

THE RESORT REPORT

Bulletin # 11

February 26, 2022

Communication Approved By HOA Board

boardofdirectors@theresortateaglemountainlakehoa.com

Golf Course Purchase Success!

As reported in The Resort Report Bulletin # 10, the golf course purchase was successfully completed December 31st of 2021. This would not have been possible without the overwhelming vote of support from homeowners and from the many community volunteers who stepped forward and contributed their time and expertise to the purchase process. Also the board was fortunate to secure several highly experienced attorneys who ensured the sales process was conducted with sufficient due diligence and with the objective of protecting our community from future legal issues connected to the sale. This included the preparation of over 400 pages of legal agreements covering the purchase. These purchase documents are currently posted for resident review on the TownSq website.

(Written by David Stockton)

The Resort Golf Club Completes January With A Profit!

Winter months are typically difficult for golf courses in terms of profitability. So it's great Jeremy Tate and his hard working staff have made a successful transition from Centurion American ownership (Declarant's company) to being wholly owned by The Resort At Eagle Mountain Lake Homeowners Association Inc.....i.e. you and I. This profitable first month of operation was accomplished in spite of the substantial challenges of the transition which included establishing in house accounting, vendor changes, and a host of other processes.

- Employee Payroll & Benefits
- Worker's Compensation Coverage
- Property Insurance
- Banking - Accounts
- General Liability Insurance
- Utilities Accounts
- Equipment Leases
- Security Monitoring
- Pool Cleaning & Maint.
- New State Liquor License Application

Larry Lawson has been instrumental in helping with the golf course purchase process last fall and with help with setting up the many new processes that have made this first month successful. Please join the Board in congratulating and thanking both Jeremy and Larry.

(Written by David Stockton)

Have You Filled Out Your Form To Receive Gate Entrance RFID Tags?

This is an urgent reminder for all members/residents to get your form in for RFID tags. There are a significant number of residents who have NOT submitted a form yet. As a reminder, when the system is tested and operational, we WILL start a countdown to disable all FOBs and the generic code on the Construction Gate. When this happens, your only course of entry will be via the Guest Lane at the Main Gate and you will be treated as a visitor. Here is the link to the form again: (Written by Donnie Davis)

https://www.theresortateaglemountainlakehoa.com/Libraries/AssociationDocuments/Gate_RFID_Access_Form-The_Resort.sflb.ashx

A Board Meeting Will Be Held At The Clubhouse on March 8, 2022 at 8pm

The Resort at Eagle Mountain Lake Homeowners Association, Inc. will be holding an Annual Meeting of the Members on Tuesday, March 08, 2022 at 6:00 pm. The purpose of this meeting is to discuss normal business of the Association.

In addition, The Board believes that updates to sections of Exhibit "D", Rules and Regulations of the Communities' Governing Documents are needed. The proposed changes will be available for community review on the TownSq website <https://www.townsq.io/> as of February 26th. Login or signup on the site and go to Communication on the left and click on Forum. Summaries and rationale for each proposed change is listed. After reading the letter from the board on the rationale for each change click on the arrow to the right to access the specific redlined changes to the Rules / Regulation.

Below are summaries of the rationale for each of the proposed changes. Go to TownSq at <https://www.townsq.io/> and follow the instructions in the above paragraph to review the actual redlined changes to the current rules. (Written by The Board)

The Board welcomes resident comments on these proposed changes.

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1. Amendment to rule pertaining to Garage Sales - Section 8.4.

Rationale for Change:

In August of 2021 a community-wide garage sale was held within The Resort. This one weekend, Friday and Saturday, opened our normally closed community to outsiders. The consensus from the homeowners was that the

Community-wide Garage Sale was a great success and voiced that this practice be carried out on an annual basis. This amendment is necessary to comply with the general consensus.

Garage Sales are just not viable within a gated community on an ongoing basis. Opening our community to our outside neighbors for one weekend annually allows our homeowners to satisfy their Garage Sale craze and depart with items that are no longer wanted.

Comments may be made through this Forum. For every disagreement you have with the amendment please, supply a solution.

2. Amendment pertaining to Non-resident Gate Entry Privileges. SECTION 9, RULES ENFORCEMENT PROCEDURES, 9.4 Penalties. b. Suspension of Privileges. ii.

Entry Gate Privileges amended to include “red carding” of non-residents who violate the association traffic rules. When Guests, invitees, agents, employees, or servants has a traffic infraction the homeowner will be advised of the situation and the offending vehicle will be “red carded” from entering The Resort.

