

THE WINDS

August 2015 - The Voice of Twin Harbors POA

274 Valleyview Drive, Onalaska, Texas 77360-6011 936-646-2242

www.twinharborslakelivingston.com

twinharbors@eastex.net

ANNUAL MEETING EDITION ANNUAL MEETING TO BE HELD AT THE CLUBHOUSE SATURDAY, OCTOBER 17, 2015 - 10:00AM

**Coffee, donuts and kolaches will be available beginning at 9:00 AM.
Come early and mix and mingle with your fellow property owners.**

IMPORTANT ANNOUNCEMENT

Twin Harbors association needs your email address.

If you have an email address and have not previously furnished the email address to the association, please furnish the address to the association by emailing mchoate@z-bizfirst.com and place "THPOA Request" in the subject line. In the body of your email, include the name of the property owner(s) and the email address where correspondence should be sent. Section 209.0051, Subsection (f) (2) (B) of the Texas Residential Property Owners Protection Act states that "It is the owner's duty to keep an updated e-mail address with the property owners' association under Subsection (e) (2) (B)". Simply stated, if a property owner has an e-mail address, the property owner is required to provide that email address to the property owners association and to keep that e-mail address current.

If you do not have an email address, you may provide a written statement to the association stating that you do not have an email address; however, when you obtain an e-mail address, that e-mail address will be made available to the association. You may not state that you do not wish to provide your email address to the association. Those property owners without an email address will continue to receive their association documents via regular mail.

Association News

Twin Harbors Roads

Polk County Precinct 2 Commissioner Ronnie Vincent has informed the association that road work on the second stage of Twin Harbors road repairs will begin in late August or early September.

Stage one of Twin Harbors road repairs was initiated in August of 2014 and included Twin Harbors Drive, Whisperwood Drive from Twin Harbors Drive to Parkview Drive, Lakefront Drive, and Creek Drive..

As the board has discussed on previous occasions, the process of converting all of Twin Harbors roads to Polk County roads will be done in stages based on two factors. On an annual basis, Polk County commits the funding for roads and then determines which roads will receive funding. Over 50 subdivisions in Precinct 2 vie for road funding. The next factor is the availability of funds from Twin Harbors. At sixty dollars (\$60.00) per lot per annum, Twin Harbors Special Assessments provide between thirty-two thousand dollars (\$32,000) and thirty-four thousand dollars (\$34,000) thousand for roads. The availability of funds is our biggest unknown. All monies collected via the Special Assessment are deposited in a Special Maintenance Account and are used entirely for Twin Harbors roads.

Polk County Precinct 2 Commissioners Ronnie Vincent Court has provided an estimate of eighty-seven thousand, five hundred and thirty-eight dollars (\$87,538) for the cost of repairing Twin Harbors roads Arrowhead Drive from FM 3186 to Valleyview Drive, Valleyview Drive from Arrowhead Drive to Harbor Drive, and Harbor Drive from Valleyview Drive to Magnolia Drive. The above described road work will be started and completed in September 2015. The original plan of the board was to repair Harbor Drive from Valleyview Drive to The Point; however, the lack of sufficient funds has delayed repairing the remainder of Harbor Drive.

The THPOA board has approved (on a five (5) to two (2) vote) a five (5) year road plan which requires an average of eighty-five (\$85,000) thousand dollars per year. The approved plan calls for spending seventy-seven thousand, one hundred and nineteen dollars (\$77,119) to rebuild roads in 2016.

The 2016 road plan calls for the rebuilding of Harbor Drive from Magnolia Lane to The Point for a cost of twenty-two thousand, two hundred and two dollars (\$22,202). Next is the rebuilding of seven hundred ninety linear feet (790) out of two thousand, two hundred, sixty linear feet (2,260) of Parkview Drive for a cost of twenty-six thousand, nine hundred and seven dollars (\$26,907). Next is the rebuilding of eight hundred, forty linear feet (840) out of one thousand, six hundred linear feet (1,600) of Valleyview Drive from Harbor Drive to Twin Magnolia Drive for a cost of twenty-eight thousand and ten dollars (\$28,010).

To partially fund this road plan, the board has approved increasing the Special Assessment Fee from sixty dollars dollars (\$60.00) per lot per annum to ninety-five dollars (\$95.00) per lot per annum. Increasing the Special Assessment requires an

affirmative vote of property owners and this ballot issue has been placed on the current voting agenda. A Special Assessment Ballot is included with this mailing.

