



---

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE BELLAVITA AT GREEN TEE HOMEOWNERS ASSOCIATION, INC. HELD ON OCTOBER 27, 2010 AT 1548 N. RIVIERA CIRCLE, PEARLAND, TX. 77581.**

---

**DIRECTORS PRESENT**

Ron Gerlach, President

Wayne Johnson, Vice President

Cris Barrera, Secretary

Elizabeth Woods, Treasurer

John Devereux, Director

Ruth Southard, Director

Bill Burdick, Director

**IN ATTENDANCE**

14 Homeowners were in attendance

Nancy Triggs, Clubhouse Manager

Alex Taylor, representing the managing agent, Association Management, Inc.

**HOMEOWNER/GUEST FORUM**

No homeowners had business before the Board.

**CALL TO ORDER**

Due notice of the meeting having been given and a quorum being present, the meeting was called to order. The president, Ron Gerlach, presided and the managing agent assisted in recording the minutes.

**ADOPTION OF AGENDA**

On a motion duly made, the agenda was adopted.

**CONSIDERATION OF MINUTES**

Approval of the minutes of the meeting held September 29, 2010 was deferred until the November meeting.

**PRESIDENT'S REPORT**

Ron Gerlach reported that the Board had agreed by unanimous consent to authorize up to \$3,000 for legal and other expenses related to the transfer of the nature reserve to the Association. On a motion duly made the Board ratified that action.

Mr. Gerlach also proposed changes to the handling and posting of minutes beginning with the October Board Meeting. On a motion duly made the procedure was approved.

On a motion duly made the Board approved appointment of Thordean Campbell to replace Scott Vaughan on the Communications Committee and Joyce Wormser as a member of the Elections Committee. The Board accepted Mr. Vaughan's resignation with regret and thanked him for his service to the community.

Mr. Gerlach reported that Bob Stockinger's research findings regarding signs in the community were being given to the Facilities Committee for pricing and recommendation on how to proceed.

### **TREASURER'S REPORT**

Elizabeth Woods reported on the September 30, 2010 financial statement. The Operating Fund balance was \$341,179, including \$1,051 from the current year deficit. Although the deficit was expected because operating expenses increase during the summer months then decline again in the fall, the actual deficit was less than expected. The actual deficit was \$14,764 less than the amount budgeted because of higher than projected revenues. The Operating Fund's cash balance of \$395,109 included \$163,288 held in a checking account and about \$232,000 held in certificates of deposit. The fund balance for reserves was \$879,031 with the same amount in cash. Approximately \$627,000 was invested in certificates of deposit with \$251,650 in a checking account. Approximately \$142,000 had been expended from the replacement Fund for the gate system, house painting and redoing the outdoor furniture. Ms. Woods briefly reviewed the major line item variances and explained the importance of maintaining a surplus as it provided a safety net against unexpected expenses. The Treasurer's Report was accepted.

Cris Barrera asked whether it was possible to include the prior year's same month results on the financial statements. The managing agent advised that he did not know whether that was possible but was to check into doing so. Ms. Woods advised she could manually create such a report during her normal review of the statements.

### **MANAGEMENT REPORT**

The managing agent reviewed his written report of actions taken including:

- Pursuit of nominal value for all parcels owned by the Association. Applications had been submitted for all parcels not already nominally valued. At the request of Elizabeth Woods, the managing agent is to copy her on all future correspondence with Harris County on the subject.
- Continued follow up to obtain a meeting with Friendswood Development regarding the pool deck and final development plans. Brian Gibson with

Friendswood was responding but was in an accident that postponed a meeting originally scheduled to be held October 21, 2010.

- Comcast had refunded all of the credits due for past overbilling and was also to remove late payment penalties. The Villas Master board was also seeking to renegotiate the contract to obtain more favorable terms for the constituent communities.
- The walls along Scarsdale had been power washed.
- Review of the open service requests as of October 26, 2010.