The homeowner is responsible for the actions of their guests, invitees, agents, employees, and servants while on Resort property which may result in a fine being levied against the Owner. It’s unfair to hold the homeowner responsible for something in which they have no control. This amendment allows for penalization of the offender by suspending vehicle access to The Resort. It also puts the responsibility squarely on the homeowner’s shoulders if they allow the vehicle access to The Resort that’s “red carded.”

Comments may be made through this Forum. For every disagreement you have with the amendment please, supply a solution.

3. Proposed Amendments to Rules and Regulations, Section 4.2 Vehicles

The HOA Board of Directors are making a request to revise subject Rules and Regulations, Section 4.2 for the following reasons:

1. The current Section 4.2 was published in 1999 and is woefully inadequate to meet the challenges we face today. Over the past 20 plus years our population has grown from a few dozen homes then to more than 600 plus homes completed or being built at this time. Our streets are now crowded with vehicles and speeding and other traffic violations are daily occurrences.
2. The changes to section 4.2 reflect necessary additions to support the ability of the community to enforce traffic rules with specific fines and other penalties based upon the severity of violations. These amendments cover all vehicular traffic within The Resort. In addition to adhering to posted speed limits, traffic rules have been added covering stop sign violations and a requirement for motorists to slow below posted limits when passing pedestrians and bicyclists on the streets. The rule changes will assign responsibility for vehicles that incur traffic violations within The Resort to Lot owners who have such vehicles registered to their Resort address, and to vehicles for which the Lot owner has granted access such as but not limited to lessees, visitors, guests, service providers, contractors, delivery services, etc.
3. The Board formed a Safety and Security Committee comprised of members last year to review the community’s current safety and security practices and, as necessary, to recommend additional measures and practices for improvement. The committee’s recommendations included hiring a new security contractor with capabilities for providing radar camera speed detectors, usage of radio frequency identification tags to provide better access controls, and nightly roving security patrols.

In addition during a meeting last month the Safety and Security Committee was presented with the proposed new traffic enforcement rules and made a number of suggested changes, the majority of which were adopted within the current draft amendments for proposed changes to Section 4.2.

4. Our first obligation and challenge as an HOA Board is the safety and security of our members. Without the proposed revisions we will not be able to meet that challenge.

5. Comments may be made through this Forum. For every disagreement you have with the amendment please, supply a solution.

4. Amendment to Rules pertaining to On-street Parking. Section 4.17

On-street parking has become a number one complaint amongst our residents. Our roads throughout The Resort are narrow and poorly lit at night. With no sidewalks, anyone out for a walk must walk on the shoulders of the street. Along with wildlife, bicyclist, golf carts, construction vehicles, and 1,500 residential vehicles using our streets on a daily basis there is a need to keep our streets free of parked vehicles. As construction builds out, there will only be an increase in vehicular traffic over the next several years. With a vehicle parked on the street, taking up one full lane, it creates a choke area on our narrow two-lane street disrupting the two-way flow of traffic. During the overnight hours with dimly lit streets a parked vehicle is easily cloaked into the darkness creating a safety hazard. Rainy weather, rising or setting sun limits visibility making it harder to see a parked vehicle. It has also become of great concern that Emergency Equipment will be unable to get to their destination due to on-street parking. All of these factors combine to make our streets much less safe than they should be.

The attached amendment limits on-street parking to a minimum. Each homeowner must make any available space for parking available on their property for guest or service personnel prior to any on-street parking. Necessary on-street parking for guest and service personnel is limited to four (4) hours. Those having a party must advise the community via TownSq to make everyone aware of the temporary congestive street location. Overnight on-street parking on all streets within The Resort will be prohibited. In the event of an overnight guest, with no space for parking on the homeowner's property, a permit can be issued for parking at the Golf Club overflow lot or the Amenities parking lot at the Villas. A permit may be obtained from the Security Guard at the Main Gate. The overflow lots will be patrolled by Securitas anytime a permit is issued.

The Safety and Security Committee along with the Board of Directors are proposing this amendment to provide improved safety and security for the entire community. With our streets being heavily traveled it is irresponsible to narrow them down to a single lane of traffic by having unlimited on-street parking. Those few who insist on continually parking on the street, your vehicle may be towed without notification if you ignore violation notices.

Comments may be made through this Forum. For every disagreement you have with the amendment please, supply a solution.

