

WSMA Board of Directors  
Duties, Responsibilities and Procedures  
Last Revision – June 8, 2020

Prepared by: D. J. Ellis

## WSMA Board of Directors Duties, Responsibilities and Procedures

### Table of Contents

1.0 Duties of Board of Directors .....	1
1.1 Terms.....	1
1.2 Exclusions.....	2
1.3 Management Company .....	2
2.0 Officers.....	2
2.1 President.....	2
2.1.1 Responsibility.....	2
2.1.2 Meeting Management.....	2
2.1.2.1 Setting Agendas .....	2
2.1.2.2 Handing of Resident Presentations.....	2
2.1.2.3 Conducting of Executive Sessions.....	3
2.2 Vice President.....	3
2.2.1 Responsibility.....	3
2.3 Secretary.....	3
2.3.1 Responsibility.....	3
2.3.2 Record Keeping .....	3
2.3.3 Meeting Minutes .....	3
2.4 Treasurer .....	4
2.4.1 Responsibility.....	4
2.4.2 Budgets.....	4
2.4.3 Maintenance Fee Collection.....	4
2.4.4 Book Keeping .....	5
2.4.4.1 On Payment of Invoices .....	6
2.4.4.2 On Receipt of the Monthly Financial Statements.....	6
2.4.4.3 At Year-End Closing.....	6
2.4.5 Cash Management .....	6
2.4.6 Reserve Study .....	7
2.4.7 Financial Audit .....	7
3.0 Committee Chairpersons.....	7
3.1 Deed Restriction Committee.....	7
3.1.1 Monthly Inspections .....	7
3.1.2 Deed Restriction Violations Processing .....	8
3.2 Architectural Review Committee (ARC) .....	8
3.2.1 ARC Guidelines .....	8
3.2.2 ARC Violations Processing .....	9
3.3 Clubhouse and Pool Management.....	9
3.3.1 Clubhouse and Pool Management Committee .....	9
3.3.2 Pool Contract Operation.....	9
3.3.3 Overseeing of Maintenance and Facility Improvements.....	9

**WSMA Board of Directors Duties, Responsibilities and Procedures**

**Table of Contents (Continued)**

3.3.3.1 Preventative Maintenance (PM) .....	10
3.3.3.2 Emergency Maintenance.....	10
3.3.3.3 Improvements.....	10
3.3.4 Rental of Clubhouse and Pool.....	10
3.4 Landscaping .....	10
3.4.1 Landscape Contract Management .....	10
3.4.2 Mosquito Fogging .....	11
3.4.3 Subdivision Entrance Flags .....	11
3.4.4 December Holiday Decorations.....	11
3.4.5 Yard-of-the-Month .....	11
3.4.6 Christmas Holiday Yard Contest .....	11
3.5 Security .....	12
3.5.1 Security Liaison .....	12
3.5.2 Preparation of Monthly Security Reports .....	12
3.6 Trash Collection Service.....	12
3.7 Communications .....	12
3.7.1 Website.....	12
3.7.2 Newsletter.....	13
3.8 Community Events.....	13
4.0 Other Responsibilities .....	13
4.1 Welcoming of New Residents.....	13
4.2 Common Area Electrical Repairs .....	14
4.3 Management of Facility Keys .....	14
4.3.1 Overview of Key Management System .....	14
4.3.2 Clubhouse Locks .....	14
4.3.3 Other Locks .....	15
4.3.4 Key Audit .....	15
4.4 Playground Safety Inspections .....	15
5.0 Attachments .....	15
5.1 Annual Statement .....	16
5.2 Violation Letters .....	17
5.2.1 First Notification Letter.....	17
5.2.2 Second Notification Letter .....	18
5.2.3 Final Notification (209 Demand) Letter .....	19
5.3 Yard-of-the-Month Procedure.....	20
5.4 Records Retention Schedule.....	22
5.5 Playground Self-Inspection Checklist.....	23

## **WSMA Board of Directors Duties, Responsibilities and Procedures**

### **1.0 Duties of the Board of Directors**

(Taken from ByLaws)

(a) cause to be kept a complete record of all its acts and corporate affairs and to present a statement thereof to the members at the annual meeting of the members, or at any special meeting (when such statement is requested in writing by at least one-fourth (1/4) of the members who are entitled to vote);

(b) supervise all officers, agents and employees of this Corporation, and to see that their duties are properly performed;

(c) enforce the annual maintenance charge on all Lots, as more fully provided in the Restrictions, and in connection therewith to:

(1) fix the amount of the annual assessment against each Lot as provided in the Restrictions;

(2) send written notice of the annual assessment on each Lot to the Owner thereof, or to the lending institution holding a mortgage on such Lot, as soon as practicable after fixing the amount of such assessment; and

(3) foreclose the lien against any property for which assessments are not paid within sixty (60) days after due date, or to bring an action at law or take any other appropriate action against the Owner personally obligated to pay the same;

(d) issue, or to cause an appropriate officer to issue, upon demand by any person, a certificate setting forth whether or not any assessment has been paid;

(e) procure and maintain adequate liability and hazard insurance on property owned by or under the jurisdiction of the Corporation;

(f) cause all officers or employees having fiscal responsibilities to be bonded, as it may deem appropriate; and

(g) cause any area or facility under the jurisdiction of the Corporation to be adequately maintained.

