

December 2014

Issue 13

# La Buena Reader

La Buena Vida Property Owners Association Newsletter

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*The LBV 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.*

## From the President – Happy Holidays to All!

As 2014 draws to a close, I send wishes for a happy and safe holiday season to you and your families. This year was a successful one for La Buena Vida. We are ending our fiscal year with a small surplus, which means we are able to maintain our current assessment level without an increase for 2015. Details on the 2014 expenses and the 2015 budget will be sent with this newsletter. I must thank several people for their participation in the governance of the LBV Property Owners' Association.

First, a most appreciative thank you to Mike Lucente for his service as Vice President on the Board of Directors. Mike worked diligently this past year to resolve a problem with a trash collection truck leaving oil on our streets. He also donated plants for the front gate island and contacted property owners to discuss various issues as they arose. Mike was re-elected to the Board for the upcoming 2015 year, but resigned shortly after our annual meeting upon the Oct 29th sale of his and Linda's property. The Lucent's' have relocated and we wish them well in their new home.

A warm welcome and thank you to Larry Muenster for accepting the Board's request to replace Mike as Vice President. Larry has attended many LBV annual meetings and is well acquainted with the Board's activities. He shares more about himself in a separate article in this newsletter.

Thank you to the Architectural Committee which oversaw several projects and plan changes this year. Their evaluation and quick turnaround of plan requests ensures the continual development of LBV in a consistent manner.

Finally, thank you to all who voted and returned ballots for this year's election and deed restriction proposal. We had a very good response to the proposed amendments to the Architectural Committee with 87% of the Phase 1 ballots returned. More details on the vote are included in the Annual Meeting minutes.

As always, the Board welcomes your feedback by phone, email or attendance at our monthly meetings. A lively discussion at the annual meeting provided several suggestions for improvements at LBV. Your Board will be reporting on these projects as the year progresses, so watch for details in upcoming newsletters.

Gayly Opem

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## Minutes of the Annual Meeting

The annual meeting of the Members of LBV Property Owners' Association, Inc. (the "Association") was held at the home of Fronia and Michael Scharck, 22 La Buena Vida Drive at 2:00 p.m. on October 25, 2014. The following Members were present in person:

Directors: Gayly Opem, Michael Lucente, and Jeanne Hunter

Owners: Randy Hunter, Robert Opem, Larry and Marlene Muenster, Michael and Fronia Scharck, Bob and Kari Hardesty, Allen and Donna Samuels, and Larry and Caroline Walker

In addition, Michael Johnson of Johnson & Cate attended. Aransas County Extension Agent for Texas A&M University Ginger Easton-Smith was an invited guest and attended.

Gayly Opem, President, served as chairman and welcomed everyone to the meeting. Ginger Easton-Smith discussed water conservation and plant selection for our area. Ginger stated that irrigation accounts for approximately 35% of all water usage, with approximately 50 % wasted. Ginger went on to show slides of several beautiful plants that would do well in our area, should we decide to convert some of the acres of grass within La Buena Vida to more drought tolerant, less high maintenance areas. Ginger provided every owner with a beautiful color brochure "In Our Coastal Gardens", listing native and adapted plants for the Coastal Bend.

The minutes of the 2013 Annual Meeting were approved as submitted.

Michael Johnson presented the Treasurer's Report as of September 30, 2014:

Cash in Bank	\$85,885.42
Accounts Receivable	\$1,640.00
Prepaid Insurance and expenses	\$ 530.24
Total Assets	\$88,055.66
Total Liabilities & Deferred Income	\$17,820.91
Association Equity	\$70,234.75
Total Liabilities & Association Equity	\$88,055.66

Jeanne Hunter reviewed the itemized revenue and expenses for fiscal year 2014 and discussed the 2015 budget as approved by the Board. The budget does reflect annual fees of \$1500 per lot. In addition, the Marina Assessment for the twelve privately owned slips remains at \$200 per slip.

The year end 2014 expenses are projected to be less than revenue by more than \$9,000, primarily because reduced water usage and rain throughout the year.

