorous process of being incorporated into our Deed Restrictions. The schedule for the committee is one year. More information and discussion will be available at the October 16, 2021, POA Quarterly meeting.



# Lake Livingston Estates #3

**PROPERTY OWNERS' ASSOCIATION**



**P. O. Box 704  
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**Tena Oates, President 281-433-0325  
e-mail: coog08@aol.com**

The Extra Comments section shows input from our members that was not covered in the survey. For the items requesting improvements and maintenance at the Point and the Pavilion, Randy Smith has assumed the position of Coordinator for that program. Furthermore, there are no hard and fast rules concerning fundraising activities in our neighborhood. Until those ever get documented then tradition is the rule. Lastly, the idea of boat slips at the Point needs valid pro-forma complete with initial capital outlay, return of investment curves vs utilization and all expenses outlined in yearly or monthly format. There are no actions by the BOD scheduled for this item at this time.

We look forward to working together with all members for the betterment of our neighborhood and involvement can not be stressed enough to help make that happen. Another survey for different items is already in the works for distribution early next year. Our next POA Quarterly meeting is October 16, 2021. Please make plans now to attend.

Respectfully yours,

Tena Oates  
President

cc: Teri Sentz - Secretary  
Tom Paprocki- 1<sup>st</sup> Vice President  
Randy Smith – Vice President  
Diana Wilson - Treasurer

**LAKE LIVINGSTON ESTATES NO 3**

**RESIDENT SURVEY - 2021**

**Basis 32 respondents out of possible 100**

<b>Item</b>	<b>Y</b>	<b>N</b>	
Four-Wheelers are illegal on county roads. Should we make them illegal in our subdivision? Require helmets? minimum age limit?	31.5%	68.5%	

<b>Item</b>	<b>Y</b>	<b>N</b>	
We currently have 180 days minimum for all leases but really no way of monitoring that; with AirBnB and VRBO becoming so popular, do we make it mandatory to file all rental contracts with the POA Board? Other suggestions to manage?	65.6%	31.4%	3% abstained

<b>Item</b>	<b>Y</b>	<b>N</b>	
How do you feel about capping number of rentals in our subdivision? We currently have 13, do we cap at 10% of 101 houses? 5%?	50%	50%	

<b>Item</b>	<b>Y</b>	<b>N</b>	
How do you feel about non-residents owning rentals?	43.8%	50%	6.2% na

<b>Item</b>	<b>Y</b>	<b>N</b>	
Merging LLE 2 and 3	31.3%	56.3%	12.4% na

<b>Item</b>	<b>Y</b>	<b>N</b>	
Would you like to see our 4 <sup>th</sup> of July celebration opened up to all of Livingston with entry fee and sponsors? Would you approve a rider in our insurance policy to cover this event?	.3%	99.7%	

**COMMENTS No 1:**

1. 4 wheelers are made for off road and on dirt roads only
2. Minimum age and helmets should be required

3. Don't impose rules we can't enforce
4. I don't think we can make four wheelers and not golf carts (which are not allowed on County Roads either) illegal. But I do think we should know who are riding the four wheelers as that if they drive too fast or reckless, they can be held responsible for damage or someone getting hurt.
5. Make illegal on our roads – too many kids speeding
6. Four wheelers aren't a problem as long as the kid riding can respect them. I know they have never been a problem before. No difference in a side by side.
7. I believe they should be 14 or older and no more than 2 at a time
8. I think golf carts are illegal – what issue would that start?
9. Not necessarily illegal, but post regulated and age helmet + speed (max 15 mph) constant violators – call sheriff
10. Require helmets and age limit
11. 16 yrs to drive + any reckless driving we can report to authorities
12. Require helmets and minimum age. Already a state law.
13. All vehicles including golf carts are illegal on county roads unless registered, licensed, and insured according to the Sheriff. He has allowed us to use our golf carts as long as we are safe. If we start having accidents and issues that will go away. The same for 4 wheelers. We cannot set standards like helmets, minimum age etc. We cannot make laws. We can ask owners to be aware that the sheriff can come in and stop it all. If they, the owners could abide by the speed limit and use judgement in letting their kids ride around unattended then maybe we will continue to have the privilege to use these vehicles on county roads.
14. Parents should monitor helmets age proficiency for 4 wheelers
15. Helmets should be required. Minimum age 16. Also follow speed limits.
16. We think it should be up to parents, we like the number program.
17. 4 wheelers are illegal on any road with a 35 mph or higher speed limit. Safety gear is required if under 14 years old and an adult must ride with those drives. There are too many kids blasting around the neighborhood on these, usually on holiday weekends. How can we enforce speed limit?
18. 4 wheelers are no different that golf carts, not legal. So to do one would be to do both.
19. Minimum age, yes. Speed requirements, yes.
20. Follow speed limit minor should be with someone 18 yrs or older
21. Minimum age of 16 could be required. Parents should enforce helmet rule.
22. Stricter guidelines are required
23. We need helmet and age limit
24. Will need to do the same for Golf Carts; min age w/o parent
25. Limit Age 16 and up and Limit no of riders to 2

**COMMENTS No 2:**

1. Follow the rules of the POA and have all rental contracts be files with the POA Board and have a monthly list of addresses of rental/leases houses and ownership sent to all POA members. We have the right to know.
2. It will be evident if an AirBNB is in operation
3. Would it be easier to hold the owners responsible for their renters and/or guests.

