

**Fairways of Sherrill Park HOA
2011 Planning Committee
Recommendations**

2011 Committee Members: Michael Krantz (chair), Daniel Balley, Ron Coleman, John Fritsche, Diane Lauder, Sandy Lauder, Mark Parsons, Susan West

Summary of Recommendations from the 2011 Planning Committee

The Planning Committee notes the most important issues facing our community in the next few years are likely to be growth and security:

1. **Growth:** Development along the Renner Rd/GBush Fwy (US-190) strip from Jupiter Rd to Central Expwy (US-75) – especially along Wyndham Ln north of Renner.
2. **Security:** Increased crime (increased from near-zero), which should be expected as a result of the above development.
3. The Planning Committee also notes the following, ongoing items:
 - a) Recent development of the HOA web site and continued enhancement going forward.
 - b) Neighborhood cohesion and general enjoyment of our community by all of our neighbors.
 - c) Adoption of the principle of "Do No Harm" in determining when and how the Association should take action.
 - d) Recognizing our *de facto* rules and applying them in a fair and positive manner.

The Committee recommends the following action items and notes the following items of interest for the FoSP HOA Board of Directors:

1. **Update on local zoning and development.** From December through February of the past year, several HOA Presidents (including FoSP, Crowley Park and Sherrill Park North) conducted discussions and negotiations with City staff and landowners/developers regarding zoning changes for the TOD (Transit-Oriented Development) tracts and adjacent tracts including the Parliament Group tract on the north side of Renner Rd between Plano Rd and Wyndham Ln. These community leaders facilitated an agreement whereby:
 - a) The zoning measure was modified to limit the number of apartments that could be constructed in the TOD tract.
 - b) Additional apartments (beyond the new zoning allowance) in the TOD tract would require further re-zoning, including City approval and public hearings.
 - c) Additional traffic lanes at intersections would be provided to offset increased congestion on Renner Rd.
 - d) No apartments may be constructed within 600 feet of Renner Rd in the Parliament tract.

It was also determined that construction of apartments in the Parliament tract appears unprofitable and unlikely, except perhaps in the NW section near the GBush-190/Plano Rd intersection.

The corner plot along Renner Rd east of Wyndham and west of the Church has been purchased for a data center, which is especially benign in terms of impact on the community.

Nothing further has transpired concerning development of the tracts between Wyndham Ln and US-75. This may certainly be attributed to the weak economy and also possibly to limited attraction of these locations for retail business.

The HOA Board should continue to pay attention to events related to land developments in these tracts, going forward. In summary, the tentative outlook appears to range from benign to positive (as much as can be expected, since development of some kind is inevitable); however, developments that could negatively impact our residential communities remain possibility. Should detrimental developments appear on the horizon, then the HOA might be able to support mitigation – although, it's not certain how much influence (if any) we could exert.

In any event, development of these tracts is inevitable, and will certainly result in increased crime and increased traffic through the neighborhood. As a practical matter, this cannot be avoided. Our focus should be to mitigate these problems as much as possible and do what is within our ability to encourage developments that improve or maintain our property values.

2. **Accounting and Treasury Matters.** The Committee recognizes (with thanks) that the current Treasurer, Daniel Balley, has continued to restore and improve the finances of the HOA.

The Board should take steps to ensure consistency and continuity in accounting and in the maintenance of HOA financial records. This function can be distinct from filling the Office of Treasurer – the Treasurer must sign checks, understand the HOA's financial situation and take overall responsibility for oversight of accounting and financial records.

However, the Treasurer need not be a voting Member of the Board (i.e., an elected Director). Also, the actual bookkeeper need not be the Treasurer, attend meetings, or even be a volunteer. This allows for some flexibility based on volunteer availability for different tasks, going forward.

