

December 2013  
Volume 1, Issue 10

# ***La Buena Reader***

## **La Buena Vida Property Owners Association Newsletter**

*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.*

### **LBV POA Officers**

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## **Year End Information**

Before the year ends, the Board wanted to provide you with information from the Annual Meeting of the Property Owners Association. The meeting was held in November at the home of Robert and Gayly Opem on Buena Vida Drive. Thanks to the Opem's for being wonderful hosts and sharing their gorgeous house with us.

- County Navigation Commissioner Judith Vlasek provided information on what the Navigation District does and the property it controls.
- Board members Michael Lucente, and Jeanne Hunter were re-elected and Gayly Opem joined the Board.
- Michael Johnson presented the 2014 budget as approved by the Board. The budget reflects a \$100 increase in annual fees to \$1500 per lot.
- The detailed minutes of the meeting are included in this newsletter, starting on page 2. **Note there were a lot of issues covered in the Annual Meeting regarding new business, likely of interest to all Lot owners.** 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.

## **Construction Started for Two Homes**

As report at the Annual Meeting, we will soon have two more homes in La Buena Vida. Construction has begun for the following homes:

- Patrick & Eve Marable have started a home on Lot 35. Hardesty Builders is the Builder.
- Bruce and Dorinda Ellingsworth have started a home on Lot 30. Mark Uhr of Uhr Real Estate is the Builder.

The Architectural Committee approved the plans earlier this year. These homes will be a beautiful addition to the neighborhood.

**Minutes of the Annual Meeting**

**Architectural Committee**

**Chair**

Randy Hunter  
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**Members**

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The annual meeting of the Members of LBV Property Owners’ Association, Inc. (the “Association”) was held at the home of Gayly and Bob Opem, 21 La Buena Vida Drive at 2:00 p.m. on November 16, 2013. The following members attended:

Directors: Michael Zotzky, and Jeanne Hunter  
 Owners: Randy Hunter, Laurie Zotzky, Larry and Marlene Muenster, Robert and Gayly Opem, Michael and Fronia Scharck, and Larry and Caroline Walker  
 In addition, Michael Johnson of Johnson & Cate attended. Aransas County Navigation District Commission Judith Vlasek was an invited guest and attended.

Michael Zotzky, President, served as chairman and welcomed everyone to the meeting. Commissioner Vlasek spoke for a few minutes and provided information on the various facilities under the responsibility of the Navigation District. The Navigation District is responsible for over 1900 acres, including marinas at Cove Harbor, Rockport Harbor and Fulton Harbor, the Rockport Beach, Little Bay, boat ramp facilities, public restrooms, fish cleaning facilities and kayak launch sites within Aransas County. The largest marina, Cove Harbor will be seeing major changes soon due to the availability of sewer.

The minutes of the 2012 Annual Meeting were approved as submitted.

Michael Johnson presented the Treasurer’s Report as of October 31, 2013:

Cash in Bank	\$69,149.58	
Accounts Receivable	\$1,475.00	
Prepaid Insurance	\$1,661.92	
Total Assets		\$72,286.50
Total Liabilities & Deferred Income	\$11,617.35	
Association Equity	\$60,669.15	
Total Liabilities & Association Equity		\$72,286.50



Michael Johnson presented the 2014 budget as approved by the Board. The budget reflects an increase in annual fees to \$1500 per lot. Michael Zotzky commented that at the 2012 Annual Meeting, the Board advised that an assessment level of \$1500 was appropriate long term for LBV, and would provide funding for identified capital projects as well as maintain a reasonable reserve level. After review of the 2013 expenses and planned 2014 budget, the Board confirmed the \$1500 level was still appropriate. In addition, the Marina Assessment for the twelve privately owned slips remains at \$200 per slip.

## Annual Meeting Minutes (continued)

Randy Hunter presented the Architectural Committee report. Two homes were recently started and are under construction on Lots 30 and 35. The Committee also approved the construction of the wall on Lot 44 and a swimming pool on Lot 20, which has now been completed. No other plans are pending at this time.

Jeanne Hunter reviewed the itemized (detailed) revenue and expenses for fiscal year 2013. Due to the recent rains, the water expense for the year is down. At year-end fiscal 2013, the reserve is projected to be \$60,800, an increase of \$6,300 vs. the previous year-end. Expenditures on the marina are projected to be \$2,800 for the year (spending all of the 2013 Marina Assessment of \$2,400). Marina expenditures were related to installation of potable water connections to the fish cleaning stand and the individual piers, plus a start on improving the lighting.

Randy Hunter reviewed the maintenance work that has been completed this year, which included a complete review of the sprinkler system and replacing many heads. This additional effort prepared us to adapt to the water rationing which went into effect due to the drought. In addition, we continued the maintenance plan in place. The Board asked everyone to advise Randy if something needs attention.