Increasing the Special Assessment to ninety-five dollars (\$95.00) per lot per annum, will generate approximately fifty thousand dollars (\$50,000) for the Special Assessment Account. The plan approved by the board calls for spending seventy-seven thousand one hundred nineteen dollars (\$77,119) for road improvement and maintenance in 2016. Even with the increased Special Assessment Fee, there is a question concerning whether sufficient funds will be available to pave the roads which have been approved in the road plan in 2016, and over the next five (5) years of the road plan. Without increasing the special assessment, planned road maintenance will be stretched out a period of undetermined years and this will increase the total cost of future road maintenance as road conditions would continue to deteriorate.

Better roads will bring in more homes and will assist in making our whole community more attractive.

THPOA Office Days and Hours

In 2014 the THPOA board announced new office days and hours. THPOA office is now open on Friday and Saturday, from Noon to 5:00 PM. It was the desire of the board to make it easier and more convenient for property owners to access the THPOA office.

Architectural Committee

Building permits for one (1) new home and fifteen (15) home improvements projects have been approved in the last year. The new home is an owner construction project.

In 2012, the board instituted a new permit requirement (including a \$2,000 road deposit) for cutting trees when a logging truck is used to remove the cut timber. A \$2,000 road deposit was required for new home construction and major home improvement projects, to pay for any roads damaged during construction.

At first the \$2,000 road deposit was considered a success in reducing damage to Twin Harbors roads during logging operations and during new home construction. Recent events have dramatically demonstrated that the road deposit, while a good idea in theory, has proven to be ineffective; therefore, the board has approved non-refundable fees for using Twin Harbors roads for certain actions. The non-refundable fee schedule is under review and will be presented to the board at the September board meeting for discussion and to take action. The non-refundable fee must accompany the Twin Harbors Building Permit Application when the Application is presented to the Architectural Committee for approval. Without the fee, the Application will not be considered. After approval by the board, the fee schedule will be sent online to property owners who have supplied their email address to the association and will also be posted on the website of the association.

The board has approved establishing fines for deed restriction violations. The fine schedule is under review and the fee schedule will be presented to the board at the September board meeting for discussion and to take action. After approval by the

board, the fine schedule will be sent online to property owners who have supplied their email address to the association and will be posted on the website of the association.

Complaints

The board responded to five (5) deed restriction complaints related to property. Four (4) of these complaints have been resolved.

Your board has approved a minimum fee of \$75.00 (if appropriate, additional charges may be imposed) for mowing and/or cleaning the property of an owner who refuses to take corrective action or is slow to take corrective action.

Your board takes all complaints seriously. Please take precautions to maintain your property and obtain permits before projects are undertaken.

The board continues to receive many verbal complaints about dogs running loose and being a threat and nuisance to walkers, runners, and property owners enjoying their yards. A sign has been installed at the boat ramp advising property owners to keep their dog on a leash. The City of Onalaska has a leash law requiring dogs to be on a leash when outside of the yard of the property owner. In addition, the City of Onalaska has an ordinance limiting the maximum of four (4) dogs/cats in a household. If you know of a situation where a household keeps more than four (4) dogs/cats or to report a dog running loose, Call 936-646-5376.

Other Association News

Once again the Twin Harbors swimming pool has required numerous repairs, including the replacement of a pump. When the pool is closed for the swimming year, that board will have the pool and all pool equipment inspected and evaluated. The pool is on the backside of 40 years and is nearing its estimated useful life.

The swimming pool is open Tuesday thru Sunday, 10:00 AM to 9:00 PM, May 1st through September 30th. The swimming pool is closed on Monday for routine maintenance and cleaning. Property owners are encouraged to take advantage of the pool. Please remember to sign in.

The Aqua Nuts, Twin Harbors aerobic exercise group is cleaning and painting the benches at the swimming pool on October 1st and October 2nd. The Aqua Nuts are also have announced a garage sale to be held on Saturday, October 24th from 8:00 AM to 2:00 PM. Set up for the garage sale will be Friday, October 23rd from Noon to 4:00 PM. Contact Judy Jackson at grandmajudy@mac.com, Bonnie Laverty at blaverty@suddenlink.com, or nita uptegraph at 936-646-3136 if you would like to volunteer or if you need additional information.