5. Amendment to rule pertaining to Antenna and Satellite Dishes. 1.1 Antenna and Satellite Dishes.

The Telecommunications Act of 1996 disallows a good portion of this rule and is being amended to reflex the changes.

The Act requires that there can be no delay, by the Board, in allowing the installation of the communication devise or Satellite Dish of a diameter less than 39-inches. Therefore, the requirement for approval or prior written consent of the Board can no longer be enforced. The only thing the Board can designate is the location of installation and that only applies if reception is adequate in that location.

This amendment requires that the Antenna or Satellite Dish be in a location so as not to be viewed from the street

side of the home. In addition, the Antenna or Satellite Dish must be removed once the service is terminated. Antennas and Satellite Dishes are mounted using a base plate. The base plate may be left in place, on removal of the device, to prevent any water leakage.

Comments may be made through this Forum. For every disagreement you have with the amendment please, supply a solution.

6. Amendment to rule pertaining to Pet Licenses. 5.3 Licenses.

Loose pets, especially dogs, are becoming a daily event within The Resort. With Morris Dido Newark Road running in close proximity, and our streets increasing in traffic making it an increasing possibility that your pet may be injured. The Declarant has installed a dog run, in the vicinity of the Construction Entrance, where one's pet can safely be contained until the owner returns home. The new security allows for a pet to be registered along with a veterinarian; in an event your pet needs medical attention.

This amendment is completely voluntary on behalf of the residents. Identification card can be filled out identifying each of your pets, along with a picture, and your veterinarian's information. The pet identification information will be kept on file at the guard house. The pet needs to wear an identification tag so that the pet can be positively united with their owner. The identification tag should have a minimum of either the pet's or owner's name and a contact phone number or address.

Comments may be made through this Forum. For every disagreement you have with the amendment please, supply a solution.

7. Amendment to rule pertaining to Construction Gate Prohibition. 3.8 Construction Gate.

There is always a danger to oneself and their personal property when in close proximity of construction equipment. For the protection and safety of our residents it is asked that they refrain from using the construction gate. It's understood that this gate is more convenient for some of our residents. But the addition of warning letters and fines is necessary to protect the Association and the Declarant from any liability claims that may occur. Once construction is completed on all lots, it is planned to permanently close the construction gate.

Comments may be made through this Forum. For every disagreement you have with the amendment please, supply a solution.

8. Amendment to rule pertaining to Commercial Photography. 1.4 Commercial Photography.

It's believed that an amendment needs to be added to give clarification that photos or videos taken of one's personal property for the purpose of evaluating damage or for sale of the property is not considered commercial photography. A statement has been added regarding the use of drones for videotaping. The Resort is located in the departure and arrival path of an airport requiring the strictest of Federal Aviation Administration rules to be applied to drone flight along with civil privacy laws.

Comments may be made through this Forum. For every disagreement you have with the amendment please, supply a solution.

9. Amendment to rule pertaining to Section 4.14 c. Boats, Trailers, Commercial Vehicles and Truck Campers

This suggested amendment relates to a need for allotting a time period to clean, sterilize, load or unload aquatic vehicles before launching or returning them to storage. It is felt that 48-hours is a reasonable period of time.

Comments may be made through this Forum. For every disagreement you have with the amendment please, supply a solution.

10. Amendment to rule pertaining to Signs on Private Property. Section 1.13 Signs

Being amended to reflect Chapter 259 Election Code and most recent changes. "It is a violation of the state law (Chapter 392 and 393, Transportation Code), to place this sign in the right-of-way of a highway." This notice is also required to be printed on all official political signs. Definition of a "highway" includes roadways within rural areas. Further, our rules only allow signs on one's private property. It is a Class C misdemeanor and against association rules to place a political sign within the roadways right-of-way (ROW). Most of our residents have no knowledge that there is a roadway ROW that lies between the street's edge and their private property line. Our ROWs vary within The Resort and one distance needs to be stipulated to reduce homeowner's confusion. (No signs may be placed within The Resort's roadways right-of-way which is a distance of ten feet (10') from the street's edge).

The amendment must also reflect Section 259.002, Regulation of Display of Political Signs by Property Owners' Association, of the Election Code. "Political signs must be ground mounted, and residents are permitted to display political sign 90-days before the date of election to which the sign relates and removed before the tenth day after that election."

Comments may be made through this Forum. For every disagreement you have with the amendment please, supply a solution.