

Board of Directors

Fort Clark Springs Association, Inc.

Regular Meeting

Saturday, November 20, 2021



The Board of Directors of Fort Clark Springs Association Inc., met in a regular session on Saturday, November 20, 2021, in the Boardroom, Fort Clark Springs, Kinney County, Texas. The meeting was called to order at 9:06 a.m. by President Travis Huey. The following directors constituted a quorum: President Travis Huey, Vice President Linda O'Brien, Treasurer Bill Herman, Director Memo Guzman, Secretary Robert Mumme (Zoom). Also present were Executive Officer/General Manager, Alan Peterson and Executive Secretary, Julie Moreno.

APPROVAL OF MINUTES from Regular Board Meeting on October 16, 2021. **Motion to Approve Minutes by Vice President Linda O'Brien; 2nd Treasurer Bill Herman. Motion Approved Unanimously.**

SECRETARY'S REPORT: Secretary Robert Mumme reported a response from a letter by Megan Vale, Wandering Cats, stating Wandering Cats has gotten six traps. She is asking for a donation of \$76.00 for cage dividers. Also, reported by Secretary Robert Mumme was an email from Frances Bitter: I assume the arrangement for tankers from Del Rio bringing in gray water from the National Guard RV Park is with MUD. What is the arrangement, how is it going to affect our sewer system, why are the tankers driving through Unit 38 after they dump, and who is going to pay for any road damage to Fort Clark, Scales Road and Unit 38's streets?

TREASURER'S REPORT: Treasurer Bill Herman reported for October, 2021:

The update on the deer harvest is \$77,450.00 year to date.

- I. Total Cash on Hand as of November 19, 2021
 - A. Total Cash on Hand - \$695,731.68
- II. Breakdown of Restricted Fund
 - A. Letter of Credit - \$152,000.00
 - B. Owed to Preservation Fund - \$1,831.00
 - C. Available to Fort Clark Springs Association - \$320,452.20
 - a. Total Balance of Restricted Fund is \$411,485.69.
- III. Motel Revenue for October, 2021:
 - A. Room Count - 857
 - B. Monthly Income - \$46,483.00
- IV. Member Services Report for October, 2021
 - A. Total Revenue Member Services - \$9,125.00
- V. Collections Report for October, 2021
 - A. Total Collected Current Month - \$8,107.00
 - B. Total Collected Previous Month - \$12,452.00
 - C. Total Collected Previous Year Comparison - \$14,422.00

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- VI. Fort Clark Springs Association Profit and Loss / Balance Sheet
 - A. Current Month
 - a. Total Income \$226,587.16
 - b. Total Expenses \$179,201.85
 - c. Net Income / Loss Before Depreciation/Bad Debt \$47,385.31
 - B. Year-to-date
 - a. Total Income \$226,587.16
 - b. Total Expenses \$179,201.85
 - c. Net Income / Loss Before Depreciation/Bad Debt \$47,385.31
 - C. Balance Sheet Year-to-date
 - a. Total Assets \$1,200,564.74
 - b. Total Liabilities and Equity \$1,200,564.74

EXECUTIVE OFFICER/GENERAL MANAGER REPORT: EO/GM Alan Peterson reported that last year our net income was \$105,581.00, which included over \$70,000.00 in the special assessments. We are about \$35,000.00 ahead of last year. We are only \$465.00 off of our budget for October. I will reevaluate the budget for this next month. We will have higher occupancy in the motel, so I will adjust those numbers to reflect what we are getting from DPS. Our expenses are right in line where we expect them to be. We are working on trying to rationalize the accounting as we have on all our bank accounts, which one is preservation. The money has never been transferred the way it is supposed to be. The number you are getting is the amount to be transferred each month, which is inaccurate because you need to have the account total. Our maintenance department is 100% staffed. We are short one Landscaper, one RV Park Attendant, and need one more Bartender. I am working on a recreation proposal to fix up the Teen Center into a Fitness and Aerobic Center with strength training equipment as well as working on proposals for the tennis courts. In the Teen Center, I want to address strength and cardio activities for adults and teens as well as arts and crafts. We are rehabbing the maintenance shop in the Golf area. The Protel reservation system is online for Motel and the RV Park and will go live December 1st. 2 HVAC systems are out in needed areas - Service Club and the Accounting Office. I will have proposals this week. Sherry has had a very good month selling pumpkins. The Halloween Events went really well. The Service Club is rented every weekend next month. I have not heard MUD's final scope of work on how they will get the ditch filled up on Fairway Circle. They have an agreement with the National Guard to dispose of at least one truckload of waste a day which they should be coming in from the back gate. Director Comments.

