

THE NEW PROPERTY OWNERS ASSOCIATION OF NEWPORT, INC.

Minutes of Board of Directors Meeting

April 2, 2015

Call to Order

A regular monthly Board of Directors meeting of The New Property Owners Association of Newport, Inc. was held on April 2, 2015, beginning at approximately 5:53 p.m. Those directors in attendance were Nancy Gaudet, Jim Bailey, Eileen Fashoro, and Earl Boykin. Carol Jones represented the association. Dan Kasprzak, NPOAN corporate attorney was also present.

Amanda Shaw was absent and gave her proxy to Nancy Gaudet; Margarette Chasteen was absent and gave her proxy to Nancy Gaudet; Dan Webb was absent.

Minutes

A motion was made by Earl Boykin to approve the January 22, 2015 minutes as corrected. The motion was seconded by Jim Bailey. The motion passed unanimously.

Financials

The manager presented the February financials. A motion was made by Earl Boykin to approve the financials as submitted. The motion was seconded by Jim Bailey. The motion passed unanimously.

A motion was made by Earl Boykin as accept the write off's for January through March in the amount of \$12,909.24. The motion was seconded by Jim Bailey. The motion passed unanimously.

Discussion/Action Items

Developer Agreements - At the December 10, 2014, meeting Jim Carpenter, the Developer Director, addressed the Board with regard to the Developer Agreements (defined below) between the Developer and the NPOAN. His concern was the complexity of the Board had changed over the past fifteen years and no directors remained that were involved in the negotiations of the Developer Agreements. Mr. Carpenter wanted assurance that the Board understood the terms of the Developer Agreements. The Board requested time to become familiar with and investigate the Developer Agreements. Having now reviewed the Developer Agreements and having received assurance from the Developer that Developer will waive existing defaults, if any, under the Developer Agreements, the Board acknowledged the Developer Agreements. After the Executive Committee reviewed the documents and met with the Association's attorney, the Executive Committee recommends, upon receipt of a letter from Rampart waiving any existing defaults, if any, under the Developer Agreements or any other agreements between the developer and the Association, the following motion be entered into the minutes.

A motion was made by Earl Boykin that the Board of Directors accept the attached letter from Rampart Holding LLC ("Developer") waiving any defaults, and further that the Board

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acknowledges that: (1) the Agreement of Understanding, the Assignment of Rights and Assumption of Obligations Agreement and the Voting Rights Agreement, Release and Indemnification Agreement and Covenant Not to Sue, Access, General Agreement and Covenants Running with the Land, Settlement Agreement October 17, 2002 (fences) and amendments thereto between the Developer and the NPOAN (the "Developer Agreements") have been and remain in full force and effect; (2) the definition of "Qualified Land," as such term is used in the Voting Rights Agreement, as amended, means real property owned by the Developer or Developer parties within the boundaries of Newport or any real property now or in the future owned by the Developer or Developer parties which is adjacent to Newport, excluding platted and developed single family lots existing as of February 12, 1999; (3) pursuant to the terms of the Developer Agreements, prior written consent from the Developer is required for the construction of any model home in the Newport subdivision for a builder other than a Developer approved builder; and (4) the Developer's rights and authority regarding signage remain in full force and effect pursuant to the provisions of the existing deed restrictions and the terms of the First Amendment to Agreement of Understanding. The motion was seconded by Jim Bailey. The motion passed with Eileen Fashoro abstaining.

The manager reported that she had made repeated request for the bid on mosquito spraying from Cypress Pest Control but had not received a bid. She presented another bid she received from a new company. The board reviewed the bid and took no action. The manager further informed the Board that she had met with the principals of Hunters Pest Control and conveyed the resident's concerns regarding the mosquito spraying.

The manager reported that she had met with Sunbelt Landscaping and viewed all of the landscape beds including the entrance at Seven Oaks North which was not part of the 2014 contract. The section is sufficiently built out to have the landscaping taken over by the Association. The manager also requested adding new landscaping around the fountain on Bar Harbor. A motion was made by Earl Boykin to amend the existing landscape contract with Sunbelt to include the entrance to Seven Oaks North and to add a landscape bed around the fountain on Bar Harbor. The motion was seconded by Jim Bailey. The motion passed unanimously.

The manager requested the board approve the purchase of additional pool furniture, benches to be placed along the walk on Newport Boulevard and trash receptacles. A motion was made by Jim Bailey to expend up to \$12,000 for the requested items. The motion was seconded by Eileen Fashoro. The motion passed unanimously.

Manager's Update

The manager reported the following:

- Landscaping – I reviewed all of the landscape beds with Sunbelt and we are about to change color and mulch the beds
- I had John order fertilizer (weed and feed) for the esplanades and other common areas. This should be here and put out in next 7-10 days.
- Having ruts filled in on Newport Blvd and circle on Newport Blvd.
- Tractor had four new tires installed

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- Irrigation – Texas Rainmakers will assess all of our irrigation next week. I requested they install a faucet by the gazebo so that we can power wash the floor. I will see what we can do to avoid others from turning it on.
- Custom Structures will be replacing all of the handles on the storage units in the next 2-3 weeks
- Pads have been poured at lake and river parks for four new tables
- Four fire rings have been ordered
- Survey necessary for building permit for garage should be completed by end of next week
- Repairs will be made to brick wall in Patiowoods
- Tennis courts – all of the screens on the tennis courts are in the process of being replaced
- Ordered additional shade for pool and replacement of torn shade (part of capital improvements)
- Centerpointe – excessive power surges – After making several inquiries, I received a telephone call from Carlton Porter regarding coordinating a massive tree trimming project in Newport. Centerpointe feels this is part of the problem for the power surges.

Executive Session

Collection Report
Employee matters

New Business.

Next Meeting. The next meeting will be the quarterly meeting on April 9, 2015

Adjournment There being no further business, upon motion made by Eileen Fashoro and seconded by Earl Boykin, the meeting adjourned at 7:10 pm.

Respectfully submitted,

Carol Jones,
Community Manager

APPROVED:

Margarette Chasteen, Secretary