Jeanne Hunter reviewed the status of the island landscaping, an issue which was brought up at the 2012 Annual Meeting. The Board consulted with a native plant specialist to discuss planting options, but this project was put on hold for several reasons. The main issue is providing an adequate source of water required to establish new plants. The Developers were contacted, but have been unable to provide any information regarding what appears to be a water line on the larger island. Our consultant, Native Dave, did provide us with a list of suitable plants, and will continue to consult, providing the planting design and plants once the water issue is resolved. The 2014 budget does allocate \$4,000 for this project.

With a total of 24 of the eligible 47 property owners voting via proxy or in person the following individuals were elected as Directors of the Association: Gayly Opem, Michael Lucente and Jeanne Hunter.

### **The following topics were discussed under new business:**

- Deed Restriction Enforcement. The Board recently hired a new attorney to assist in reviewing the existing restrictions and working to seek changes as appropriate. Two issues were highlighted, including Article 2.13 Unsightly Articles Vehicles, and 5.1 Membership of the Architectural Committee.
- Article 2.13. This Restriction was amended in 2009 in an attempt to define what is considered “unsightly” and allow property owners up to 30 days each year to have a boat or trailer in the driveway for maintenance. This change was overwhelmingly approved to prevent long term storage of boats and trailers in clear view. Despite that support, some boats and trailers continue to be stored in driveways and are the subject of complaints by neighbors or realtors/potential buyers who question whether the LBV POA enforces restrictions. The offenders have ignored numerous warning letters. The attorney recommended the amendment be revised and suggested that any change should be easier to monitor compliance, and has the ability to levy a daily fine for violations. He recommended we include the ability to park a boat or trailer in an owner’s driveway for a certain number of hours, or a fixed number of days when a permit is issued in advance by the Board. This proposal was discussed by all in attendance and approved for submission to all property owners for review, discussion and request for formal ballot proposal in 2014.

## Annual Meeting Minutes (continued)

### Deed Restriction (Continued):

- Article 5.1. This Restriction outlines the membership of the Architectural Committee. The current restriction states that David Becker, Bryon Fields and Cliff Hoskins shall serve until time when a home has been constructed on each lot, or earlier if they resign. Cliff Hoskins resigned several years ago, and has been replaced by Randy Hunter. The attorney pointed out that this is very unusual, and most architectural committees are appointed by the Board of Directors to serve a 2-3 years term. It could take many years for a home to be constructed on each lot, and it is probably more practical to have a rotating membership to this important committee. This proposal was discussed by all in attendance, and approved for submission to all property owners for review, discussion and request for formal ballot proposal in 2014.

Deed Restriction amendments require property owner approval of at least 67%. If these items move forward to an actual ballot proposal, Phase I property owner voter participation would be essential for passage.

### Also discussed:

- Marketing for La Buena Vida. In response to a request by several Lot owners to do some sort of signage at the highway frontage to advertise that La Buena Vida is a waterfront subdivision with lots and homes available, the Board placed this topic on the agenda. Following a discussion this item was not recommended by those in attendance. The Board will continue to prohibit highway signage and will not embark on a marketing campaign.
- Bulkhead Maintenance and Inspection. Each Lot owner is reminded that bulkhead maintenance is the responsibility of each individual property owner, but since we are a waterfront subdivision, the condition of the bulkhead is important to all property owners. The bulkhead is several years old, and should be inspected on a regular basis, as metal components rust. The shore guard material should be good for many years, but please remember to inspect your bulkhead and make repairs as necessary.
- Dock Size and Placement. A question was asked about the allowable dock size and placement in the lake and on the channel into the lake area. After review of the current Restrictions, it appears that we currently do not have any official restriction on size of boat that can be moored next to the bulkhead on the channel, tied up along the outside of the dock, or extend beyond the dock. The Restrictions limit boat dock construction to 19 feet into the channel. Placement next to property lines is not specific, but the Architectural Committee has historically requested that all docks be placed towards the middle of the Lot, and not next to property lines. Several in attendance recommended that a Restrictions amendment be considered or a Policy put in place to limit the width of the boat extending into the channel, so as to avoid a navigational issue. The Board and/or Architectural Committee will follow up on this suggestion.

## Annual Meeting Minutes (continued)

- Vacant Lot Mowing. Michael Scharck stated that the subdivision looked great, but he felt that sometimes the vacant lots looked very untidy, and should be mowed more often. The Board agreed to restructure the mowing program, and include more 30' mowing to keep the street edge cleaner looking.

Michael Zotzky was thanked for his years of service as a Vice President, President and Architectural Committee Chairperson. He will be missed. Gayly Opem was welcomed as a new Board member.

With no other items to be discussed, the meeting adjourned at 5:00 PM.