COMMITTEE REPORTS:

Airport Committee - by Vice President Linda O'Brien: One pilot visited the Fort this month. The airfield was mowed three times, to include the overgrown area by fort maintenance. A new windsock was purchased and installed. The light at the hangar remains inoperable, and we have not been provided any updates on when/if it will be repaired.

Architectural Committee - by Lisa Vale: The Architectural Committee has reviewed six permits including two new builds. One permit was referred for a variance and one was referred to the Board. Also, we reviewed one repair application that is for like to like colors which did not need our approval. We issued

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one violation of the cc&r's. We are still working through some bugs in the process and we are in dire need of new volunteers.

Golf Committee - by Vice President Linda O'Brien for Katie Brown: The Kinney County Church Alliance Tournament was held on October 30th with 16 two-man teams. The weather was perfect, the lunch provided by the Feed Bag Bistro was exceptional and the church ladies provided a variety of desserts. In addition to the sponsorships, the tournament netted \$795.00 for the Alliance to provide for commodities and other benevolence work in Kinney County. The leftover desserts were donated for the luncheon FCSA provided for the Troopers the following Monday. The End of Month Tournament is scheduled for November 27th followed by the Kris Kringle Tournament on December 11th.

Preservation Committee - by Vice President Linda O'Brien for Phil Coburn: Preservation has been very inactive this month. I tried to have a meeting but didn't have a quorum. I may try again before the end of the month.

Recycle Committee - Helena McBride: We will be closed for Thanksgiving and will reopen the following Saturday after Thanksgiving. I have reviewed from 2016 to present including two shipments that we sent in this year. Total amount is \$11,805.00. How many tons did we keep out of the landfill? 284.85 tons. Pounds? 284.85 tons times 2,000 equals 569,700 pounds. We have enough for one more shipment the first week of December.

Las Moras Restoration Project - by Helena McBride for Chris Hale: We are in the process of raising money, prioritizing the future repairs and sorting out the availability of the necessary craftsmen. None of which is easy, but we are making progress. One topic which we did ask about last month is we are still waiting on the instruction from the Board and General Manager for the paint color to use for the light pole that needs to go back in the sidewalk that has been repaired. Sticking with status quo would mean keeping the two-tone with red at the base.

Election Committee - by Sandy Hagen: We have received two candidate data sheets. One from Lisa Vale and one from Chris Race. I would encourage the Board and Members that if you have neighbors and friends who would make an excellent Director, to please have them turn in a candidate data sheet. They have until January 3rd, 2022 at 5:00 p.m. I would like the Board to consider having pre and/or post candidate meetings. Director Comments. Member Comments.

By-Laws Committee - by President Travis Huey: This Committee is still on pause.

