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La Buena Reader

La Buena Vida Property Owners Association Newsletter

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The La Buena Vida Property Owners Association, Inc is incorporated under the laws of the State of Texas as a non-profit corporation, and granted powers of administering the Covenants, Conditions and Restrictions for La Buena Vida.

Spring is Coming ...

... although we probably all wish the transition from another “unusually cold” winter would be even quicker. That said, it does seem like only yesterday – albeit it was actually October - that the Annual Meeting of the Property Owners Association was held at Jeanne and Randy Hunter’s home on La Buena Vida Drive. The sunny weather, the birds wading in the shallow wetlands, and the natural serenity of the lake seemed to draw everyone to the back patio shortly after they arrived.

The meeting was eventually called to order, and the three Board members – Donna Vaughan, Michael Zotzky, and Jeanne Hunter - were re-elected by unanimous vote and proxy. We would like to thank the property owners for their continued support. It was a very well-attended meeting – especially by out-of-towners – with active discussion of several topics. The minutes of the meeting are included in this newsletter, starting on page 3.

While much of the local, state and federal news involves fiscal shortfall, we are very pleased to report our Association ended 2010 with expenses below budget, and a reserve fund increase to approximately \$65,000. Furthermore, the Board proposed – and property owners subsequently approved - another reduction in the assessment fee, to \$1,200 per lot in 2011.

Other good news is the renewed activity by the Architectural Committee in 2010, starting with plan approval for the Scharck residence. Construction on this home adjacent to the wetlands area is well underway, with tile roof and stucco completed. The Committee also approved pool and backyard improvement plans for the Hunter residence, which have also been started. As part of that review, the Architectural Committee also adopted a policy regarding construction of pergolas and other non-building improvements, not adequately addressed in the Restrictions.

We have not lost focus on the original vision of La Buena Vida as a premiere waterfront development, with appearance and amenities consistent with the significant investments Owners have in lots and houses. Bids to improve the front entrance lighting are currently being evaluated. Street and security lighting have been repaired, and the gate security system was updated to allow residents – through their home phone – to open the gate remotely for visitors. Freeze-damaged palms were replaced, and more attention given to keeping the vacant lots mowed. This same focus of keeping costs within budget, maintaining appearance of the subdivision, etc., will continue in 2011.

If you have any questions, concerns, or comments, please contact one of us - the LBV POA Officers – either by phone or email. Our contact information is listed in the sidebar to the left. We enjoy hearing from the Association members, getting suggestions, feedback, newsletter-worthy information, pictures, etc., and are sincerely committed to improving our neighborhood.

2011 Assessments
reduced to \$1,200 per
Lot



Year 2011 Budget

The following is a summary of the 2010 actual revenue and expenditures, and the proposed budget for 2011. Note that our fiscal year is December 1 thru November 31.

Revenues	Fiscal Yr 2010	2011 Budget
Maintenance Fees	\$70,402	\$52,800
Mowing Charges	\$11,405	\$14,430
Developer Reimbursement	\$7,874	\$9,000
Equipment Sale	\$3,000	\$0
Other Misc/Interest	\$577	\$250
Total	\$93,258	\$76,480
Expenditures		
Mowing - Common Grounds	\$19,392	\$18,000
Mowing - Lots	\$10,996	\$14,430
Water	\$6,366	\$12,000
Electric	\$3,101	\$3,000
Fertilize - Grass & Palm Trees	\$7,066	\$6,500
Weed Control	\$1,840	\$1,200
Gate Maint	\$1,918	\$1,500
Electric Repairs	\$3,636	\$2,500
Plants	\$4,002	\$1,500
Install New Lighting	\$1,913	\$0
Sprinkler Maint	\$1,878	\$2,000
Tree Trimming	\$0	\$1,500
Flag Poles & Flags	\$1,266	\$1,200
Insurance	\$2,424	\$2,400
AdValorem Taxes	\$1,774	\$950
Accounting Services	\$4,200	\$4,200
Office Exp/Postage/Copy	\$668	\$1,000
Telephone	\$529	\$500
Legal Fees	\$850	\$500
Misc Other	\$169	\$200
	\$73,989	\$75,080
Revenues Over (Under) Expenditures	\$19,270	\$1,400
Fiscal Yr-End Balance - Accrual Method	\$65,281	\$66,681

Vacant Lot Mowing

In 2010, the vacant lots were mowed in March, late April, June, August and October. Additionally, there was a partial mowing in September and late January, which was covered with excess funds in the mowing account. There were times though that the grass got very high, and feedback from residents is that we should mow more often as required.

