

West Memorial Civic Association



April 21, 2017

To all Property Owners:

Re: We Want Your Feedback!

Over the past few months there has been quite a stir amongst a small percentage of residents in the community over your Board of Director's decision to revise the guidelines pertaining to the Tiger Sharks Swim Team's use of the Association pool facilities. Many of you may have already been following this issue on social media sites or attended the past few monthly Board meetings to hear ongoing discussion, but for the large majority of our residents who may not be aware of the specifics, we want to set the records straight with the facts.

- The Board has been trying to for the past few summers to create a diligent line of communication between the swim team and Association that requires a list of all swimmers, agreed dates and times of practices and swim meets and guidelines regarding access, maintenance and care of the facilities through a formal agreement.
 - **Why?** The Board has an obligation to ensure the safety, security, maintenance and liability of the collectively owned facilities in the community is taken care of on behalf of the 1289 property owners who pay for them.
- With there still being unresolved concerns after the 2016 swim season, the Board felt the only remaining option was to notify the swim team in December 2016 that use of the Association facilities would unfortunately not be available to the swim team beginning 2017 and a formal letter was sent to the swim team Board President to advise.
 - **Why?** Not only does the Board have the obligation to ensure the safety, security, maintenance and liability of the collectively owned facilities in the community, additional information received by the Board advised that well over 50% of the swim team participation consisted of non-residents. And keep in mind that the swim team has always been afforded use of the facilities at no cost to the team or participants, because it has historically been made up of a majority of residents. They have also been able to use the facilities at no charge to hold fundraisers.
- The Board's decision was **NEVER** based on whether or not the swim team is a beneficial program to the youth in the community and surrounding area. In fact, several Board members either had children who participated on the swim team or they themselves were members of the swim team.
- The Board's decision was based solely on their obligation to ensure the safety, security, maintenance and liability of the collectively owned facilities in the community is taken care of on behalf of the 1289 property owners who pay for them. Therefore, how could the Board justify free use of the facilities to an outside organization made up of primarily non-residents and without a formal use agreement protecting the physical and fiscal liability of the Association? The Board must do what is in the best interest of the greater whole.
- As you could expect, this tough decision made by the Board was met with concern and dispute from residents and non-residents who are involved with the swim team at the January 2017 meeting, which ended with quite a bit of disagreement and debate. So the

Board decided to revisit the issue to come up with a plan that would meet the needs of the Association and allow the swim team to keep using the facilities.

- The plan ended up being a formal outline of rules regarding communication, scheduling and maintenance and care of the facilities, as well as instituting a non-resident swimmer liability waiver form and user fee of \$75.00 payable to the Association in addition to the swim team's registration fee.
 - **Why?** We know all of you understand the need for a liability waiver, but the amount of the fee decided upon was determined by the portion of our property owners' annual dues that is used to maintain the pool facilities, which equated to roughly \$150.00 per lot. Then the Board decided to cut that amount in half to \$75.00 since the swim team only uses the facility for a few months. We understand that the portion of the dues used to maintain the facilities is per *household* and the swim team non-resident fee is per *person*. But there were also other factors that came into play with the decision; the swim team exclusive use does limit the open hours to our residents during their competition season and practices and swim meets/practices/fundraisers create added maintenance costs to the Association, etc.

Since the plan was proposed, of course there has still been much debate regarding the Board's decisions but the swim team will be using the facilities this summer, as most of the important issues have been agreed upon. But because there is still much concern being rendered by a handful of residents regarding the fees, the Board has determined the best way to lessen a continual and increasing division of the community, is to survey all of our members for their opinion on the issue. And your Board is certainly open to considering what the majority has to say!

We want to make this quick and easy for all of you so we have created an online survey on the Association website at www.westmemorial.org using the below questions. But if you would rather fax, email or mail us your opinion, just fill out the below survey and send it to:

Fax: 281-391-7913 **Email:** eluna@highsierramanagement.com **Mail:** West Memorial CA
Po Box 940267
Houston, TX 77094

We appreciate your time and continued support of your community!

Your West Memorial CA Board of Directors,

Pat Leo Jerry Wells
Joel Khan Elena Vanderloo
Scott Mosher Keith Black

WEST MEMORIAL CA – SWIM TEAM USE SURVEY

Place an X next to your opinion:

- ☐ I/We **AGREE** with the Board's decision to enforce guidelines and charge a non-resident fee of \$75.00 per family of registered swimmers.
- ☐ I/We **AGREE** with the Board's decision to enforce guidelines and charge a non-resident fee **BUT DON'T AGREE WITH THE AMOUNT: (choose one)**
 - ☐ **TOO LOW** ☐ **TOO HIGH** ☐ **DON'T CHARGE AT ALL**
- ☐ I/We **DISAGREE** with the Board's decision and feel it should be business as usual and let the kids swim because we don't care how much it costs!
- ☐ I/We feel the community should not have to bare the financial burden of the swim team at all.