

# THE WINDS

**August 2010 - The Voice of Twin Harbors POA**

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

[www.twinharborslakelivingston.com](http://www.twinharborslakelivingston.com)

[twinharbors@eastex.net](mailto:twinharbors@eastex.net)

## **ANNUAL MEETING EDITION ANNUAL MEETING HELD AT THE CLUBHOUSE SATURDAY, OCTOBER 16, 2010 - 10:00AM**

It seems as if a good portion of our property owners are keenly interested in the outcome of the lawsuit concerning the issue of the legality of Twin Harbors Special Assessment Fees which have been authorized at the Annual Meeting; therefore, we shall begin our newsletter with a review of the lawsuit.

In July, District Judge Trapp issued his Final Judgment in the Twin Harbors lawsuit against Daussin/Radloff Group. Judge Trapp ruled that a Twin Harbors Special Assessment Fee is legal and its collection is enforceable. **This ruling means that property owners must be current on both their Maintenance Fee and Special Assessment Fee in order to participate in the voting process.** In addition to his ruling on Special Assessments, Judge Trapp ruled that the property owned by Dwayne Daussin, is not subject to Twin Harbors Maintenance Fee or Special Assessment Fee. Judge Trapp awarded THPOA \$15,000 in reimbursement of attorney fees and also awarded Dwayne Daussin \$9,000 in reimbursement of attorney fees. After all awarded attorney fees have been paid, THPOA will have a net cash out of \$9,500 for its legal expenses in this lawsuit.

### **Association News**

The women's and men's bathroom at the Clubhouse/Pool Area have been repaired. In addition to repairing cabinets, replacing trim, and painting walls and cabinets, the floors have received a coating of non-slip paint.

The roads in all sections of Sunset Drive, (North Sunset, North East Sunset, East Sunset and Southeast Sunset) plus Sunset Circle (cul-de-sac), have been reclaimed, graded and leveled, and shot with two (2) course applications of Chip and Seal. This procedure is the one recommended by the State of Texas. The Chip and Seal Application will be topped with asphalt in the fiscal year ending August 31, 2011.

The Association competed acquiring fourteen (14) lots through a sale conducted by the Polk County Sheriff, (Judgment and Foreclosure Procedure began in January 2009) from two Twin Harbor property owners, both property owners owed past due sewer connection fees for several years and one property owner owed past due taxes for several years. The Association paid a total of \$15,762.00 in legal costs (\$7,200), past due sewer connection fees (\$1,172.00) and past due taxes (\$7,390.00) to acquire 14 lots.

The Board approved new deed restrictions for The Point, increasing the minimum home size from seven hundred (700) square feet to twelve hundred (1200) square feet.

Two vacancies have developed this year among the board members.

In early June a surge from an electrical storm fried the Association's computer hard drive. A new computer was purchased, along with new software, external hard drive (backup facility) and flash drive (duplicity of backup).

At the suggestion of a property owner, the Association purchased and had the Trinity River Authority install a "NO-WAKE" sign in front of the boat ramp on Lakefront Drive.

A new sign has been installed at the Boat Ramp area. The 2' X 4' sign informs users of the boat ramp that use of the boat ramp by non-property owners will result in their vehicle being towed.

To combat vandalism, illegal entry and trash at the Clubhouse/Pool Area, the Association initiated several security measures. A chain and lock was added to the front gate so that no entry could be made to the Clubhouse/Pool Area between 9 PM and 10AM. The Association hired Bill Belcher (property owner) to conduct random inspections for entry keys of those using the pool. A closed circuit TV system with a digital video review was installed. Since the installation of these security measures, vandalism and trash on the premise have been non-existence. Illegal entry to the pool area, while not zero, has declined significantly. Illegal keys are continuing to be collected.

A Face Book page for Twin Harbors Property Owners Association has been established. We invite all property owners to sign up as a friend of THPOA. Keeping in better contact, publicizing community events and providing a means for property owners to seek answers to questions are but a few of the benefits which should accrue to our property owners.

Please add a note when remitting your Maintenance Fee payment stating your email address and a telephone number because we need to update THPOA files. Also indicate if you own a home in Twin Harbors, please indicate if you are a permanent or weekend resident.

## **ANNUAL MEETING NOTICE**

The Annual Meeting for Twin Harbor Property Owners Association will be held Saturday, October 16, 2010, at the Clubhouse, 274 Valleyview, Onalaska, Texas. The meeting will begin promptly at 10:00 AM. Credentials will be validated beginning at 8:00 AM. All property owners must have their credentials validated in order to vote. **Please do not ask for an exception, because exceptions will not be allowed.** Ample time has been set aside for having your credentials validated. Included with this mailing are a meeting agenda and a proxy statement with instructions.