## Board of Director Meetings

The Association Board meets on the second Tuesday of each month. All meetings are open to property owners of La Buena Vida, with the occasional exception of executive sessions. The meetings typically start at 4:30 pm, but specific date and time is subject to change - especially as each of us also deal with business travel. So please contact Jeanne Hunter in advance if you wish to attend a Board meeting

## 2014 Approved Budget

The following Approved Budget was reviewed at the Annual Meeting:

### LBV Property Owners' Association, Inc. 2013 Marina Budget

	<b>Projected</b>	<b>Budget</b>
	<b>2013 Yr End</b>	<b>2014</b>
Revenues		
\$K Maintenance Fees	\$2.4	\$2.4
Total	<u>\$2.4</u>	<u>\$2.4</u>
Expenditures		
\$K Water	\$0.2	\$0.3
Electric	\$0.2	\$0.2
General Maintenance	\$1.0	\$0.4
Electric at owned slips	\$0.5	\$0.6
Install water at owned slips	\$0.7	\$0.3
Taxes (R63854) Owned Slips	\$0.2	\$0.2
Misc Other		
Total	<u>\$2.8</u>	<u>\$2.0</u>
Revenues Over (Under) Expenditures	-\$0.4	\$0.4

LBV Property Owners' Association, Inc.  
2014 Budget FINAL

		Final <u>2011 Actual</u>	Final <u>2012 Actual</u>	Projected <u>2013 Yr End</u>	Budget <u>2014</u>
Revenues					
	<i>Fees per lot</i>	<b>\$1,200</b>	<b>\$1,300</b>	<b>\$1,400</b>	<b>\$1,500</b>
\$K	Maintenance Fees	\$52.8	\$57.2	\$61.6	\$66.0
	Mowing Charges	\$6.7	\$11.0	\$9.2	\$10.5
	Developer Reimbursement	\$16.5	\$18.5	\$10.2	\$10.0
	Equipment Sale	\$1.1	\$0.0	\$0.0	\$0.0
	Other Misc/Interest	\$0.3	\$0.3	\$0.7	\$0.3
	<b>Total</b>	<b>\$77.5</b>	<b>\$87.1</b>	<b>\$81.7</b>	<b>\$86.8</b>
Expenditures					
\$K	Water	\$23.3	\$18.7	\$15.4	\$20.0
	Mowing - Common Area	\$18.0	\$18.0	\$18.6	\$19.8
	Mowing - Lots	\$8.0	\$10.6	\$10.7	\$10.5
	Fertilize - Grass/Weed Control	\$5.7	\$5.4	\$5.5	\$5.5
	Accounting Services	\$4.2	\$4.7	\$4.9	\$4.9
	General Maint		\$2.7	\$2.8	\$3.0
	Plants	\$5.1	\$0.9	\$0.1	\$1.0
	Insurance	\$2.5	\$2.5	\$2.2	\$2.2
	Electric	\$2.7	\$2.6	\$2.4	\$2.4
	Sprinkler Maint	\$5.0	\$0.7	\$2.8	\$1.5
	Fertilizer - Palm Trees	\$0.3	\$0.7	\$0.8	\$0.8
	Street Cleaning/Repairs			\$0.3	\$0.5
	Flag Poles & Flags	\$0.8	\$1.9	\$1.3	\$1.3
	Tree Trimming	\$1.2	\$0.9	\$1.7	\$1.8
	Gate Maint	\$0.9	\$2.1	\$0.4	\$0.5
	Office Exp/Postage/Copy	\$0.7	\$0.7	\$0.5	\$0.6
	AdValorem Taxes	\$0.8	\$0.8	\$0.6	\$0.6
	Telephone	\$0.5	\$0.6	\$0.5	\$0.5
	Electric Repairs	\$0.3	\$0.7	\$1.5	\$2.5
	Marina Repairs		\$2.3	\$0.5	\$0.5
	Legal Fees	\$0.0	\$0.0	\$0.1	\$1.2
	Misc Other	\$0.4	\$0.0	\$0.0	
	Signs			\$1.6	
	Island Planting			\$0.2	\$4.0
	Install new lighting/lighting Repairs	\$0.0	\$13.8	\$0.0	
	Install new stations - Sprinkler System	\$2.8	\$1.0	\$0.0	
	<b>Total</b>	<b>\$83.1</b>	<b>\$92.2</b>	<b>\$75.4</b>	<b>\$85.5</b>
	Revenues Over (Under) Expenditures	-\$5.6	-\$5.1	\$6.3	\$1.2

**La Buena Vida Property  
Owners Association, Inc.**

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We're on the Web!

See us at:

**[www.lbvpoa.com](http://www.lbvpoa.com)**

***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.

***Reminder:***  
***Board Members will be contacting you in  
January to discuss the Deed Restriction  
changes recommended by our attorney.***

**LA BUENA VIDA POA**

c/o Jeanne Hunter  
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Aransas Pass, TX 78336