### **CLUBHOUSE REPORT**

Nancy Triggs submitted a written report including the following:

- The Board approved maintenance of the Hufcor partitions by Griesenbeck Architectural Services per their quote of \$920 for up to 8 hours of work at the rate of \$115 per hour. The Board had previously authorized \$460 for Griesenbeck to perform an inspection. That previous payment will be applied to the \$920 total.
- Jan Pro was sent notice of termination via certified mail.
- The Board approved the cleaning contract with Aracelli Torres and accepted the fact that the contractor did not carry workers compensation coverage.
- The phone line at the gatehouse was eliminated and the Board agreed to forego adding international service on the fax line.
- One or more of the benches around the lake are in poor condition. The matter was referred to the Facilities Committee to recommend appropriate action.
- Steve Wynn returned the pressure washer under warranty and obtained a full refund and purchased a better model.

### **COMMITTEE REPORTS**

Finance: Elizabeth Woods submitted a copy of the minutes from the Finance Committee meeting held October 25, 2010. The Committee recommended as follows:

- That the operating budget, capital budget and revised reserve requirement be approved, and that monthly assessments should remain at \$210 for 2011. On a motion duly made the Board approved the 2011 Budget.
- That the BellaVita Board seek legal advice to determine what legal options are available regarding the repairs to the pool deck to enable the Board to decide whether to pursue legal action. On a motion duly made, the Board authorized up to \$1,000 for legal expenses related to defects in the pool deck. The Board deferred further action on this matter to Executive Session.
- That the BellaVita Board request AMI to submit applications requesting nominal values for all properties; to maintain copies of all applications; and to monitor HCAD accounts until nominal values are obtained for all properties. The

Committee also recommends that the Treasurer be designated to work with AMI to monitor progress regarding obtaining nominal value. On a motion duly made the recommendation was approved.

Elections: Carol Uran submitted the Committee's 2011 elections recommendations for review by the Board. The Board deferred a decision pending clarification of one point.

Facilities: Ron Gerlach proposed a revised policy regarding door maintenance whereby the Committee would have the authority to approved maintenance on a door prior to two years and the Committee shall provide a report of such occurrences to the Board on a monthly basis to allow trending reviews for policy adjustments. On a motion duly made the policy was approved.

Grounds: Becky Spedden reported that the Committee recommended having Houston Lawn mow an additional five foot strip along the fenceline in the nature reserve for an additional \$25.00 per month. The board agreed and authorized Ms. Spedden to proceed. Ms. Spedden further reported that there would be no pest or ant treatment along the path of this five foot strip as it would not stop any pests from crossing the path and would be a waste of money.

#### **ADDITIONAL BUSINESS**

Sales Office Task Force: Bill Burdick reported that the Task force recommended re-opening discussions with Lennar regarding BellaVita's taking over the sales office. The task Force included James Warner, Jim Thompson, Lyndon Sanders and Tom Rohwer.

Homeowner Concerns: Cris Barrera submitted the homeowner concerns. The Board reviewed the concerns and referred them for action as appropriate.

Villas Master: John Devereux reported that Villa Verde in a Town Hall Meeting had voted 3 to 1 to opt out of the Comcast contract if such could be negotiated. He also reported that the new \$15 alarm permit fee being charged by the City of Pearland is effectively payable following a "false alarm". Those who had never had a "false alarm" or who have never turned on the service do not have to pay the fee. He also advised that there was a new goose on the lake that tended to dominate the sidewalk but that the goose did not appear to be overly aggressive.

#### **ADJOURN TO EXECUTIVE SESSION**

The Board adjourned to executive session.

#### **RECONVENE IN OPEN SESSION**

The Board reconvened in open session and instructed the managing agent as follows:

- Offer an exit interview to a former employee.
- Send a check equal to 50% of the lowest quote to Dr. Wood as a good faith gesture to assist with damage to his vehicle in a gate incident last spring.
- Notify Vic Damiani that his request for windshield replacement due to gate damage was declined on the basis that it appeared Mr. Damiani attempted to tailgate another driver through the gate.
- The Board agreed to obtain legal input regarding options available to the Association in dealing with Friendswood Development and Watts Pools regarding repairs needed to the pool deck resulting from possible latent defects.

#### **SCHEDULE NEXT MEETING**

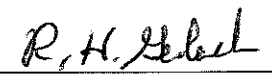
The next regular meeting of the Board of Directors was scheduled to be held November 17, 2010 at 3:00 p.m. in the Club BellaVita Ballroom.