### **1.1 Terms**

Board of Directors shall serve for three (3) year terms. These three-year terms shall be effective upon expiration of the terms of currently serving directors. Officers shall serve for one (1) year terms.

## **WSMA Board of Directors Duties, Responsibilities and Procedures**

There is no statute of limitations on either directors or officers.

### **1.2 Exclusions**

The same person MAY hold the offices of secretary and treasurer. No person shall simultaneously hold more than one of any of the other offices except in the case of offices created to handle specific non-executive Board functions as are included below.

### **1.3 Management Company**

The Board of Directors has contracted with Crest Management Company (Crest) to provide certain administrative services to assist the Board in the performance of their duties as defined above. The services provided are as defined in the Crest contract published on the Board Documentation Repository page of the Association website.

## **2.0 Officers**

### **2.1 President**

#### **2.1.1. Responsibility**

The president shall preside at all meetings of the Board of Directors at which he or she is present; shall see that orders and resolutions of the Board are carried out; shall sign all contracts, leases, mortgages, promissory notes, deeds and other written instruments.

#### **2.1.2 Meeting Management**

##### **2.1.2.1 Setting Agendas**

Draft meeting agendas are prepared by Crest based on its knowledge of ongoing issues and resident requests to address the Board. The draft agenda is emailed to the President and the Secretary for review and approval in time for it to be posted on the Association website on or prior to the Wednesday preceding the following Tuesday's Board meeting.

##### **2.1.2.2 Handling of Resident Presentations**

Whenever a resident has requested a hearing by the Board of Directors, a time for such hearing will be placed on the agenda and will be communicated to that resident. The President will welcome the resident and is responsible for ensuring that he or she is given a fair hearing. Board discussion and resulting decisions on the subject raised are deferred to the executive session.

## **WSMA Board of Directors Duties, Responsibilities and Procedures**

### 2.1.2.3 Conducting of Executive Sessions

In the interests of protecting residents' rights and privacy, at an appropriate time during its regular meetings the Board will hold an executive session. The principal issues discussed at these sessions will be deed restriction violations and residents' financial delinquencies.

## **2.2 Vice President**

### 2.2.1 Responsibility

The vice-president shall act in the place and stead of the president in the event of his or her absence, inability or refusal to act and shall exercise and discharge such other duties as may be required by the Board.

## **2.3. Secretary**

### 2.3.1 Responsibility

The secretary shall be responsible for recording the votes and keep minutes and proceedings of the Board and of the Members; serving notice of meetings of the Board and of the Members; keeping appropriate current records showing the Members of the Corporation together with their addresses, and shall perform other duties as required by the Board.

### 2.3.2 Record Keeping

Although record keeping falls under the responsibility of the Secretary, in order to assure a professional and consistent record keeping function over an extended period this activity is performed under contract by Crest. The secretary is charged with ensuring that meeting minutes and other significant documentation is maintained in accordance with the WSMA Record Retention Schedule defined in section 5.4. Some backup of meeting minutes is also inherent in the Association website on which the minutes for the current and previous year are maintained as well as archived minutes since 2004.

### 2.3.3 Meeting Minutes

As for record keeping, the prime role in the documenting of meeting minutes is performed by Crest. The draft of the minutes is reviewed and edited by the Secretary and the President and, clearly annotated as DRAFT, is posted on the website and published in the next edition of the newsletter. Following approval at the next meeting the approved minutes replace the draft on the Association website.

## **WSMA Board of Directors Duties, Responsibilities and Procedures**

### **2.4 Treasurer**

#### **2.4.1. Responsibility**

The treasurer shall be responsible for the receipt and deposit in appropriate bank accounts of all monies of the Corporation and shall approve the disbursal of such funds as directed by resolution of the Board; supervise the keeping of proper books of account; cause an annual audit of the Corporation books and records to be made by an independent certified public accountant at the end of each fiscal year; and shall prepare an annual budget and a statement of income and expenditures to be presented to the Members at the regular annual meeting or at a special meeting.

All checks shall be signed by two of the officers of the Corporation, one of whom must be the President or Vice President.

#### **2.4.2 Budgets**

The September Board meeting each year is used for establishing the Association budget for the following year. This is a meeting of the full Board under the direction of the Treasurer and is usually conducted at the Crest offices at which the relevant records are located. This venue provides Crest with the capability of displaying the actual expenditures for the previous and earlier years via computer display. The projected expenditures in each expense category can then be made, entered and their effect on the total budget evaluated in real-time.

The principal output of the budget process is the establishing of the level of maintenance assessment to take effect as of January 1 of the coming year. This budget must take into account both operational expenditures for the year, and the requirement to maintain an adequate reserve to cover capital expenditures required for the major repair and/or replacement of Association assets.

