**May 2023**

*La Buena Reader*

LBV Property Owners Association Newsletter

*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.*

LBV POA Officers

Connie Bradley

President

(409)370-5503

Jb4545@aol.com

Bruce Ellingsworth

Vice President

(361) 227-1287

bruceellingsworth@

outlook.com

Sylvia Imhoff

Secretary

(512)809-9787

Simhoff@Imhofflaw.

com

There was a lot of exciting new development in the LBV neighborhood during 2022-2023!

**ANNUAL MEETING**

The annual meeting was held on November 12, 2022, at the home of Sylvia and Bill Imhoff. 12 property owners/couples attended the meeting. All board members were present.

A voting ballot was sent to all lot owners in Nov. 2022 with the following proposals: (1) election of officers, (2) increasing the annual assessment to $2500 yearly to cover LBV expenses and to start a road fund for future repairs; and (3) removal of a sentence in LBV’s Phase 3 Bylaws delaying the due date of the first assessment payment until home construction is completed. 31 of 47 ballots were returned and all proposals were approved.

The **FINANCIAL STATEMENT** as of October 31, 2022, was reviewed. Copies were made available to all, which included the following information:

 Cash in Bank $77,159.70

 Accounts Receivable $ 8,936.24

 Prepaid Insurance $ 557.09

 Total Current assets $ 86,653.03

 Association Equity $ 55,953.34

 Total Liabilities & Association Equity $ 86,653.03

Due to the drought in 2022, watering expense of the common areas was in excess of $25,000 with one month to go yet. A variance of $11,600 was spent on the repair and painting of the LBV wall/fence along Hwy 35, mail house and entry sign. The Board worked with Phase II owners (not our property, to the left of the entrance off Hwy 35) to get their yellow wall painted and wrought iron fence repaired to match LBV1. This was paid for by Phase II owners.

Fortunately, there were no special assessments required to cover additional unplanned expenses.

**PROPOSED 2023 BUDGET** was reviewed with a detailed copy provided to each member present. The budget includes funding for ongoing operating and maintenance expenses in 2023.

 General:

 Revenue Proposed: $156,380

 Expenses: $157,200

 Marina:

 Revenue Proposed: $ 2,300

 Expenses $. 1,020

 Annual per lot assessment: $ 2,500

Notes on the budget:

* Balanced budget in 2022-23.
* Lot mowing program will remain unchanged, including 7 full mows for $425.
* Budget reflects increased cost for basic maintenance, including mowing, sprinkler maintenance, electrical, and gate maintenance.
* Budget for water has increased to reflect historical average. These costs can vary considerably depending on rainfall.
* Budget includes $25,000 for engineering assessment of the LBV roadway and short-term repairs.
* Phase II developer reimbursement increased to $27,480 in 2023 in line with historical average. This is primarily due to the increased cost for water and entryway maintenance.
* Marina fees remain unchanged. Boat slip fees pay for marina expenses, and these costs do not come out of LBV lot assessment fees.

Note: LBV will continue to operate without a paid management company, which will save homeowners significant money. Management of LBV will continue to be done by volunteer time by LBV Board members and committee members. LBV appreciates all who contribute their time and talents to our community.

**ARCHITECTURAL COMMITTEE REPORT:**

2022-23 was a very busy year for the ACC. During the year, 1 home and 4 lots were sold. Two additional lots on the intracoastal canal were sold in April. Construction has been completed on two new homes and three homes remain under construction.

Committee members who are volunteering another year: John Bradley, Kathy Tullis, and Jeff McMahan. The ACC was increased from 3 members back to 5 with new members, Thomas McDaniel and Niel Poulsen. Jeff McMahan currently serves as chairman of the committee, replacing John Bradley.

Please stay in touch with the Architectural Committee regarding all construction plans, pursuant to LBV rules and regulations.

Changes to ACC Rules include:

* New “Pre-construction Walkthrough Checklist” was developed, which is an addition to the checklist already on the LBV online website. A checklist must be completed prior to the beginning of any construction activities, in addition to a meeting held with the Property Owner, the Builder, and a member of the LBV Architectural Committee present.
* Added a Drainage Requirement: all home and outbuilding designs must include a plan to direct 75% of runoff water away from neighboring property. Designs may include gutters, drains, and other plans as approved by the ACC.
* Revised Pre-construction deposit to from $1,000 to $5,000 to cover costs to protect our neighborhood such as cleaning up trash and roads, or other tasks not done by contractor. Other neighborhoods have enacted fines; however, LBV does not have fines currently.
* All construction of homes and outbuildings must comply with Texas Windstorm construction standards.
* Builder Parking: vehicles are only allowed to be parked on one side of the street and in front of the lot under construction. If additional parking space is needed, arrangements must be made with a member of the LBV ACC. Parking on vacant lots is only allowed if written permission is obtained from the owner of the vacant lot.
* Staging of Construction Materials: If construction materials are to be staged on a vacant lot, written permission must be obtained from the owner, and documentation given to the ACC.
* Porta Potties are required to be placed a minimum of 15 feet from the curb, and dumpsters are required on site throughout construction.
* Drainage Plan: silt fence or other types of runoff control must be installed all the way around the construction area to protect the adjacent properties, the waterway, and the street from runoff of fill material during construction.
* Heavy Truck Limits: all trucks entering LBV must comply with county, state and federal weight limits to protect our road.
* See online for complete Construction Checklist