Approving the 2009 Annual Meeting Minutes will be addressed early in the meeting. Please visit our web site and read the draft of the 2009 Annual Meeting Minutes. Property owners without web access may request a copy of the 2009 Annual Meeting Minutes by calling our office. All property owners must be current on Maintenance and Special Assessment Fees in order to vote either in person or by proxy.

## **PROXY AND INSTRUCTIONS**

Property owners unable to attend the Annual Meeting are encouraged to vote by proxy. A valid proxy must meet the following requirements.

#### Written Proxy

The property owner **MUST COMPLETE ALL BLANKS**. An incomplete proxy will be invalidated. If mailed, the proxy must be received in the THPOA office by 5:00 PM on Friday, October 15, 2010. A proxy hand carried to the THPOA office must be received at the office by 9:00 AM on Saturday, October 16, 2010.

#### Email Proxy

Your email proxy **MUST** be sent from your home email address, which will be accepted as your electronic signature.

Your email **MUST** contain the following statement, word for word, with you providing the information required in the underline blanks.

I, (YOUR NAME) do hereby authorize (NAME OF PERSON WHO WILL EXECUTE YOUR PROXY) to cast my vote on all matters brought up at the Annual Twin Harbors Property Owners Meeting on Saturday, October 16, 2010. In the event I do attend this meeting, I may revoke this proxy. My lo is located at: Section Number (XX); Block Number (XX); and Lot Number (XX). My home telephone number is (XXX-XXX-XXXX). This email is my (YOUR NAME) valid proxy. Email to [twinharbors@eastex.net](mailto:twinharbors@eastex.net).

Your email must be received at the THPOA office by 9:00 AM on Saturday, October 16, 2010.

#### **ELECTION OF BOARD MEMBERS**

THPOA has total of eight (8) directors. Each director is elected to a two-year term, with four directors being elected each year. During this fiscal year, one director resigned, another director was removed for cause and the board chose not to appoint their replacements. This year there are six (6) director positions to be elected at this meeting. Four directors will be elected for two year terms and two directors will be elected for a one year term to complete the terms of individuals no longer directors.

The two year terms of Fred Alderman, Jim Wilder, David Heathcock and Greg Yost are expiring this year.

#### **SPECIAL NOTICE**

In lieu of a pot luck dinner after the Annual Meeting, the board has chosen to provide donuts, kolaches and coffee beginning at 9:00 AM Saturday morning. Come, mix and mingle with your fellow property owners.

**TWIN HARBORS PROPERTY OWNERS ASSOCIATION, INC.**  
**ANNUAL MEETING AGENDA**  
**October 16, 2010**

Dear Property Owner:

You are cordially invited to attend the 2010 Annual Meeting of the Twin Harbors Property Owners Association. If you are unable to attend the meeting, Please Return Your Proxy.

The meeting will be held Saturday, October 16, 2010 at 10:00 AM at the Clubhouse Pavilion. The Agenda is as follows:

1. Call to Order	9. Nomination of Board Members
2. Introduction of Annual Meeting Committee	10. Election of Board Members
3. Director and Staff Introduction	11. THPOA Bylaws & Deed Restrictions
4. Minutes 2009 Annual Meeting	12. Special Assessment Vote
5. Financial Report	13. Old Business
6. Architectural Report	14. New Business
7. Facilities Committee Report	15. Board Member Introduction
8. Open Forum	16. Adjournment

**PROXY INSTRUCTIONS**

**ALL BLANKS ON THE PROXY MUST BE COMPLETED FOR THIS PROXY TO BE VALID.**

**THE PROPERTY OWNER COMPLETING THIS PROXY AND THE PROPERTY OWNER EXERCISING THIS PROXY MUST BE CURRENT FOR ALL MAINTENANCE FEES AND SPECIAL ASSESSMENT FEES. IF MAILED, THIS PROXY MUST BE RECEIVED AT THE THPOA OFFICE BY 5:00 PM ON FRIDAY, OCTOBER 15, 2010. IF HAND DELIVERED, THIS PROXY MUST BE RECEIVED AT THE THPOA OFFICE BY 9:00 AM ON SATURDAY, OCTOBER 16, 2010.**

Cut at the lines below and return the completed proxy statement to the THPOA office (274 Valleyview, Onalaska, Texas 77360-6011) or you may give your proxy to the property owner who will exercise the proxy. You may also email the completed proxy statement to [twinharbors@eastex.net](mailto:twinharbors@eastex.net). Please see page 3 of this newsletter for email instructions.

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**PROXY STATEMENT**

I, \_\_\_\_\_ (Print your name) do hereby authorize

\_\_\_\_\_ (Print the name of the person who will exercise this proxy) to cast my vote on all matters brought up at the Annual Twin Harbors Property Owners meeting on October 16, 2010. In the event I do attend the October 16, 2010 meeting, I may revoke this proxy.

Section No. \_\_\_\_\_, Block No. \_\_\_\_\_, Lot(s) \_\_\_\_\_ By: \_\_\_\_\_  
(Signature of Property Owner)

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