Allen Samuels stated that many of the palm trees that the developers originally planted had failed over time, and requested that these trees be replaced. Gayly reminded the owners that



(Front entrance. Photo courtesy of Jeanne Hunter )

## Annual Meeting Minutes (continued)

most of the failed trees were Queen Palms and the Board has decided not to re-plant Queen Palms because they tend to fail in the open areas due to the constant wind. Several owners express an interest in the presentation by Ginger, and recommended gradually removing some grass areas and planting drought tolerant plants. Robert Opem proposed that the Board should take the remaining unspent 2014 Island Planting Project money (Approx \$2,000) plus an additional \$4,000 and increase the 2015 Budget for Plants by \$6,000. The total amount would be \$7,000 for plants in 2015. This motion was seconded and approved by all in attendance. The Board will revise the 2015 budget.

Randy Hunter reviewed the maintenance work that has been completed this year. One of the main areas of focus continues to be the 10+ year old sprinkler system with approximately 800 heads. Randy stated that the system is completely mapped, and Stage 2 Restrictions are being adhered to, with once a week watering on Thursday. When the system runs, it is on for approximately 9 hours, and costs more than \$500 each full cycle, but is turned off whenever we get rain. Finding maintenance workers continues to be an issue, as many workers have left the area in search of work in the oil fields. Randy Hunter stated that he serves on the Aransas County Storm Water and Drainage Board representing the City of Aransas Pass, and no projects are under review or pending that impact our area. A drainage project between LBV Phase II and The Islands of Rockport was approved, and it has been completed.



Marina slips for lease. Photo courtesy of Jeanne Hunter

### Election Results:

**Directors:** 47 property owners eligible to vote with 36 ballots submitted absentee or in person  
36 votes for election of Officers  
or 76.6% of all eligible owners

The following individuals were elected as Directors of the Association:

Gayly Opem, Michael Lucente and Jeanne Hunter.

**Restriction Changes to Article 5.1 and 5.3:** (Membership and Term of the Architectural Committee)

**Phase I** – 44 property owners eligible to vote with 37 ballots submitted absentee or in person

2 were not counted due to voting inconsistency  
33 votes In Favor and 2 votes Against  
Approved by 75% of the total eligible owners

The proposed changes to Article 5.1 and 5.3 were approved for Phase I

**Phase III** - 3 property owners eligible to vote with 1 ballot submitted absentee or in person

1 vote In Favor  
Approved by 33.3% of the eligible owners

The proposed changes to Article 5.1 and 5.3 were NOT approved for Phase III

The Directors thanked everyone for voting and being involved. Michael Lucente stated that he did place his name on the ballot for reelection, but his house is now under contract, and is expected to sell shortly. Michael will resign from office once he is no longer a member of the POA. Per Article 4.3 of the Bylaws, his successor shall be selected by the remaining members of the Board and shall serve for the unexpired term.



## Annual Meeting Minutes (continued)

Gayly and Jeanne provided an update on recent legal activity. The Board worked with a local attorney to record the Bylaws as a true and correct copy of the association's records (Aransas County Recorded File #337899). The attorney has recommended a Legislative Amendment to the Bylaws to fully comply with recent changes in Texas law. This document has been completed by the attorney and is pending review by the Board. In addition, the Board adopted Golf Cart Rules for La Buena Vida in 2014 (Aransas County Recorded File # 337900). The Board has completed a draft of a new Parking Rule for the association which has been reviewed and approved by the attorney. The Board will review this rule at the next meeting. Copies of all recent recorded documents were made available to all owners attending the meeting, and are posted on the website ([www.lbvpoa.com](http://www.lbvpoa.com)).

New Business / Comments from Owners: Larry Walker asked if the association had any new information about changes to the flood maps for Aransas County. Jeanne stated she is aware of a meeting in early November, hosted by FEMA to review proposed changes. As information is made available, the Board will continue to include this type of information in the newsletter.

With no other items to be discussed, the meeting adjourned at 4:15 PM. Owners were invited to continue to visit, and enjoy refreshments provided by Fronia and Michael Scharck.