**MAINTENANCE OF LBV PROPERTY:**

* LBV’s wall along Highway 35, the LBV entrance signs, and the mail house all received an update, changing color from yellow to balanced beige and alabaster. Thanks to Sylvia Imhoff for getting bids for contractors and supervising project, including working with Phase II to get their wall/fence and entry sign repaired and painted.
* A thorough inspection of the irrigation system was performed. Gardens and Yards adjusted all heads, control boxes and zones. They will return periodically during the year to make additional repairs and adjustments as needed.
* Frontier installed fiber optic cable in the neighborhood in November and December 2022. The sprinkler system was damaged in multiple locations during the construction, resulting in $1690 in required repairs. The sub-contractor for Frontier has reimbursed LBV for these costs.
* The front lights in the entryway area have been repaired and are now all working. However, the breaker is still tripping periodically. These breakers are 20 years old. We are evaluating whether to upgrade to new breakers or continuing to repair periodically.
* The cable for the security gate control box has been replaced and buried. The last several gate problems have been caused by the cable, so this should improve reliability. We are evaluating new systems for possible replacement of the control box and software. We are also evaluating synergies with Phase 2.
* Date palms along IH35 and entry were damaged in the recent January 2023 freeze. They have been trimmed and all appear to be living. Three new palms were planted in the common area (by the first curve of our road) with some of costs donated by Sylvia and Bill Imhoff. Flo Tex has replaced two dead sable palms in the neighborhood under warranty.
* Two truckloads of invasive Chinese Tallow trees in LBV’s common area wetlands have been removed.

**ROAD ASSESSMENT AND REPAIR**

We have observed extensive cracking in the concrete roadway, as well as areas of rust, indicating that the rebar is corroding. Our road is over 20 years old, which is the normal life expectancy of a concrete road. Since we are a gated community, our road is private, and LBV is responsible for paying for all repairs.

We hired a consulting concrete company engineer out of Dallas to assess and inspect the damage and give us a proposed repair plan. We have received a very detailed report, noting that all areas of pavement present some degree of distress. Significant damage has occurred to our road due to a combination of initial design, heavy truck traffic during new home construction, and extended periods of drought and heavy rainfall.

The consultant recommended 3 possible repair strategies: (1) replace the entire road, (2) make major repairs, including repair of spalling and corrosion areas and sealing joints and cracks and extend life for up to 10 more years, or (3) perform only minor repairs as needed and extend life for 12-36 months.

A new committee was appointed by the Board to manage this project. Niel Poulsen has prior expertise in the cement industry worldwide and is serving as chair. Bruce Ellingsworth and John Bradley are also participating.

The road committee will address the following:

 Develop a communication plan to owners given the large costs that likely will be incurred.

Develop a plan to address the void under the marina parking lot and the broken section at neighborhood entrance.

Propose weight limits on construction trucks as noted in the report. Consider how to handle

weekly garbage trucks.

 Evaluate what other short-term repairs should be made and estimate costs.

 Develop long term repair/replacement strategy and estimate costs.

Whatever strategy is ultimately chosen, this is expected to be a significant expense over the next few years. Owners should expect additional increases in annual assessments and/or a possible special assessment to cover the costs.

**PHASE 2 UPDATE**

Developer Doug Moreland has formed a joint venture with property owner Milo Holdings. They continue to pursue plans to develop the 28 acres east and to the left of LBV’s entrance into a 68 lot Southern Coastal style neighborhood. This property lies between the Islands of Rockport neighborhood and our neighborhood. A few acres of this property are in the beautiful Wetlands, which hosts a lot of varied wildlife that we enjoy daily.

They have requested that we grant them an easement on the Common Lake Area to allow Phase 2 property owners to install docks. They have offered us financial compensation, a separate construction entrance, input into neighborhood specifications and rules, and upgrade of the entryway at their expense.

We have gathered extensive owner input regarding the development through emails, community meetings, and a survey. Some owners have expressed concerns regarding the architectural style, the amount of compensation being offered, and additional boat traffic on the lake. The legal issues regarding the developer’s right to build docks and utilize the entryway are complex. The Board hired the Huseman Law Firm in Corpus Christi to complete a case assessment and advise us.

The Board has also appointed a committee to negotiate on behalf of LBV. Board V.P. Bruce Ellingsworth is serving as Chair. David Tidholm and Gayly Opem are serving as members.

The committee recently met with Mr. Moreland, and he has submitted a revised proposal based on feedback from the committee. The latest proposal increases the lot size, eliminates the community dock, and proposes an extensive entryway upgrade at no cost to LBV1. The committee is reviewing the proposal and will be updating owners soon.

**2023 BOARD MEETING SCHEDULE**

Monthly board meetings are held on the 2nd Friday of each month at 4 pm hosted at Board members’ homes. Notice of meetings is given to all owners via email, on the LBV website, and with a sign at the entrance to the neighborhood.

The board welcomes communication with all owners, and we encourage all owners to attend meetings whenever possible.

*About Our Organization…*

The LBV 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.