#### **2.4.3 Maintenance Fee Collection**

The procedure for collecting the annual maintenance assessment fees shall be as documented in the WSMA Collection Policy, a summary of which is given below:

Statements are sent out in November with payment due date of January 1. A sample statement is given in Section 5.1. Residents unable to pay the fee in full by the required date can either charge it to a credit card via the Crest website ([www.crest-management.com](http://www.crest-management.com)) or request a payment plan.

## **WSMA Board of Directors Duties, Responsibilities and Procedures**

If payment still has not been received by January 31, Crest will provide a listing of the delinquent residents to the Treasurer who will provide authorization to Crest to send out the final demand letters the fees for which will be charged to the residents' accounts. These letters are typically mailed after February 10, the date being subject to the approval of the Board. If no response has been received within 30 days of the demand letter, the resident's trash service will be suspended.

If no response has been received by May 1, the matter is turned over to the attorney.

If there is still no response within a reasonable period, the Board has the option of filing a lien on the property and/or instructs the attorney to take the homeowner to court.

In addition to the above process there is a requirement to continually monitor the collection of maintenance fees. Although this falls under the responsibility of the Treasurer, the task may be performed by The President. Some issues to be monitored are:

If a home has changed ownership during the last quarter of the year, the current resident may not be the person to whom the statement was sent. To avoid sending the new owner a demand letter, Crest provides a list of these homes that have changed hands for review by the Board member who is providing this monitoring function.

Not all homeowners who are provided the opportunity to pay their fees via payment plans continue to make these monthly payments on time. It is therefore necessary to review the delinquency list each month and present the status of, and make recommendations on, each delinquent account at the monthly Board meetings. The results of this process can be the further suspension of the delinquent homeowner's trash collection service. The account may also be referred to the attorney for legal action.

### **2.4.4 Book Keeping**

In conducting the bookkeeping task throughout the year the Treasurer shall conduct audits to verify that expenses being paid are both appropriate and properly classified against the set of account codes that have been established for the collection and budgeting of Association expenses. Such auditing generally takes place at the opportunities defined below.



## **WSMA Board of Directors Duties, Responsibilities and Procedures**

### **2.4.4.1 On Payment of Invoices**

Whenever Crest presents the Treasurer with checks for approval via the electronic Payables Lockbox system, the Treasurer, before approving, shall:

- reconcile the amount on the check with the attached invoice,
- confirm that the product or service has been satisfactorily delivered, and
- confirm that the expense has been assigned to the appropriate account code.

### **2.4.4.2 On Receipt of the Monthly Financial Statements**

Each month Crest prepares for all Board members a financial statement showing the income and expenses for the month and year-to-date. On receipt of this statement the Treasurer shall review it looking for any anomalies or inconsistencies. Any such findings shall be brought to the attention of Crest for investigation and resolution.

### **2.4.4.3 At Year-End Closing**

Prior to closing the books for the year, Crest prepares a final financial statement providing the Treasurer with a last opportunity for any changes in expense classification. This audit shall also specifically review the assignment of expenses between the Operating and Replacement accounts and make any recommendation to the Board for the reallocation of any surplus funds in the Operational account into the Replacement account.

### **2.4.5 Cash Management**

The Association's assets are maintained in two accounts, the Operating account and the Replacement account. The Operating account is interest bearing with checking privileges. This account is the repository of the Association's operating funds which are used to meet its day-to-day cash flow requirements. Sufficient funds are maintained in this account to cover typically two months of operation the balance being invested in Certificates of Deposit or an interest bearing savings account to maximize the interest earned until the funds are needed to meet operating expenses. The Replacement account is used to hold the funds that are earmarked for the replacement of the Association's capital assets as defined in the annual Reserve Study. As the use of these funds is subject to longer approval cycles, a large portion will typically be invested in longer-term

## **WSMA Board of Directors Duties, Responsibilities and Procedures**

Certificates of Deposit or an interest bearing savings account when that will provide better returns. In all cases, the Treasurer shall ensure that all Association funds are adequately insured to provide protection in the event of insolvency of the financial institution.

The investment of funds into Certificates of Deposit is implemented by Crest in accordance with the Board's instructions.

### **2.4.6. Reserve Study**

Each year prior to the September budget meeting, the Board of Directors will either conduct or contract for the conduct of, a reserve study.

The purpose of the study will be to review the Association's capital assets, their expected remaining life and their replacement value at current prices. From this data the amount of money that should be available to cover their eventual replacement is computed. This shall be taken into consideration when deciding on the Maintenance Assessment Fee for the following year.

The most recent study is published on the Board Documentation Repository page of the Association website.

### **2.4.7 Financial Audit**

Each year, the Board shall contract for a financial audit by a qualified CPA. The purpose of the audit is to provide assurance of the integrity of the Associations bookkeeping and finances, and to meet the tax reporting requirements of the Internal Revenue Service.

## **3.0 Committee Chairpersons**

### **3.1 Deed Restriction Committee**

To fulfill its obligations to the residents in maintaining standards on the subdivision, and hence protect their property values, a Deed Restrictions committee has been established. This committee is responsible for monitoring compliance with the Association Deed Restrictions and community standards. A designated Board member chairs this committee.