COMMUNITY COUNCIL REPORT by Kathi Warm: Community Council had their meeting on November 13th. Topics: December 16th is Movie Day - Prancer at the Post Theater. 8:30 a.m. for the school children and 7:00 p.m. for families. Ghostly Tours is one of our biggest fundraisers and did very well. The Treasurer's report at the end of October was \$324.30. Fort Clark Days Account was \$7,342.26. Ghostly Tours netted \$841.43, which has not been reflected into the October balance. Fort Clark Days is looking for donations and the sponsorship letters are going out to the businesses. January is our Annual Meeting. There are two positions for the newly elected officers - President and Treasurer, which are 2-year terms. The Nominating Committee is HN Bitter, Dennis Leff, Barbara McFadden and Kathi Warm. We have been asked to do a Board of Directors Candidate Information Session. This will be at our December 11th meeting. It is an informal meeting for the current board members to provide information about what

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they do and what their responsibilities are. We are also going to do the Fort Clark Board of Elections Meet the Candidates at the February 12th meeting. It will be held at the Post Theater immediately following the Community Council Meeting. Allison Watkinson will be the moderator. Concerns and Comments: What are the policies of the Board of Directors regarding the Fort employees who have an active COVID-19 case and have direct contact with guests and visitors? What is the situation of the large vacuum trucks that are dumping liquid into the Fort's sewer system? A resident was told by a driver that it is gray water from the Del Rio National Guard Camp and did not know why it is being dumped there. Some of the trails have a 15 mph speed limit. A large vehicle was seen driving on them even though they are not allowed. The exercise room at the Adult Center is in a state of disrepair. Teens are using the equipment, smoking pot, breaking windows and they go in and out of the building without signing in. RV breakfasts need more advertising. Put in dispatch. The breakfasts and potlucks are just not for RV residents, they are for everyone.

NEW BUSINESS/ACTION ITEMS:

Action Item 1: Presentation: Texas State Guard. Chief Harold gave the Presentation. He is with the Texas State Guard. Our objective is to give back to the Community. He is a Texas License to Carry Instructor and would like to offer training at no cost to the Members. Second, we would also like to offer the NRA Basic Pistol and Rifle Class to the youth in the Community as well. I am a trained counselor for the NRA which means I teach people to teach people. The only cost would be the cost of the materials. There would be no cost of the actual class itself. We would also like to make available a Personal Protection Inside the Home Class which teaches homeowners how to effectively defend inside their house. Again, it would be just the cost of materials. Director Comments. Member Comments. Per President Travis Huey, this is listed as an Agenda Item, but no action needs to be taken at this time. This is an operational procedure.

OLD/UNFINISHED BUSINESS:

Tabled Item 1: Rules & Regulations Change - Dogs Barking. This item will continue to be tabled.

Tabled Item 2: New Lease for Wastewater Treatment Area. President Travis Huey reported that this is a dynamic situation. Over the last month, I've had a conversation with the attorney outlining the situation around the lease that was presented to us back in April. We have since been given one separate lease after that. Board Members have gone through mounds of paperwork. We have boiled this down to about 14 documents that will outline and paint the picture of our relationship with the Utility District and the City. I created a timeline starting back in 1992 when we first started to work with the current location of the wastewater treatment plant. Prior to that, the wastewater treatment plant was on three acres which is now the recycle center. In 1992 and over a year in process we finally got the first 40 acres deeded to the utility district. Subsequently, the City of Brackettville leased that property from the utility district. They have an operating agreement between the three parties - the Fort, the City and the Utility District as to how the operations of the facility will run. All of that is backed by a permit that was filed with TCEQ. This permit is on file with TCEQ and started all the way back to 1994. It's updated several times. Now we spring forward to 2019. When you reach 75% capacity on a monthly basis of your facility, you must start engineering for your next facility. At that time they started looking at the growth of the facility and they came to the Board and asked for an additional 40 acres to go with their permit. That was given to them on a deed and a lease totalling about 83 acres. In the permit going back before 2008, it outlines how the facility is supposed to be run, what they can and can't use, their methods, how much can they distribute into the creek if necessary,