April 2015, the board hosted its third annual Twin Harbors Heavy Trash Pick Up Day. The board thanks Bill Belcher and Jonathan Truelove for driving their trucks through the subdivision. The board also thanks Amy Casey, Joseph Polizzi, Paul Laverty, Barry Pounds and Chip Choate for picking up the heavy trash. Mayor Roy Newport also

drove his truck through Twin Harbors picking up trash. The board anticipates a fourth annual Twin Harbors Heavy Trash Pick Up Day in April 2016 and hopes that others will volunteer to assist.

In July 2015, the association purchased a new Kubota tractor. This four (4) wheel drive 58 HP tractor was purchased with a six (6) foot shredder, box blade, and front end loader. The tractor was financed with Kubota Financial for a period of five (5) years, zero down, and a zero interest rate. Board members, Michael Farr and Joseph Polizzi, each spent at least sixty (60) hours researching the tractor issue and visiting tractor dealerships in an effort to find the best tractor and the best price for the association. Thanks Michael and Joseph.

The old tractor became costly to keep repairing and finally became unsafe for a driver to operate. The old tractor has been sold, as is.

The board approved the acquisition of fully enclosed storage building for the new Kubota tractor at a cost of three thousand, eight hundred (\$3,800.00) dollars. The storage building is to be constructed and anchored by the supplier of the storage building, without additional cost to the association, on the cement slab behind the fence at the far end of the swimming pool. To keep the cost of the storage building to a minimum, property owners have donated \$2,700. If other property owners would like to donate funds for the storage building, please send your donation to the THPOA office at 271 Valley View Drive, Onalaska, Texas 77360.

Joseph Polizzi is seeking volunteers to assist in setting up the displays for Thanksgiving and Christmas. If you want to volunteer, please contact the THPOA office.

This summer we have been notified that a vehicle came very close to crashing into a golf cart filled with youth. Not good. Property owners should be especially attentive to look out for bicycle riders and golf carts on the streets of Twin Harbors. As a board we are all concerned for the health and well being of our property owners and are asking that everyone be very attentive when driving in Twin Harbors, observe the 25 MPH speed limit, drive in your lane, turn into your lane, and stop when the signs say STOP. Bicycle riders and drivers of golf carts must also drive in your lane, turn into your lane and stop when the signs say STOP.

Anyone using a copied key to enter the Clubhouse/pool area will immediately be removed. The property owner who has allowed their key to be copied will be permanently disallowed from all Twin Harbor amenities; including, but not limited to the clubhouse/swimming pool area and the boat ramp area.

Three Voting Actions for October 2015

All property owners are eligible to vote for all ballot initiatives presented for consideration at the annual meeting.

Voting for Twin Harbor Board Members

Eight (8) candidates have filed to run for the Twin Harbors board. These candidates are (listed in the order of their filing) Cliff Budd, Paul Laverty, Ken Van Hook, Pat Casey, Susan Mitchell, Steve Eckert, Rex Broome, and Chip Choate.

This year there are five (5) board member positions to be approved. Four (4) of these positions are for two (2) year terms which expire in October 2017 and one (1) position is for a one (1) year term to fill out the remaining term of Russell Robertson, who resigned during the year and whose term will expire in October 2016. The four candidates who receive the most votes will serve two (2) year terms and the candidate who receives the fifth (5th) most votes will serve a one (1) year term.

An official THPOA Board Member Ballot which has been customized for each property owner is enclosed with the Winds and September billing statement. All eight (8) candidates are listed. You may vote for one (1) or up to five (5) candidates by placing a check mark or an X in the “yes” column adjacent to the name of the candidate. You do not have to vote for five (5) candidates but you may do so.

You must sign the ballot for the ballot to be valid

Voting for Twin Harbors Special Assessment

Your board has approved increasing the Special Assessment from \$60.00 per lot per annum to \$90.00 per lot per annum. Board action increasing the Special Assessment requires approval of the Twin Harbors property owners.

An official THPOA Special Assessment Ballot which has been customized for each property owner is enclosed with the Winds and September billing statement. You may vote “yes” or “no” to increase the Special Assessment from \$60.00 per lot per annum to \$90.00 per lot per annum by placing a check mark or an X in the appropriate column adjacent to the Special Assessment information.

You must sign the ballot for the ballot to be valid.

Returning your Board Member & Special Assessment Ballots

Double check your ballots to make sure they have been properly completed and signed. After completing the Board Member Ballots and Special Assessment Ballots, place the ballots in the enclosed pre-addressed envelope marked “THPOA Ballot Box 2015”, affix the proper postage, and mail.