#### **3.1.1 Monthly Inspections**

Each month the Crest representative, sometimes accompanied by the Chairperson or another Board member, drives around the subdivision to inspect all properties. The purpose of this drive through is to observe progress on the

## **WSMA Board of Directors Duties, Responsibilities and Procedures**

rectification of any previously reported Deed Restriction violations, as well as to notice if any new violations have occurred since the last inspection.

### **3.1.2 Deed Restrictions Violation Processing**

Whenever a property condition is observed that is in violation of the Deed Restrictions, a copy of which is posted on the Association website, the condition is noted. As violation of the Deed Restrictions is such an important issue that carries serious legal and financial consequences every effort is made to encourage a homeowner's compliance through voluntary means.

The process used is as follows:

On first observing the violation, Crest is instructed to send out the first notification letter a sample of which is shown in section 5.2.1. When the owner of the property is not the resident the computer program that generates these letters will automatically generate one to the current resident and one to the owner. In most cases the resident will respond and correct the problem and this response will be noted during the subsequent drive through and the violation removed at the next Board meeting.

If the problem is not addressed within 30 days, Crest is instructed to send out the second letter the general format of which is given in section 5.2.2.

If there is still no action by the homeowner within a reasonable time, Crest is instructed to dispatch a third and final (Demand) letter, an example of which is given in section 5.2.3. If this does not produce results, then the matter is forwarded to the Association attorney to pursue the legal remedies.

## **3.2 Architectural Review Committee (ARC)**

One very important aspect of Deed Restriction enforcement is the monitoring of all changes made to the appearance of subdivision residences. The monitoring and approval or rejection of all such changes is the responsibility of the Architectural Review Committee (ARC) which operates under the chairmanship of a Board member. This committee has the responsibility for review, approval or rejection of all requests submitted by homeowners using the "Request for Home Improvement Approval" form or an on-line form on the Crest website.

### **3.2.1 ARC Guidelines**

The review of each application shall be performed in accordance with a set of specific guidelines. These guidelines are defined in the "ARC Guidelines"

## **WSMA Board of Directors Duties, Responsibilities and Procedures**

document that is published on the Governing Documents page of the Association website.

### **3.2.2 ARC Violations Processing**

In the event that an improvement activity that has not been submitted for review is observed at a home, the following process is invoked:

- Crest is instructed to send a letter to the homeowner requesting that an application for such work be initiated. The form of this letter is similar to that given in section 5.2.1 for a deed restriction violation.
- If no response to this letter is received within 30 days then a second letter similar to that given in section 5.2.2 is sent.
- If there is still no response, a third and final (20903) letter containing the 209.007 language is sent and the violation is forwarded to the attorney. A sample of such a letter is given in section 5.2.3.

## **3.3 Clubhouse and Pool Management**

### **3.3.1 Clubhouse and Pool Management Committee**

Another important function of the Board of Directors is the management of the clubhouse, pool and associated recreational facilities. This activity is handled by the Clubhouse and Pool Management Committee lead by the Board member who is designated to act as its chairperson.

### **3.3.2 Pool Operation Contract**

The day-to-day operation of the swimming pool is contracted out to a pool management company. This company manages the upkeep, staffing of lifeguards and operation of the pool and reports to the Board via the Clubhouse and Pool Committee chairperson.

The current pool management contract defining the respective responsibilities of the Pool Management Company and the Association is published on the Board Documentation Repository page of the Association website.

### **3.3.3 Overseeing of Maintenance and Facility Improvements**

The upkeep of the Clubhouse and associated recreational facilities consists of both preventative and emergency maintenance procedures. These are handled in the following manner:

## **WSMA Board of Directors Duties, Responsibilities and Procedures**

### **3.3.3.1 Preventative Maintenance (PM)**

PM on both the swimming and wading pools is covered under the pool management contract. PM on the clubhouse and associated recreational facilities is conducted by routine inspection where items requiring attention are identified, cleaned and/or replaced as necessary.

### **3.3.3.2 Emergency Maintenance (EM)**

Whenever emergencies occur, any member of the Board is authorized to act to correct the problem and minimize any damage that might otherwise occur. Any Board member acting in this capacity can authorize the expenditure of up to \$250. If a greater expenditure is required, approval shall be obtained from at least two officers of the Association and the incident and associated costs presented at the next Board meeting for formal review and documentation.

### **3.3.3.3 Improvements**

Recommendations for improvements to the Association facilities are made via the Clubhouse and Pool Management committee to the full Board for review. Although recommendations can occur at any time, the optimum timing for such discussions is that they should occur in sufficient time for cost data to have been collected and hence available during the annual reserve study and subsequent budget meeting. This enables the funding for such considerations to be included in the budget deliberations.

### **3.3.4 Rental of Clubhouse and Pool**

The rules, fees and procedures to be used in the renting of either of the rooms in the Clubhouse or the pool shall be as defined in the Clubhouse and Pool Renting Documentation which is published on the Association website.

## **3.4 Landscaping**

### **3.4.1 Landscape Contract Management**

The principal function of the Landscaping committee chairperson is to oversee the landscape management contract which defines the tasks to be performed and is published on the Board Documentation Repository page of the Association website. In addition to interfacing with the contractor and presenting to the Board any reports on landscape conditions requiring additional expenditures, this Board member also oversees the additional activities addressed in the following subsections.