Currently, each Lot owner that prepaid for mowing in 2010 has one credit remaining. We will not be invoicing for prepaid mowing services until that has been used up. If you choose not to prepay, there will be a \$15 administrative fee added to each lawn mowing bill for invoicing. Each lot owner will be receiving a mowing prepayment notice in the mail. **If you want to avoid the administrative fee, you must prepay by the billing deadline.** Again, please understand that this is a service provided for the benefit of lot owners, and is a cost-neutral operation for the POA.

Minutes of the 2010 LBV POA Annual Meeting

The Annual Meeting of the Members of LBV Property Owners' Association, Inc. (the "Association") was held at the home of Randy and Jeanne Hunter, 19 La Buena Vida Drive at 2:00 p.m. on October 30, 2010. A quorum was present in person or by proxy, including the following Members who were present in person: Directors: Jeanne Hunter and Michael Zotzky (Donna Vaughan was absent due to business commitment); Owners: Randy Hunter, Laurie Zotzky, Caroline & Larry Walker, Larry and Marlene Muenster, Michael and Fronia Scharck, Patricia and Hank Nuss, Lee Durst, Charles Goff, and Michael Lucente. Michael Johnson (Treasurer) and Teresa Creekmore of Johnson & Cate – LBV POA's certified public accounting firm - also attended.

Michael Zotzky, Vice-President, served as chairman and welcomed everyone to the meeting. The minutes of the 2009 Annual Meeting were read by Randy Hunter, and approved as submitted.

Michael Johnson presented the Treasurer's Report as of September 30, 2010.

Cash in Bank	\$80,731.97
Accounts Receivable	\$ (60.00)
Prepaid Insurance	\$ 898.66
Total Assets	\$81,570.63
Total Liabilities & Deferred Income	\$17,645.31
Association Equity	\$63,925.32
Total Liabilities & Association Equity	\$81,570.63

Michael Johnson presented the 2011 budget as recommended by the Board. The proposed budget reflects a reduction in annual fees for the second year in a row to \$1,200 per lot. A motion was made and seconded to approve the budget and it was unanimously approved as submitted.

Michael Zotzky presented the Architectural Committee report. During the past year, one set of house plans was approved, and construction is well underway. No construction plans are pending at this time.

With a total of 35 of the eligible 47 property owners voting via proxy or in person the following individuals were elected as Directors of the Association: Donna Vaughan, Jeanne Hunter, and Michael Zotzky.

Michael Zotzky summarized the major activities of the Board for the year, which included the formal sign policy, adding phone capability at the keypad to allow home owners to open the gate remotely for visitors, and the upgrade to the front entry lighting. The following topics were discussed under new business:

1. Phase II - Michael Lucente asked if we could work with the developer to request the removal of the metal container stored on Phase II. In addition, he requested that we ask the developer to attempt to control access into Phase II by locking the gates, and/or posting No Trespassing signs. A discussion followed, and it was agreed that Phase II should be secure and clear of storage containers. The Board will discuss these items with David Becker.
2. Front Gate – Caroline Walker asked how the gate operates in the event of a power failure, and that it was a problem for walkers or bike riders to exit the sub division because she did not know how to open the gate from the inside. Following a discussion, the Board agreed to document gate procedures and include this information in the next newsletter. In addition, Mike Lucente requested that the front gate into Phase I should be repaired and repainted, and that he would do it if necessary.
3. Lot Mowing - Mike Lucente stated that the undeveloped lots needed to be mowed more often, and that the recent half mowing of the front 30 feet was a good idea, but should be done more often. Several owners stated that they liked the pre-payment option that was introduced this past year, and that the penalty for not opting in should be higher than \$15/per mowing. The Board agreed to continue with a pre-payment option, and to schedule lot mowing more frequently, as required by the weather.
4. Front Entrance Lighting – Michael Scharck stated that he would be happy to review any lighting bids for the front entrance, and that he could assist us in purchasing fixtures at a good price.

(continued on page4)

Annual Meeting (Continued)

5. Re-Plat vs. Owning Two Lots – Mike Lucente requested that the Board be consistent in accounting for all owners of two contiguous lots. Mike Zotzky stated that the Board was consistent and that each platted lot was considered as one lot for voting and invoicing. Following a discussion regarding the treatment of Lot 9 as a single lot due to the county requirement of frontage width, the discussion was closed.

It was noted that the overall appearance of the neighborhood was great, and that both the common areas and individual lots were being well maintained. Randy Hunter asked everyone present to call him if they spotted any standing water which might be caused by broken sprinkler system heads. Larry Muenster asked for information on architects and builders in the area that he might begin to talk with, and several individuals provided input. The owners present thanked the Board for their work.