This is very important so please pay attention. These ballots must be received by 4: 30 PM on Monday, October 12, 2015. Monday is a hard wired date; however, since October 12th is a holiday and without postal service, the final date is automatically extended to 4:30 on Tuesday, October 13, 2015.

Ballots not signed cannot be counted and ballots not received on time cannot be counted.

The Board Member and Special Assessment Ballots will be collected by two (2) Independent Vote Tabulators who hold the keys to the Twin Harbors special box which is used only for voting purposes, P. O Box 1856. The Independent Vote Tabulators using a board supplied list of property owners will confirm that each ballot has been submitted by a property owner. All Independent Vote Tabulators are not Twin Harbors property owners, not a relative to a Twin Harbors property owner within three generations, not a vendor to Twin Harbors, and not anyone who conducts any business with Twin Harbors. After the ballots have been collected, the ballots will be counted and the results will be held in confidence until the results are announced by the Primary Independent Vote Tabulator at the October 17, 2015 Annual Meeting.

PLEASE REMEMBER THAT NO BALLOTS WILL BE COLLECTED AND NO VOTE WILL BE TAKEN AT THE ANNUAL MEETING.

A Twin Harbors property owner may vote for Board Members and the Special Assessment via email. In your email type-in the following email address, voting@twinharborlakelivingston.com. Place "Annual Meeting Vote 2015" in the subject line. The email message must include the name of the Twin Harbors property owner, number of lots owned, the section, block, and lot number(s). List your selection for board members (remember property owners may vote for up to five candidates) and indicate if you are voting yes or no on the Special assessment ballot initiative.

In order to vote via email, you must register your intention to vote via email by contacting the board secretary two (2) days prior to voting. Send your registration to mchoate@z-bizfirst.com. State that you will be voting via email. The Secretary will confirm. All email votes will be collected by the Independent Vote Tabulators on Monday, October 12, 2015. The email votes and mail votes will be combined by the Independent Vote Tabulators, counted and the results will be held in confidence until the results are announced by the Primary Vote Tabulator at the October 17, 2015 Annual Meeting. Final time and day for email voting is 5:30 PM on Monday, October 12, 2015.

In previous years, a proxy was utilized when a property owner could not attend the annual meeting. This year the voting procedures have changed and a proxy is no longer used.

If you need information or clarification concerning voting, please call chip choate 281-685-3920 or email chip at mchoate@z-bizfirst.com.

Voting for Procedures to Update Deed Restrictions

A Procedures for Updating Deed Restrictions Ballot, which has been customized for each property owner, is being mailed to each property owner in a separate mailing.

Procedures have been prepared for each group of Deed Restrictions. For the Twin Harbors subdivision, there are five (5) separate groupings of Deed Restrictions. These groups are as follows:

- Section 1
- Section Two (2) through Section Five (5)
- Reserves Two (2) and Three (3) in Section Four (4)
- Reserves Two (2) and Three (3) in Section Five (5)
- The Point in Twin Harbors

Our attorney has advised Twin Harbors, that each grouping of deed restrictions is distinct and each grouping must be viewed and treated as a separate entity. The deed restrictions for Section One (1) are solely for Section 1 and cannot be carried over to other groups. In the same manner, the deed restrictions for Sections two (2), three (3), four (4), and five (5) are solely for these sections and cannot be carried over to other groups, and so forth.

Separate Procedures for Updating Deed Restrictions have been prepared for each deed restriction group. Property owners in Section One (1) will vote on the procedures for Section One (1). Property owners in Sections Two (2) through Five (5) will vote on the procedures for Sections Two (2) through Five (5), and so forth.

Should a property own property in Section One (1) and also in Section Two (2) through Section Five (5), that property owner will receive ballots to vote in each group.

No email voting for procedures and no proxy voting.

Ballots will be opened and counted at the Annual Meeting by three (3) Twin Harbors property owners chosen at random from those in attendance at the annual meeting. This is required because of the delicate subject of the vote and to insure to all property owners that there is no fraud in the voting for procedures.

PLEASE REMEMBER THAT NO BALLOTS WILL BE COLLECTED AND NO VOTE WILL BE TAKEN AT THE ANNUAL MEETING.

Full details on voting and the procedure ballots are being mailed in a separate mailing.