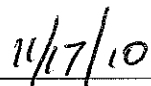
#### **ADJOURNMENT**

There being no further business, the meeting adjourned.

Respectfully Submitted,

  
\_\_\_\_\_  
Recording Secretary

  
\_\_\_\_\_  
Approved

  
\_\_\_\_\_  
Date

10/27/2010

*BellaVita HOA Board plan*

*Changes to handling of Board minutes beginning with the October 2010 board meeting:*

- Delete the development of a summary set of minutes for the web page use only.
- Develop the actual meeting minutes and put them on the web as “draft” minutes until the final is approved at the board meeting. The draft minutes will be posted as soon as the Secretary of the Board determines that all Board members have agreed to the wordage and worked it with him and the recording secretary. Based upon the latest history of minutes it will probably be done in about 10 days.
- Attach any written committee reports as an appendix to the minutes, reference in the body of the minutes, and do not paraphrase the report into the body of the minutes.
- Report in the body of the minutes any motions and their results that emanate from the committees reports.
- Approve the minutes at the following board meeting as per protocol.

*This change is intended to eliminate potential discrepancies between the summary (draft) on the web and the final minutes. It should also provide a broader picture of all actions within the web draft and it should eliminate misunderstanding between paraphrased committee reports.*

DRAFT

DRAFT

BellaVita HOA Board Policy 2010-006

Approved: 10/27/2010

Subject: Maintenance of Homeowner Front Doors

Reference: BellaVita HOA Declarations of Covenants, April 6, 2009, Article V, Section 1

In accordance with our covenants, it is the present policy of the HOA to provide maintenance of residential front doors no more often than every 2 years. Maintenance is defined as cleaning, replacing the bottom edge weather stripping as needed, and applying a coat of spar varnish or equivalent. Residents whose doors require complete refinishing, i.e., stripping old finish, re-staining and varnishing may have them done by the HOA contractor, in which case the HOA will reimburse them up to the cost of regular maintenance.

Whereas maintenance on doors is highly dependent on exposure of the doors to sunlight and moisture, and

Whereas some doors may require maintenance earlier than 2 years due to extreme exposure, while other doors may last 5 or more years before maintenance is required, and

Whereas, the Facilities Committee has developed a degree of expertise in this area and is qualified to make judgements as to the need for maintenance,

It is resolved that the project manager assigned to door maintenance by the Facilities Committee is delegated from the board the authority to authorize all maintenance work by our contractor on doors, and may authorize maintenance prior to the nominal two year period, provided that it has been at least 1 year since last maintenance, and that the project manager makes a physical inspection of the door and determines that failure of the finish/strip is not due to homeowner abuse of the door. Disputes over door maintenance or this policy shall be referred by the Facilities Committee to the board for resolution.

The Facilities Committee shall track doors by address that require servicing more often than 24 months and provide a report of such occurrences to the Board on a monthly basis to allow trending reviews for policy yearly adjustments.

## BellaVita Clubhouse Report 10-27-10

1. Lake Management- The East Fountain tether and all the fountain lights have been fixed. The West fountain is out now and a service request call has been made.
2. Copier Maintenance Contract and Purchase are still under review. The existing copier was serviced and the squeaking can't be corrected since parts are no longer available. Service rate is \$135/hour with a one hour minimum, \$25 trip charge and the cost of any parts.
3. Have a Service estimate from Griesenbeck for maintenance on the Hufcor Partition doors. The technician came out and estimated the time necessary at 6 to 8 hours at \$115/hour. 8hours is \$920.00 and we have paid out the \$460 +tax already.
4. Cleaning People, Jan Pro was sent a letter of termination by certified mail.
5. Araceli Torres has been cleaning and her contract is up for review, and included.
6. A quote request has been made to CTI for pricing on Headset Microphones and for a wireless handheld Microphone.
7. An ad has been placed in the local paper for the open front desk position. Barbara effectively quit last week.
8. Eliminated one AT&T phone line at the gatehouse and the contract is up for review.
9. Parking lot lights, had R&B replace 8 bulbs. We purchased the bulbs and rented the lift.
10. Waiting on a bid from Brandon to move the irrigation lines from under the river bridge. The lines are sitting at water level and are acting as a skimmer collecting scum. Need to Schedule again.
- 11 The house painting 2010 with G&G is finished.
12. Home Door maintenance, we have another run of doors ready for next week.
13. Benches around the lake. I received a homeowner complaint about his leg being cut when he sat on one of the benches around the lake. Steve checked on all the benches and we need to take action on some of them. Steve's assessment is included.
14. A heater had a leaking gas regulator, it was replaced. The heaters should be turned off soon.
15. Molen Immunization Clinic took place they provided over 40 immunization shots that day and it seemed to be a welcomed arrangement.
16. Grant has found some marble like porcelain tile and has some other flooring suggestions for the fitness center. Quotes are in the works for the budget.
17. The pressure washer needs repair. Steve returned the pressure washer and bought a new one.
18. G&W did the October maintenance.
19. Have a call into ProMaxima for fitness center maintenance.