4. Continue to make requirement
5. Show a lease agreement
6. I think we should know who have AirBNB and VRBO property in our subdivision. So we can know if anyone abuses their agreement (loud noises or damage to property)
7. The people that own rental should be able to do as they want. Its not a Board decision.
8. As long as property owners are making sure the people leasing are following subdivision rules. Maybe put a person in charge of follow-up.
9. No problem with providing copy of contract
10. Furnish renters copy of deed restrictions
11. At least no pf people, names, and how long rental is.
12. Yes, things will get out of control if not.
13. Rental contracts need to be on file with the HOA
14. Yes on filing but what happens if renter stays longer than lease
15. Leases need to be tracked but, will this be a burden in the HOA keeping track of them? They could be put on a cell phone calendar with an alert
16. That would be homeowners responsibility to handle tenants. NO AirBNB or VRBO.
17. NO Air BNB or VRBO
18. All rental agreements to be files with Secretary of HOA
19. Continue with 180 day minimum leases, I don't sense any owners violating this requirement. No to filing with POA, too intrusive.
20. Why limit anything? More options, more \$\$\$\$

**COMMENTS No 3:**

1. I don't feel there is a need to cap them. Don't think it is a problem.
2. Cap it off at 5% or even lower. Its become quite evident that some are making this subdivision a business, so far, most have been a big improvement, but everyone that's been around for a while, knows what eventually happens to a subdivision once you start allowing serios variances to deed restrictions, a lot more dire seems you can't even drive though after dark.
3. Are we capping an individual on how many rentals they can have? Rental Cap? Not sure. If you are going to cap how many rentals an individual owns, maybe. Don't stop the home owner who may not be ready to sell but, will rent a single home.
4. Yes, 5% cap
5. Limiting the number of rentals is a great idea but cap the number of rentals each property owner can have in this subdivision, otherwise, those who have rental property now will be the only ones with rentals. Freeze the number of rentals for existing owners that have rentals at this time and allow other owners to have a total of 2 maximum.
6. Good to have people in houses; landlord should keep properties looking good.
7. At least rentals are taken care taken of unlike empty houses.
8. Cap at 10%.
9. As long as it meets the 180 day minimum.
10. I think it is too late to cap the number of rental property in the subdivision but, you should consider capping the number of rentals per property owners. If you cap it as a percentage of houses in the subdivision, you are only allowing the existing property owners to have rental property. What happens if we decide to rent our property someday, we would be penalized for

being over the number of rental properties because of the number of owners that already have it.

11. Cap at 10%
12. Rental needs to be fair to everyone – No more than 2 or 3 rentals per property owner
13. We cannot tell someone how they can manage their property. You are setting us up for a major day in court.
14. Currently at 12.9%, how would a cap be enforced.
15. Rentals definitely need to be capped. My old neighborhood became a huge rental area and started having issues with the renters. I would hate for this to happen here.
16. If someone owns a lake house and choose to rent it out, that is their right, it is their property.
17. A cap of some sort would be good. It has hurt many other neighborhoods.
18. We should allow as many.
19. Cap at 5%.
20. Cap No of rentals by Owner
21. No at this time. If Item No 2 passes then I would vote to cap rental properties.
22. Cap at 10%
23. No Caps, why limit anything?
24. If rentals are frowned on – why? Property upkeep? Lack of community interest by renters? If the latter, we can make a greater push to involve renters. Landlords completely responsible for keeping properties nice and monitoring renter character.

#### **COMMENTS No 4**

1. Better oversight if owners are residents
2. I prefer that non-residents do not own rentals. I understand that we have several at the time. I feel that residents should have more interest on keeping the property well maintained inside and out to enhance the value of the neighborhood.
3. They need to have skin in the game.
4. Non-residents should not own rental property.
5. OK if they meet requirements
6. I would prefer that only members of our LLE No 3 own rental properties. But unfortunately, we already have several non-residents owning rental property in our subdivision. Not sure how you would monitor other buying property that are non-residents. I do think residents owning rental property would have more interest in maintaining property and enduring rental owners follow rules and guidelines.
7. No, this could result in property not being kept up.
8. If they own a house in LLE 3 then its there (sic) property can't tell them not to rent it out.
9. Not a problem as long as they are managing the rentals
10. Need to have residence here to have rentals.
11. What is non-resident?
12. Will bring in trash
13. Absolutely not
14. All rentals are by owners. Some owners are not resident.
15. Only residents to own
16. Not sure what this means, Capping rentals should fix this issue

Distributed August 2021  
Compiled September 2021

17. As long as they are kept up.
18. It's okay
19. No, must be a resident
20. They are out of owner's sight so out of mind
21. Why limit anything?

**EXTRA COMMENTS:**

1. There has been lots of mention of making point improvements for the sake of residents w/o lake front property or access. In favor of most of these. A good one was to have a permanent kayak rack of sorts.
2. I do think we need to "refresh" areas at the point – picnic tables need new boards, replace old or worn out boards on piers, etc..
3. All monies raised from our special events need to stay in LLE 3
4. Build a multi-boat slip that owners of interior lots can rent to house their boats. Ditto for storage of kayaks.