With no other items to be discussed, the meeting adjourned at 3:25 PM.

Architectural Committee Report

Construction on Michael and Fronia Scharck's new residence at 22 La Buena Vida (Lot 26) continues to progress, with windows installed and tile roof and stucco complete. This home will be a beautiful addition to the neighborhood, as well as have a great view of the lake and the adjacent wetland area.

Last month, the Hunter's pool and backyard improvement plans were approved by David Becker, Byron Fields, and Michael Zotzky. (Randy Hunter - who is also on the Architectural Committee - abstained from voting on his own submittal.) In the process of reviewing the Hunter plans, it was noted that POA Restrictions do not adequately address side property line set-back requirements for pergolas and other improvements that are not denoted as "buildings".

Several of the existing homes have pergolas, which provide free-standing shade, are consistent with Spanish and Mediterranean design, and do not block the view. For the purpose of defining rules specific to pergola construction, the Committee recognizes a pergola as "an open structure consisting of vertical posts supporting an open roof of girders and cross rafters". This definition distinguishes the pergola from being a building. However, either the addition of a wall, or a solid roof, would – in the opinion of the Committee – make the pergola a "building" and subject to the more-stringent "building" limitations as clearly defined in Article 3.15.

The Policy adopted by the Architectural Committee regarding construction is that there will be side property line setback requirements applied to pergolas, free-standing fireplaces, and other improvements that potentially affect the view from an adjacent Lot. In general, all of these improvements shall honor a 10 ft side property line setback (the same as buildings).

The Policy regarding pergolas and other "non-building" improvements is posted on the LBV POA website at www.lbvpoa.com. The CCR's that govern construction and approvals are also posted. The Committee will continue to develop policies and procedures to address issues not covered in the Restrictions, to assure consistent development and maintaining property value. If you are a property owner contemplating building, or have any questions regarding improvements, please feel free to contact Michael Zotzky or any of the other Architectural Committee Members.

Architectural Committee

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We're on the Web!

See us at:
www.lbvpoa.com

*Board Meetings are
 held each month*

Follow-Up to Annual Meeting New Business

The following is a report on progress regarding suggestions and requests by Lot Owners raised in the Annual Meeting in October 2010:

Phase II. It was requested that the metal container stored in the Phase II area be removed, as it is unsightly. Also to control Phase II access to reduce unauthorized entry – primarily from people parking and fishing. In January 2011, the developer emptied the metal container and hauled it away. A dumpster was used to gather trash, which should be removed soon. The Phase II gate has been locked, and “No Trespassing” signs posted. If people are seen trespassing, the Sheriff department can be called to respond. Thank you to David Becker for his prompt response on this matter.

Front Gate. There were two issues raised: the inability for pedestrians to open the gate from the inside without a transmitter, and a dent with missing paint that needs to be repaired. Michael Lucente has painted the gate dent (thank you). Donna Vaughan is pursuing installation of a keypad or release button inside the gate. Also, in the event of a power failure, the front gate is supposed to open automatically and remain open. This feature has been tested, and works properly.

Front Entrance Lighting. We have received one bid for upgrade of the front entrance lighting, and are waiting on a second. We plan to ask Michael Scharck to help us evaluate the proposals.

Welcome to New Owners

Welcome to new the Owners of Lot 11, Ron and Kay Rose of Alto, Texas. Lot 11 is immediately west of the Samuel's residence, previously owned by the Olson's. Welcome to the neighborhood, Ron and Kay!

Board of Director Meetings

Meetings of the Association Board are normally held during the third week of each month. All meetings are open to property owners of La Buena Vida - with the occasional exception of closed executive sessions - and are currently held at 21 La Buena Vida (Donna Vaughan's residence). The meetings are typically on a weekday evening, but specific date and time is subject to change – especially as each of also deal with business travel. So please contact Donna in advance if you wish to attend a Board meeting.

About Our Organization...

The La Buena Vida Property Owners Association, Inc (the “Association” or “POA”) is incorporated under the laws of the State of Texas as a non-profit corporation, and granted powers of administering the Covenants, Conditions and Restrictions (these “Restrictions”) for La Buena Vida. The purpose of the Restrictions is to preserve the natural beauty of the property, to encourage attractive improvements which are harmonious and compatible, and to enhance the quality and economic value of the community and each lot therein.

The Bylaws of the Association govern the election of the Board of Directors of the Association, their term of office, and meetings, powers and duties. Each owner of a lot in the La Buena Vida subdivision is automatically a Member of the Association, with one vote per lot. Members elect all Directors for a term of one year.

LA BUENA VIDA POA

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