3. **Neighborhood Spirit.** This past spring, the HOA Board finally resolved divisive issues and events of recent years by concluding a final settlement. The Committee recommends that the Board continue to foster further mending and cohesion of the neighborhood, and the Activities Director consider sponsoring an additional social event or activity (building on the recent success of the National Night Out), such as Movie Night, Golf Outing, Neighborhood Dinner, and/or Block Party.
4. **Crime Prevention.** The Committee offers several long-term recommendations for neighborhood:
 - a) **Crime-Watch Patrols:** This is a Police and Community Volunteer effort that is not under the jurisdiction of the HOA. However, it is of interest to the Association, as it is the most effective measure we can take to promote our safety and security in the long term, and it must be undertaken by volunteers in the community. The Board and neighborhood residents should continue to encourage increasing participation in this excellent and effective measure.
 - b) **Surveillance cameras:** Installed at the entrances to the neighborhood, these would provide deterrence and 24 to 72 hours evidence on request of Richardson Police (RPD).
 - i) A resident would need to host a server to store the video feed, but it would not require monitoring or much administration.
 - ii) A critical success factor is clear images (primarily of license plates) under all lighting conditions.
 - iii) Because we have only four or five entrances to the neighborhood (depending on whether we cover the Primrose south alley), a limited number of cameras would cover all vehicle traffic. When a crime occurs, we can provide the police with video of all vehicles entering before and leaving after; if not conclusive evidence, those vehicles not owned by residents are clues and probable cause.
 - iv) There is no legal obligation to get permission of residents, although it would be appropriate and desirable to get input from the neighborhood and from other residents along the Owens east and Primrose south alleys. In addition to emails (with flyers or personal contact), dummy cameras would encourage neighbors to voice their views and concerns.

v) Dummy cameras with warning signs would provide a deterrent at lower cost. These would also constitute a "test case" for neighborhood reaction.

c) **Campaign for Responsible Prevention:** Most break-ins can be prevented by taking simple steps recommended by RPD, such as keeping garage doors closed, locking cars and removing or concealing valuables. The HOA should conduct periodic campaigns for resident awareness and compliance.

d) **Night Security:** Many break-ins take place between 11 PM and 6 AM. Crime Watch volunteers tend not to patrol during this time; in fact, these hours are a problem just because this is the time when witnesses are least likely. RPD does patrol our neighborhood at night, and we can ask for more. If this is insufficient to prevent crime, then we would have to pay someone to patrol.

A professional security guard would be expensive, and we may prefer to not have outside, uniformed security.

When we start seeing more night-time crime, then we could offer to pay a neighbor or few to make regular patrols – doing exactly as the Crime Watch Patrol volunteers, but with fixed hours instead of as available. This local, unarmed security should cost much less than a uniformed security guard. In effect, the HOA would be paying someone to perform CWP on a schedule during the hours when it is most needed and no one would care to volunteer.

e) **Gates at Neighborhood Entrances:** While we might wish it otherwise, this is simply not feasible:

i) Requires change to deed restrictions and agreement by 100% of homeowners (including the Owens east alley). As a practical matter, canvassing the neighborhood for signatures requires a phenomenal effort, and it is unlikely we could get 100% affirmative action on any matter.

ii) Requires homeowners (HOA) to maintain streets, street lights, etc. (Cost, Effort, Liability)

iii) Requires collector lanes and turnaround between arterial streets and gates – there is no room for this at 3 entry ways and barely at Wyndham. (Gated communities are constructed as such; this would be the first instance of gating an existing community.)

iv) Requires barrier walls extended to gates and gating of sidewalks.

v) Result would be inconvenient to all and unsightly to many.

vi) In summary, gating the community would incur large construction and maintenance costs and substantial initial and ongoing effort. It would be a controversial measure that could not succeed without unanimous support. There are other measures that we can take to safeguard our homes with much less cost and effort and much greater overall benefit.

f) **Secure mailboxes:** Based upon the expression of some interest at the last two NNO (and previously in the community), the Committee will investigate two possible products and select one for the Board to disseminate to homeowners (to purchase individually at their own discretion) (See Appendix 1):

i) An insert with a locking door, which can be bolted to the bottom of the mailbox.

ii) A locking "Gray Door" that can be installed in the mailbox by the vendor (based in Plano).