## **WSMA Board of Directors Duties, Responsibilities and Procedures**

### **3.4.2 Mosquito Fogging**

An annual contract is let for spraying the subdivision to minimize the breeding of mosquitoes during the summer months.

### **3.4.3 Subdivision Entrance Flags**

The care, maintenance and proper protocol for the flying of the flags at the entrances to our subdivision from Colonial parkway and Franz road are handled by a resident volunteer. Of special concern is that the flags be lowered whenever there is a problem with the lighting which prevents them from being properly illuminated at night, and that they be placed at half-staff whenever there is a State or Federal mandate to mark the passing of an important figure or a similar solemn occasion.

### **3.4.4 December Holiday Decorations**

Each year the subdivision marks the December holiday season by placing decorations on the monuments at the subdivision entrances. One of the Board members has responsibility for soliciting volunteers to handle this task and arranging for the acquisition of the decorations required.

### **3.4.5 Yard-of-the-Month**

From January through November of each year the yards in the subdivision are judged and if the resident of the one that is considered to have the best display is in good standing with the Association and agrees to accept the accolade, it is designated as the Yard-of-the-Month (YOM). A sign is placed in that yard throughout the month, a photograph and write-up are posted on the website and included in the Association newsletter. The detailed YOM step-by-step procedure is included in section 5.3.

### **3.4.6 Christmas Holiday Yard Contest**

Around the 15th of December each year, judging takes place for the Christmas Holiday Yard Contest. The awards are made to homeowners in good standing who have outstanding decorations and lights for the holiday season. The judging results in the selection of a first, second and third place prize winner. If the selected homeowners agree to accept the accolade the award recipients have the appropriate award signs placed in their lawns. Photos of these yards are posted on the website and an acknowledgement published in the February newsletter.

## **WSMA Board of Directors Duties, Responsibilities and Procedures**

The Christmas Holiday Yard Contest program judge shall be a member of the WSMA Board.

### **3.5 Security**

#### **3.5.1 Security Liaison**

Subdivision security is provided by the Harris County Sherriff's department and is supplemented via a private contract by a team of off-duty Sherriff's deputies who patrol our subdivision in unmarked vehicles. This system is managed by one of the deputies in the role of Security Patrol Coordinator. The interests of the Board are overseen by one of the Board members who is assigned the role of Security Liaison.

#### **3.5.2 Preparation of Monthly Security Reports**

Part of this responsibility is to review the monthly incident report and to present it at the monthly Board Meeting. This report is published on the Association website and in the monthly newsletter.

### **3.6 Trash Collection Service**

A major responsibility of the Board of Directors is to handle the collection of trash and recycling. This activity is performed under contract with a trash collection contractor. The provisions of this program are detailed on the Trash and Recycling page of the Association website.

### **3.7 Communications**

#### **3.7.1 Website**

The principal tool available to the Board for timely communication with residents is the Association's website – [www.WSMAonline.org](http://www.WSMAonline.org). This site has pages dealing with all items of importance to the membership and to provide feedback and comments to the webmaster on site content and construction. The site encourages all residents to register their email addresses with the Association. This provides an emailing list that the webmaster uses to send out notices to alert residents whenever new material which may be of interest to them has been added to the site and to give them immediate notification whenever significant events occur on the subdivision.

## **WSMA Board of Directors Duties, Responsibilities and Procedures**

### **3.7.2 Newsletter**

The Krenek Printing Company publishes an electronic monthly newsletter to most of the subdivisions in the area. The newsletters are customized for each subdivision providing a publication that allows the Board to communicate items of interest to the residents as well as containing local items of interest to all subdivisions in the area. The newsletter is funded by advertising revenue and is thus produced at no cost to the Association. On receipt of the newsletter (.pdf) file the Communications chairperson will post it on the Association website and send an email containing the link to it to all residents who have registered their email addresses on the site.

The Communications chairperson is responsible for preparing and or collating each month's customized material and emailing it to the printers by the 25th of each month.

### **3.8 Community Events**

In order to promote good community relations within the subdivision the Association holds events during the year that are designed to bring residents together to meet with their neighbors and others who have a role in the security and well-being of the neighborhood. Typical events include a Memorial Day parade, the annual National Night Out which is held in October of each year and a Christmas celebration. Responsibility for the management of these events is assigned to one of the Board members.

## **4.0 Other Responsibilities**

### **4.1 Welcoming of New Residents**

To welcome new residents to our subdivision, an information package is prepared and delivered to the new homeowner. The person performing this role does not necessarily need to be a Board member and the activity may be managed by a Welcoming Committee. When Crest receives notification of a change in ownership it updates its ownership records which are reflected in a weekly accounts receivable file that is sent to the Treasurer. The Treasurer then conveys the ownership change in a weekly email to those responsible for the welcoming function.

As a minimum, the material included in the information package includes a multi-page welcome packet containing the WSMA website address and information on the pool, the garbage service, subdivision security and other subjects plus a list of important phone numbers and links.