## CLEANING CONTRACT AGREEMENT

This Agreement, dated November 1, 20 10, is made between Araceli Torres and BellaVita ("CLIENT"). Both Araceli Torres and CLIENT agree that Araceli Torres will begin service on November 1st, 2010, with the following terms and conditions.

1. CLIENT agrees to contract Araceli Torres to perform cleaning services 1 day(s) per week. Mondays between 8 A.M. to 12 P.M.
2. Araceli Torres will provide all labor, and supervision. CLIENT will provide chemicals, equipment, restroom paper products, hand soap, and trashcan liners.
3. CLIENT agrees to verbally notify Araceli Torres of any non-performance prior to written notification of termination.
4. This agreement is for an unspecified term until either party shall give written notice of termination, at least 2 weeks prior to termination date.
5. Terms: Invoices are sent out on the 1<sup>st</sup> of each month, with current payment due by the last Monday of that month.
6. BellaVita annually observes the following federally recognized holidays: New Year's Day, President's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving, and Christmas. If any of these days fall on a Monday, then cleaning services for that week will be rescheduled in advance for later in the same week.
7. Araceli Torres agrees to maintain appropriate insurance at all times and to hold BellaVita harmless.

## PRICING AGREEMENT

CLIENT NAME: BellaVita  
CLEANING ADDRESS: 1548 N. Riviera Circle  
Pearland, TX 77581

1 DAY PER WEEK SERVICE

Monthly Billing Amount: \$ 475.00

*Tax not included*

BellaVita  
BY: [Signature]  
TITLE: BellaVita Clubhouse Manager

Araceli Torres  
BY: Araceli Torres  
TITLE: owner

## CLEANING SCHEDULE

### Weekly

#### *Entrance Lobbies/Common Areas/Hallways:*

- Vacuum and spot clean carpet in high-traffic areas.
- Wipe and polish all metal surfaces within hand reach.
- Empty and clean trash receptacles.
- Dust pictures and clean glass if necessary.
- Vacuum or brush all lobby furniture.
- Spot clean lobby glass.
- Spot clean handrails, doors, and walls.
- Dust mop and damp mop all hard surface floors.
- Damp mop tile using neutral cleaner only.
- Dust and spot clean walls, base boards and window sills..
- Clean door jambs.

#### *General Office Areas:*

- Vacuum all high-traffic areas.
- Sweep or dust all exposed concrete, vinyl, asphalt, rubber and similar types of flooring. Pick up spillage as needed.
- Damp mop and thoroughly clean vinyl flooring.
- Dust all desks, if cleared.
- Remove all gum and foreign matter in sight.
- Empty and clean all receptacles and replace plastic liners. Remove waste material to building trash bin.
- Clean all glass furniture tops.
- Check all high and low ledges, window sills, shelves, bookcases, credenzas, file cabinets, tables, pictures, etc., and clean if necessary.
- Disinfect and wash clean all water fountains and water coolers in tenant areas.
- Disinfect and thoroughly clean all telephones.
- Wipe clean all bright work.
- Thoroughly vacuum and spot clean all carpeted areas wall to wall.
- Remove fingerprints from all painted surfaces near light switches, entrance doors, etc.