The reason we need "insertable" mailbox security, is many of our mailboxes are built into brick housing, making it expensive to simply replace the mailbox.

With sufficient participation and organized (same-time) purchases, we could:

i) Get a volume discount.

ii) Get the "Gray Door" vendor to tailor doors to our various shaped mailboxes.

iii) Reach a "critical mass" of secure mailboxes, where the crooks who would drive around rifling mailboxes would give our neighborhood a pass.

- iv) Possibly subsidize the effort with HOA funds.
- v) There are no USPS-approved products, so this requires approval of our local Post Office. We have obtained this approval in writing. (Thanks, Sandy.)

If we don't get sufficient interest for these benefits, then we could simply disseminate the product information to the neighborhood.

Some measures can and should be taken as soon as possible. We should continue to encourage neighbors to volunteer for Crime Watch Patrol. As incidents occur, interest and willingness to participate may increase. New neighbors may be more willing. (Get 'em before they get busy or complacent!) We can conduct campaigns for secure mailboxes and responsible prevention.

Other measures require more effort and/or expense. Surveillance cameras could be deployed in the near or middle future. We probably won't pay for night security or ask for speed traps (see below) until we have more problems.

4. **Traffic.** There are two types of traffic problems – speeding residents or visitors and cut-through. This will address the latter. (For neighbors who drive too fast, we can send email and periodically request the radar trailer unit that shows our speed.)

As with other types of crime, this is related to development and the increased traffic it brings. Cut-through traffic will become a bigger problem as congestion along Renner increases. When Renner road is more of a parking lot during rush hour, then more drivers will attempt to cut through our neighborhood to get around the Renner/Jupiter intersection.

- a) Some drivers will have difficulty finding their way through. We don't want them speeding around Wyndham and Wren looking for Jupiter. A "No Outlet" sign on Wyndham at Waterford will mitigate this.
 - b) The routes to get from Renner to Jupiter reach a confluence near Waterford and Wyndmere. Anyone trying to cut through must pass through this intersection. These drivers will be in a hurry and will try to save time, so they will tend to speed, roll through stop signs, and cut across the center at turns and along the Wyndmere curves. An RPD patrol car parked up the Wyndmere cul-de-sac or at the Bluebonnet corner could deter this behavior via traffic stops. When cut-through traffic develops, we should request this assistance from RPD – eventually on a regular schedule for the evening rush hour (4:45 to 6:45 PM).
 - c) We should probably alert the neighborhood when this measure is taken, so those of us who tend to drive "familiar" would not take the officer's time.
 - d) There are other traffic calming measures available – speed bumps, speed tables and worse. We probably don't need them or want them on our streets. The Committee does not recommend this.
 - e) Presently, cut-through traffic does not appear to be a problem for us. (There is an appearance of such after school hours, when high school students and their friends come home.) We should keep these measures in mind and be alert for when this problem develops, perhaps in five years.
5. **Neighborhood Communications.** The Committee recommends:
- a) A quarterly (or so) update on status of the neighborhood email list for the Board in the form of a list of neighbors to whom we do not send email. Since email coverage has been expanded to include approximately 85% of the neighborhood, this will allow the Board to communicate important information to the remaining 40 to 45 neighbors by delivering written notices of the most important items to their doors. (The point is: 150 was too many for paper; but we can handle 40, if we know who they are.)