## **WSMA Board of Directors Duties, Responsibilities and Procedures**

### **4.2 Common Area Electrical Repairs**

In order to provide a consistent interface with the electrical contractors on repairs and improvements to common area electrical equipment, this responsibility has been assigned to one designated Board member. All requests for such electrical work are channeled via this person, who is responsible for obtaining quotations, presenting them for Board approval, overseeing and signing off on the work performed, and approving the submitted invoices.

An additional responsibility assigned to this person is the re-setting of the lighting timers each month in accordance with the chart in the “Clubhouse and Recreational Area Electrical Area Layout” report published on the Board Documentation Repository page of the Association website.

### **4.3 Management of Facility Keys**

#### **4.3.1 Overview of Key Management System**

To protect the integrity of the Association facilities and equipment, a system has been developed for managing and keeping track of all locks and keys, and one Board member has been assigned the responsibility for maintaining this system.

There are two categories of locks protecting Association property. These are the Clubhouse itself, including the tennis courts and the gates in the fence segregating the pool from the surrounding area, and the various other locks on the property.

The key types and the number and location of each are defined on the “WSMA Key Inventory” document posted on the Board Documentation Repository page of the Association website. Responsibility for maintaining the integrity of this document and the location of all keys rests with the designated Board member, thus this person must also have the responsibility for interfacing with the locksmith who provides most of the services involved.

The two categories of locks are discussed further below.

#### **4.3.2 Clubhouse Locks**

The locks on the doors and gates in this category are part of a unified set provided by the Association Locksmith. There are 9 different key types K1 through K9, of which the K1 is the master. The key types and the locks they

## **WSMA Board of Directors Duties, Responsibilities and Procedures**

open are also documented in the “Clubhouse Keys Directory” published on the Board Documentation Repository page of the Association website.

### **4.3.3 Other Locks**

The remaining locks, including the padlock securing a chain on the front gate to the clubhouse, are the miscellaneous set documented on the right hand side of the “WSMA Key Inventory” sheet. This sheet defines which people or organizations have personal copies of each key. This is based on their need arising from their assigned responsibilities. In addition to these a key box is located in the Clubhouse hall storage closet closest to the restrooms. This box contains one clearly labeled copy of each key type. The designated Board member with responsibility for the key system holds a complete backup set for security purposes. This person is also the temporary custodian of any spares.

### **4.3.4 Key Audit**

To verify the ongoing integrity of the key management system to prevent any degradation as the composition of the Board changes, an audit of the keys will be conducted periodically and the documentation updated accordingly.

## **4.4 Playground Safety Inspections**

To monitor the condition of the playground equipment a safety inspection is performed by a designated Board member every three months. These inspections are conducted using the Playground Safety Self-Inspection Checklist given in section 5.5. Any issues requiring attention and the corrective action taken are documented.


A completed checklist documenting each inspection is retained on file by the designated Board member, posted on the Crest website and is available for audit as required.

## **5.0 Attachments**

The following attachments are sample statements and letters that will be sent out in accordance with the circumstances defined in the foregoing procedures.

**WSMA Board of Directors Duties, Responsibilities and Procedures**

**5.1 Annual Statement**



**STATEMENT**

WILLIAMSBURG SETTLEMENT  
MAINTENANCE ASSOCIATION

BILLING INQUIRIES:

EMAIL: joanne.mcintyre@crest-management.com  
CALL: (281) 945-4622

PROPERTY ADDRESS	
OWNER	
STATEMENT DATE	1/01/16
PAST DUE IF NOT PAID BY	1/31/16
REMITTANCE ADDRESS	PO BOX 52313, PHOENIX, AZ 85072-2313
PAY ONLINE/MANAGE YOUR ACCOUNT AT WWW.CREST-MANAGEMENT.COM	

MANAGEMENT ID	ASSOCIATION ID	ACCOUNT NO
3130		129E1801046

REFERENCE	DATE	CODE	DESCRIPTION	AMOUNT	BALANCE
	1/01/16	I	2016 Maint Fees		
<b>CODES</b>				<b>AMOUNT DUE ▶</b>	
	C - CR MEMO D - DB MEMO	P - PAYMENT I - INVOICE	A - DISCOUNT ALLOWED F - FINANCE CHARGE		

Please remit this coupon with your payment and mail in the envelope provided.

WILLIAMSBURG SETTLEMENT  
MAINTENANCE ASSOCIATION  
  
PO BOX 219320  
HOUSTON, TX 77218-9320

TOTAL AMOUNT DUE BY 1/31/16:		
MANAGEMENT ID	ASSOCIATION ID	ACCOUNT NO
3130		129E1801046
PAY ONLINE/MANAGE YOUR ACCOUNT AT WWW.CREST-MANAGEMENT.COM		
MAKE CHECK PAYABLE TO		

WILLIAMSBURG SETTLEMENT  
MAINTENANCE ASSOCIATION

Remittance Address:

WILLIAMSBURG SETTLEMENT  
MAINTENANCE ASSOCIATION  
C/O CREST MANAGEMENT CO  
PO BOX 52313  
PHOENIX, AZ 85072-2313

3130 000ESP 00000129E1801046      0000000 062500 9

June 8, 2020

## WSMA Board of Directors Duties, Responsibilities and Procedures

### 5.2 Violation Letters

#### 5.2.1 First Notification Letter

[CommunityName]  
c/o Crest Management Company  
P.O. Box 219320  
Houston, Texas 77218-9320  
Phone: (281) 579-0761 Fax: (281) 579-7062  
www.Crest-Management.com

[Name First] [Name Last]  
[Name2]  
[Address]  
[City], [State/Province] [ZIP/Postal Code]  
\*[AccountNumber]\*

[Letter Date]

### COURTESY NOTICE

RE: Inspection Date: [Violation Date]  
[Violation Description]

Dear Member:

In an effort to maintain the aesthetics and value of the community, Crest Management Company, as agent for your Homeowners Association, performs regular inspections of your community. On behalf of your Association, we would like to make you aware of the above referenced condition(s) that was noted on our last inspection.

While it is neither the intention nor the desire of the Association to cause property owners expense or inconvenience, it is the responsibility of the Association to enforce the Covenants, Conditions and Restrictions for the benefit of all property owners. Therefore, we are asking your cooperation in correcting the conditions in a timely manner.

Should you have any questions regarding this matter, please contact us at [Phone]. Should you require a copy of the Covenants, Conditions and Restrictions governing your community, please visit our website at [www.crest-management.com](http://www.crest-management.com).

If this condition has already been corrected, please accept our appreciation and disregard this notice.

Respectfully,

[Manager]  
Agent for the Association

[Phone]  
[E-Mail]  
[Initials]

June 8, 2020

## WSMA Board of Directors Duties, Responsibilities and Procedures

### 5.2.2 Second Notification Letter

[CommunityName]  
c/o Crest Management Company  
P.O. Box 219320  
Houston, Texas 77218-9320  
Phone: (281) 579-0761 Fax: (281) 579-7062  
www.Crest-Management.com

[Name First] [Name Last]  
[Name2]  
[Address]  
[City], [State/Province] [ZIP/Postal Code]  
\*[AccountNumber]\*

[Letter Date]

### REMINDER NOTICE

RE: Inspection Date: [Violation Date]  
[Violation Description]

Dear Member:

On our most recent inspection it was noted that the above referenced condition exists. In order to help maintain property values for your community, strict enforcement of the Covenants, Conditions and Restrictions is necessary. Thus, we once again ask for your cooperation in correcting the condition by [Violation Due Date].

Should you have any questions regarding this matter, please contact us at [Phone]. Should you require a copy of the Covenants, Conditions and Restrictions governing your community please visit our website at [www.crest-management.com](http://www.crest-management.com).

Respectfully,

[Manager]  
Agent for the Association

[Phone]  
[E-Mail]  
[Initials]

June 8, 2020

## WSMA Board of Directors Duties, Responsibilities and Procedures

### 5.2.3 Final (209) Demand Letter

[CommunityName]  
c/o Crest Management Company  
P.O. Box 219320  
Houston, Texas 77218-9320  
Phone: (281) 579-0761 Fax: (281) 579-7062  
www.Crest-Management.com

[Name First] [Name Last]

[Letter Date]

[Name2]

[Address]

[City], [State/Province] [ZIP/Postal Code]

\*[AccountNumber]\*

### CERTIFIED DEMAND LETTER

RE: Inspection Date: [Violation Date]

[Violation Description]

Dear Member:

This letter is to request that you cure the above-referenced violation(s) of the Covenants, Conditions and Restrictions by [Violation Due Date].

Please be advised you may also request a hearing before the Association's Board to discuss and verify facts, and hopefully, resolve this matter. Your request must be in writing. In addition, you must request the hearing before the Board on or before the 30th day after you receive this letter. If you request a hearing before the Board you will be notified in writing of the date, time and place of the hearing not later than ten (10) days before the date of the hearing.

Please be further advised if you do not cure the violation(s) referenced in this letter by [Violation Due Date], this matter may be turned over to the Association's attorney and you will be charged all reasonable attorney's fees with other reasonable costs incurred by the Association related to enforcing the deed restrictions. These fees and costs can be a substantial amount.

If you are serving on active military duty, you may have special rights or relief related to this enforcement action under federal law, including the Service Members Civil Relief Act (50 U.S.C. app. Section 501 et seq.).

We trust that your interest in your community will prompt you to comply with the Covenants, Conditions and Restrictions. Please contact us at [Phone] if you have any questions regarding this matter.

This letter is being sent via certified and regular mail.

Respectfully,

[Manager]

Agent for the Association

[Phone]

[E-Mail]

[Initials]

## **WSMA Board of Directors Duties, Responsibilities and Procedures**

### **5.3 Yard-of-the-Month Procedure**

The procedure to be followed each month for the selection and award of the Yard-of-the-Month winner shall be conducted in the following 7 steps:

- Step 1 - By the 15<sup>th</sup> of previous month, complete judging and select a winner and a runner up.
- Step 2 - Email these to Crest, which will check that:
  1. They have not won the award within the last two years
  2. They are current on all maintenance fees and any other outstanding costs
  3. They have no current deed restriction violations
- If one or more of the above problems exist, make another selection and return to Step 1.
- Step 3 – Inform the winner of their selection. If they accept, interview them to collect:
  1. Information for the descriptive article on the award
  2. Their approval to have photographs taken and published on the website

If the winner declines to accept the award, repeat Step 3 for the runner up.