*(Note: Financial data, including the October 2014 Johnson & Cate report, and the approved budget will be included in the email with this newsletter. This confidential data is not included in the newsletter, or posted to the website.)*

## Meet the New Vice President – Larry Muenster



Larry was born and raised on the Texas coast, less than 45 miles from Rockport. After graduating from the University of Houston in 1976 with a degree in Electrical Engineering, he started his career in the semiconductor industry, working for several companies, including Texas Instruments, Motorola, and General Electric. Larry is currently the Director of Engineering with Cirrus Logic in Austin, TX. Larry and his wife Marlene have three grown children. Larry plans to retire in October 2015, and he and Marlene are looking forward to building their retirement home in La Buena Vida.

## NEW Owners - WELCOME to La Buena Vida

Please welcome our new owners:

- Lindon and Cheryl Frazer are the new owners of the beautiful home at 14 La Buena Vida (Lots 33 and 34). Lindon and Cheryl are moving in, and are making plans to enjoy the home. Plans for an outdoor kitchen and pool were approved, and work has already begun.
- Blake and Brent Hoskins are the new owners of Lot 5, undeveloped at this time.

Welcome to all new owners ....we look forward to meeting you soon.

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## Preliminary Flood Maps for Aransas County

The Federal Emergency Management Agency (FEMA) is reaching an important milestone in its most comprehensive effort to restudy the Texas coastal counties' current flood hazard areas. After using the most current data and latest modeling and digital mapping technologies, FEMA created new preliminary Flood Insurance Rate Maps (FIRMs) depicting the current flood risks for Aransas and San Patricio Counties. A Flood Risk Open House was held on November 6<sup>th</sup> to allow residents and business owners to view the new preliminary flood maps and determine if and how their flood risk has changed. Robert Opem attended this meeting, and provided the following information on how to access the maps.

Go to <http://maps.riskmap6.com> ~Region 6 Flood Information Portal~

Select **TEXAS** and **Aransas County** and click the **GO** box. The site will open with a dialogue box.

This box states that the information is not final and not intended for insurance rates, etc.....

Click the **I Agree** box

In the search box on the left of the screen, click on **Firm Panel #**

Select **48007C0350F** from the pull down menu. Click the **GO** box. This will open our area. You can zoom in to see how the lines are drawn.

The map legend indicates the following:

X Zone - Red diagonal lines

A Zone - Blue areas

V Zone - Green diagonal lines

Undetermined - Orange

This information is preliminary and subject to change. It appears the maps do show changes for our area. Log on and review the preliminary maps. At this time, we do not know when the maps will be effective, and if additional changes are expected. When more information is made available, we will let you know.

Owners should consult with their insurance agent about the possible changes.

## Crime Activity in the Area

City by the Sea has recently experienced criminal activity. Recent activity includes an attempted break-in, a copper theft and someone driving into a garage door. The attempted break-in occurred in the middle of the night. The barking dog plus the home alarm sent the would be robbers running. The damaged garage door and the copper stripped out of an outdoor icemaker were discovered once residents were informed of the attempted break-in. The sheriff has agreed to increase the presence in the neighborhood. Our locked front gate at night does provide some protection, but please remember to keep your belongings secure. Thefts in our area historically come by way of the waterways. If you see something that does not look right, check with the owner or call 911 for the Aransas County Sheriff. You can also call our constable Doc Thomas, at (361) 463-1789. Please keep his phone number in a readily assessable location near your phone.

## Architectural Committee

As reported in the Minutes of the Annual Meeting, the proposed changes to the Restrictions related to membership in the Architectural Committee were approved by 75% of the members. Membership in this important committee will now be appointed by the Board of Directors and shall be comprised of up to five property owners. The Board of Directors voted to add two additional members to the Architectural Committee, effective immediately. Please welcome the new members, Michael Zotzky and Robert Opem. They will be a great asset to the committee. The purpose of the committee is to insure all proposed construction is fully reviewed, and is in compliance with all building rules and guidelines.

*About Our Organization***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)

## 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 4:00 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.

## Website Update

Just a reminder that all of the "official" La Buena Vida documents – such as bylaws, restrictions, rules and policies – as well as the newsletters, are posted on the LBV website at [www.lbvpoa.com](http://www.lbvpoa.com). If there are any other items you would like to see included on the website – or even better yet, have pictures for us that are relevant – please contact one of the Officers.

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.

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**LA BUENA VIDA POA**  
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