- b) The Committee is investigating the approximate cost of a so-called "robo dial" service.
Consider:
 - i) The HOA uses mail and e-mail to communicate with Members.
 - ii) We make available a website to attract viewers for communications.
 - iii) Why not use the phone numbers we have to send neighbors reminders of upcoming events; July 4th parade, NNO, angel tree, sending in nomination forms, annual meeting reminder, Easter egg hunt, and more. Once we know the approximate cost, the Board can weigh the cost/benefit.
- c) While not a recommendation per se, when certain emergencies come up (such as the power outage on Primrose a few years ago), then we could use the e-mail venue to notify non-impacted neighbors of the situation in case they might be able to help. The HOA should also be more proactive when possible, in terms of providing help and comfort (such as basic beverages (coffee/water/lemonade) to the stricken areas of the community, and perhaps locating refrigeration for temporary storage).

6. Web Site:

- a) The Committee notes with thanks that the HOA Webmaster, John Fritsche, has done a wonderful job renovating and building the HOA web site.
- b) The Committee notes that HOA minutes and financial statements are currently e-mailed to neighbors and are now available on the web site (behind the login so as to restrict access from the general public). Properly maintained, these can become archival documents for the HOA and enhance communication and transparency. Other forms could also be placed here, such as annual dues notices, nomination forms, proxy forms, etc. This also brings us into compliance with recent Texas state legislation.
- c) An additional section for classified advertisements should be added to the web site (behind the login), where neighbors could advertise personal services, such as kids lawn mowing, babysitting services, leaf raking, handy-man services, upcoming yard sales, specific items for sale, etc.
- d) The Referrals section is a very useful feature of the web site. Perhaps this could be enhanced with information about how many times listed companies are used? Also, with a note to call a neighbor (if they want to provide information about concerns with a vendor).
- e) We should routinely promote the website by sending neighborhood emails about new features or content, asking neighbors to "Visit our [website](#)", and providing the login credentials.

7. Physical Improvements. There are many ways, in which we could improve the Common Areas and the neighborhood borders and entry ways.

- a) Plant trees in Common Areas.
- b) Playground Equipment.
- c) Benches.
- d) Exercise stations.
- e) The City of Richardson has a Neighborhood Vitality program, which funds improvement and beautification of neighborhood entry ways and boundary structures, among other things. We should identify such improvements we would like to see in FoSP and make application to this program.

8. **Recent Legislation.** New legislation in Texas has required the Board to execute and file various policies and possibly amend the Bylaws. Amending the Bylaws requires a vote of 51% of the Members of the Association (in person or by Proxy) at a Meeting of the Membership.

We have executed and filed new policies, drawn up by attorneys from a boiler-plate. The main purpose of these new policies is to retain authority to rule on external improvements and accessories of homes. They probably contain detail provisions that we may find to be problematic, inappropriate or undesirable for our neighborhood. Since this authority usually amounts to reviewing improvements and rarely leads to curtailing them, it may be a long time before any problems are found in these new policies.

It is important to be aware that such policies are merely Board decisions. They are not governing documents that require an arduous process to amend. They can be modified at any time by action of the Board, with the additional requirement that all such changes be filed in the County property records along with the original policies. The Board should not feel compelled to simply follow the letter of these initial templates, if the principles and interests of the Association can be better served by revising them.

9. **Outdated Covenants.** Our Deed Restrictions (also called Declarations, Covenants, or CE&Rs) are outdated and should ideally be amended. This could be an arduous task and finding willing and capable volunteers may be difficult. Amending the CE&Rs requires affirmative consent of 90% of the Membership. Also, the Association has functioned for the most part by tacitly identifying irrelevant or and dysfunctional provisions and in their stead following appropriate practices.

The Committee proposes the following general principals for distinguishing substantive from "immaterial" rules in the CE&Rs. It is important to have a guiding principle, so that (1) we are not constrained by provisions that are no longer appropriate but on the other hand (2) rules regarding fairness and authority are not subject to disregard based on partisan agendas, personal interests, or hasty and ill-considered decisions that may inadvertently make our duties or our neighbors' lives more difficult rather than less so.