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how much affluent water they can spray on any land they use or acquired to do that. That was what we were given in April of 2020. A lease that they thought was for the additional 40 acres which had already been signed by the Board, turns out that once the Board started to dig into this, it was actually for the affluent water for the irrigation system on the Golf Course. This is an entirely different situation, which made us start to dig deeper. Now we have all these documents that outlines our relationship from 1992 until now with the City of Brackettville, the Utility District and the Fort of what services are provided and who is responsible for which items. The permit also shows, which is now under renewal, cost, testing and responsibilities of different entities that are associated with that permit. Those do not align with the leases we have been given. It also has a substantial impact on where the cost lays. We even found documentation in the mid-90's which talks about another issue that has come up between the Utility District and the Association, which clearly states that the utilities cannot delegate or contract with other entities or their responsibilities they have permitted for. That's where the issue lies in leases that we have been presented. We have asked for communication from the Board of Directors with MUD on how we can present them with material that we have found and chronicled for them so they can understand what they are asking of for and what their responsibilities are. This Board has not received communication on how we can properly talk with them and any sort of communication has been somewhat forward about that we just need to sign this lease and we won't, which is the case and why we are in many situations that we are in today. As soon as I can get a way to communicate with the entire MUD Board, we will move forward and we will present them with our documentation and we will understand what we can do to get this lease signed so we can still operate the facility moving forward. Director Comments. Member Comments. **This item will continue to be tabled.**

Tabled Item 3: Reinstating Reveille and Taps. This item will continue to be tabled.

Tabled Item 4: Wandering Cats Donation. Megan Vale stated that she needs \$76.00 for cage dividers. Director Comments. **Motion was made to approve the donation of \$76.00 to Wandering Cats by Vice President Linda O'Brien, 2nd Director Memo Guzman. Motion passed unanimously.**

DISCUSSION ITEMS:

Discussion Item 1: Annual Audit. President Travis Huey reported that last week he attended a Board Seminar for separate organizations. We have our audit done by an outside firm. One of the processes from this other organization is required that the Auditor sit with the Board of Directors and explain all of the audit topics that were in the audit. In the past, our Auditor does not have the time to do this because of the time of year the audit takes place. For this year, we should be thinking about what our scope of work will be and try to disseminate that to the Auditor so we set our expectations around what we want as a Board, what we want for the Membership and how we are going to move forward. Member Comments. Director Comments. No motion necessary.

NEW BUSINESS/ACTION ITEMS (Continued from above):

Action Item 2: Capital Budget Resolution. Documentation was sent to the emails of the Board of Directors on the Capital Budget Resolution. We have an operational budget that is required by the General Manager to be presented and approved by the Board for the fiscal year. This would go a little bit further and require a Capital Budget to also be presented and approved by the Board. Director Comments.

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The Resolution Establishing the Requirement of the Presentation and Approval of a Capital Budget for Each Fiscal Year. BE IT RESOLVED by the Board of Directors of and for Fort Clark Springs Association, Inc. that a capital budget be presented and approved no later than September of each year for the following fiscal year starting in October. This budget shall be prepared and presented by the General Manager in an open form where members may participate in the discussion.

This item will be tabled.

ANNOUNCEMENTS: December 4th - Kinney County Frontier Christmas; thank you to everyone who participated in the Fall Festival, the Halloween Ghostly Tours, the Halloween Parade, and the Pumpkin Patch. Also thank you to the Historical Society for the Veteran's Day Celebration and the event at the Bandstand with Taps. Director Memo Guzman thanked Linda O'Brien and her volunteers for painting the propane tanks. Thank you to Ann Barron and Vickie for cutting shrubs. We need volunteers.

ADJOURN to Executive Session: 10:49 AM

RECONVENE REGULAR OPEN SESSION: 12:51 PM

During Executive Session discussion, no action was taken. We have some correspondence to release to Committees and to Members of the Fort.

NEXT REGULAR BOARD MEETING: Next meeting will be Saturday, December 18, 2021, Fort Clark Boardroom, 9:00 AM. Seating will remain the same unless notified that there are changes with the COVID-19 pandemic.

ADJOURNMENT: Meeting was adjourned at 12:52 PM. **Motion made to Adjourn Meeting by Director Memo Guzman, 2nd Vice President Linda O'Brien. Motion passed unanimously.**

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