*Restrooms:*

- Wash all tile floors with bleach or vinegar and water, remove all spots and stains.
- Wash and polish all mirrors and bright work.
- Wash and wipe dry all plumbing fixtures.
- Wash and disinfect all toilet seats, both sides.
- Scour, wash and disinfect all basins, bowls, and urinals.
- Empty paper towel trash receptacle and dispose in building trash receptacle. Replace trash liners.
- Fill soap dispensers and paper towel dispensers.
- Fill toilet tissue, seat covers and sanitary napkin dispensers.
- Empty and clean sanitary napkin disposal receptacles.
- Clean and wash receptacles and dispensers.
- Remove fingerprints and spots from walls.
- Remove all unauthorized marks and writings from walls, partitions, etc.
- Report all maintenance problems to building manager (dripping faucets, broken fixture handles, etc.
- Pour water down floor drains

**NOTE: Masking deodorants will not be used in lieu of disinfectants.**

*Store Rooms/Janitor's Closets:*

- Remove trash from area.
- Maintain an orderly arrangement of all equipment stored in maintenance room such as mops, buckets, brooms, vacuum cleaners, scrubbers, etc.
- Clean and disinfect service sinks.

## MONTHLY

### *General Office Areas:*

- Thoroughly hand dust and wipe clean with a chemically treated cloth all furniture, file cabinets, shelves, fixtures, picture frames, and all other high or low dusting areas.
- Dust all baseboards with damp cloth.

## QUARTERLY

### *General Office Areas:*

- Vacuum or brush all upholstered furniture.

### *Restrooms:*

- Dust and clean walls. Wash tiled walls and partitions.
- High dust walls, light fixtures and ventilation grilles.



**BellaVita Finance Committee**  
**Report to the Board of Directors on October 27, 2010**

The Committee reviewed the operating budget for 2011, capital budget for 2011, and reserve study and makes the following recommendation:

The Committee recommends that the operating budget, capital budget and revised reserve requirement be approved, and that monthly assessments should remain at \$210 for 2011.

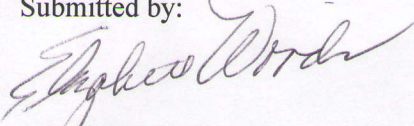
The committee reviewed bids for work to repair the pool deck. The Committee notes that Lennar and/or its agent might be liable for the emergent defects with the pool, estimated to cost approximately \$53,000 to repair. It appears that BellaVita's efforts to date to bring the matter to Lennar's attention have gone unanswered. The Committee believes that the Board should make a more forceful effort with Lennar to determine its willingness and commitment to indemnify BellaVita for the cost of pool repairs related to the defects. Time is of the essence in obtaining Lennar's written agreement to accept responsibility for defects in the pool. Lennar's interest and motivation in resolving the pool issues will decrease as time passes. When construction is finished at BellaVita, the builder's interest will be zero. The committee makes the following recommendation:

The Committee recommends that the BellaVita Board seek legal advice to determine what legal options are available regarding the repairs to the pool deck to enable the Board to decide whether to pursue legal action.

The Committee reviewed a list of common property that is not on the Harris County Appraisal District's records at nominal value. Those properties are valued at amounts as high as \$60,806, and tax payment of approximately 2,000 annually have been paid in January 2009 and 2010 because of those higher than nominal values. Although BellaVita was assured by Kristen Jovel in April 2009 and Alex Taylor in December 2009 that applications would be submitted to prevent unnecessary tax payments, values have not been reduced. We have attempted to obtain copies of applications for nominal value, but copies are not available because the applications were not retained by AMI. This is an urgent matter because delays have already resulted in unnecessary payments of taxes. The Committee is concerned that additional payments will be required in January 2011; therefore, the Committee makes the following recommendation:

The Committee recommends that the BellaVita Board request AMI to submit applications requesting nominal values for all properties; to maintain copies of all applications; and to monitor HCAD accounts until nominal values are obtained for all properties. The Committee also recommends that the Treasurer be designated to work with AMI to monitor progress regarding obtaining nominal value.

Submitted by:



Elizabeth Woods  
Chairperson