- a) When a rule has been effectively retired or modified based on several years of accepted practice without objection, then the practice rather than the written provision is effective. In effect, several different Boards of Directors (as well as the Membership) have tacitly agreed to the new practice.
- b) When a practice or rule change impacts all homeowners equivalently (or impacts all in a positive or benign manner and does no harm) – again without protest of infringement – then it may be construed to be generally accepted as above. (See item 3c of the Summary on page 1.)
- c) When disregarding or changing a rule in a manner not yet established by (a) or (b) serves some at the expense of others (in the view of any who object to the new practice), then the existing rule must stand unless properly amended in accordance with our governing documents.
- d) Rules regarding the conduct of the Associations business – especially regarding how decisions are made and most especially how volunteers are selected to make them – these rules must be followed unless properly amended in accordance with our governing documents.
- e) In the case of rules that are clearly intended to be effective together as a group (such as to provide checks and balances), it is unacceptable to disregard some of these rules while relying on others – Directors may not pick and choose rules in order to do as they please.

This is not a declaration that our governing documents no longer need to be amended, or that ignoring certain rules can legally supplant that process. Our deed restrictions remain as they are.

This is a recommendation to consider that the above principles may be superior to "everybody knows" or personal preference as practical guidance in serving the larger interests of the Association.

The duties of the Board include asking our neighbors to follow the rules. If we do not follow the rules ourselves, then what standing do we have to perform this duty? By following these principles consistently, we can exemplify service to the neighborhood; thus, we can ask our neighbors to do the same.

The Association should at all times strive to both act and appear as impartial, fair, and serving the interests of the Association and all of the Members. We should avoid both action and appearance of ignoring or manipulating rules or otherwise inconsistent or self-serving behavior.

Appendix Items

- 1) Locking Mailbox flyer
- 2) Group-dial info

Fairways of Sherrill Park HOA

Secure Mailbox Proposal

Over the past several years, neighbors have reported repeat incidents of strangers driving through our neighborhood and rifling through our mailboxes. Criminals do this in order to steal checks, commit identity theft, and so forth.

It's less common now, because many of us don't send items through the mail very often. Internet purchases, on-line banking, etc. have replaced a lot of our mail delivery. Yet most of us still receive at least a few items through the mail.

One of the biggest problems with this sort of mail theft, is we never know for certain what we may have lost to thieves – it's gone before we ever see it.

One solution is to purchase a locking mailbox; where our postal carrier can insert mail through a slot, but a key is used to open the mailbox door and retrieve the mail.

Locking mailboxes can be purchased easily; however, many of us have mailboxes with brick housing. This makes it difficult and expensive to replace the mailbox. There are a few companies that sell (and sometimes install) locking doors or inserts for existing mailboxes. The links at the bottom of the page offer some examples.

This seems like an ideal solution for us, but these replacement doors and inserts are a bit expensive. Also, some are only available for standard dome-shaped mailboxes, and many of us have a square-ish mailbox with bent sides.

If those of us who are interested purchase such locking doors in a group order, we could get a discounted price and also make it worthwhile for the vendor to provide doors for our variously-shaped boxes.

If you are interested in learning more, please check the sign-in sheet. This not a commitment to do anything – at this time, we just want a list of neighbors who would like further information. In future, we may pick a vendor, provide detailed information, and ask who wants to order with us.

**<http://www.budgetmailboxes.com/imperial-mailbox-locking-insert.html>
<http://www.mailboxsafety.com/>**

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Thank You, David Harari.

Kwikcall Group Call Pricing Plans

Call Packages	Cost	Number of Calls	Cost Per Call
Package 1	\$100	1000	10 cents
Package 2	\$180	2000	9 cents
Package 3	\$240	3000	8 cents
Package 4	\$350	5000	7 cents
Package 5	\$650	10,000	6.5 cents
Package 6	\$1,800	30,000	6 cents
Package 7	\$4,400	80,000	5.5 cents
Package 8	\$5,000	100,000	5 cents

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The rest of this Agreement is available if discussions get this far...../John