If the runner up declines also, return to Step 1

- Step 4 - By the 22<sup>nd</sup> of the month:
  1. Inform Crest of the acceptance so that a congratulatory letter can be sent to the winner
  2. Prepare write-up for publication in the Newsletter and on the website and email this to the Communications Chairperson.
- Step 5 - Communications Chairperson integrates YOM write-up with other inputs and emails to Krenek Printing, the publishers of the emailed monthly Newsletter.
- Step 6 - On the 1<sup>st</sup> of the month, remove the YOM sign from the previous winner's yard and install it in the yard of the current month's winner, take photos and email these to the Communications Chairperson (Currently [dave@daveellis.com](mailto:dave@daveellis.com)).

**WSMA Board of Directors Duties, Responsibilities and Procedures**

Step 7 - Communications Chairperson posts the photographs of the YOM and the accompanying write-up on the YOM page of the website.

The procedure for the Holiday Decoration contest is the same as above except that the Holiday Decoration Signs for the first, second and third place winners are used.

Signs not in use are stored by the YOM Chairperson, usually in the clubhouse attic.



## WSMA Board of Directors Duties, Responsibilities and Procedures

### 5.4 Records Retention Schedule

#### WILLIAMSBURG SETTLEMENT MAINTENANCE ASSOCIATION RECORDS RETENTION SCHEDULE

<p><b>PERMANENT</b></p> <p>Articles of Incorporation                  By-Laws                  Deed Restrictions                  Minutes of Board and Annual Meetings                  Architectural Review Committee (ARC) Documentation &amp; Exterior Modification Request (EMR)s                  Letter granting HOA tax exempt status                  1993/1994 Perimeter Fence Project</p>
<p><b>SEVEN YEARS:</b></p> <p>Financial Information:                  - Budgets                  - Bank Statements (Financial Reports)                  - Paid Invoices and Check Copies including Maintenance &amp; Repair Records                  - Year End Uncollected Account Records (Delinquencies)                  - Year End General Journal Entries                  - Property Appraisals and Reserve Studies                  - Audit Reports                  - Tax Returns and Payment Receipts</p> <p>Homeowner Correspondence                  Account records of current owners                  Election check-in sheets (Note - Ballots and Proxies are shredded after 15 days)                  Vendor Contracts of a term of one year or more;                  Insurance Policies                  Insured Property Damage Reports and reconciliations</p>

Records not listed above are not subject to retention. Upon expiration of the retention date, the applicable records will be considered not maintained as part of the Associations books and records and will be periodically purged and paper records shredded.

## WSMA Board of Directors Duties, Responsibilities and Procedures

### 5.5 Playground Safety Self-Inspection Checklist

THIS CHECKLIST DOCUMENTS THE PERIODIC SAFETY CHECKS OF THE OUTDOOR PLAY AREA CONDUCTED TO REDUCE THE POTENTIAL FOR ACCIDENTS AND INJURIES:

- CHECK THE EQUIPMENT FOR CRACKS, BENDING, WARPS, RUSTING, OR BREAKAGE OF ANY COMPONENT
- CHECK FOR ANY CRACKED ITEMS THAT MAY POSE A PINCHING HAZARD
- CHECK FOR LOOSE NUTS, BOLTS, AND CAPS OR PROTRUDING BOLTS WITH SHARP EDGES AND NO CAPS
- CHECK FOR RUSTY EQUIPMENT
- CHECK THE CHAINS ON SWINGS TO SEE THAT THEY ARE SECURELY ATTACHED
- CHECK FOR VANDALISM
- MONITOR PLAY AREA FOR ANIMAL FECES, POISONOUS PLANTS OR OTHER DEBRIS
- CHECK THE ENERGY ABSORPTIVE MATERIAL UNDER AND AROUND THE PLAY EQUIPMENT, RAKE IF NECESSARY
- CHECK FOR TRIPPING HAZARDS, SUCH AS EXPOSED FOOTINGS, ROOTS, ROCKS, ETC.
- CHECK FOR SLIPPING HAZARDS, INCLUDING ACCESS PAVEMENT
- CHECK FOR BROKEN SUPPORTS/ANCHORS
- CHECK FOR LACK OF LUBRICATION ON MOVING PARTS
- CHECK FOR POOR DRAINAGE AREAS
- CHECK FOR CHIPPING OR PEELING PAINT ON ALL EQUIPMENT
- CHECK FOR SHARP EDGES AND POINTS ON FENCES, PLAY EQUIPMENT, ETC

ANY OBSERVED ISSUES REQUIRING CORRECTIVE ACTION:

---

---

SIGNATURE AND POSITION OF PERSON COMPLETING THE ABOVE INSPECTION CHECKLIST

DATE OF INSPECTION