

Austin's Colony HOA Board Meeting

April 5, 2016

Board Member Attendees: Eric Henderson (President), Joseph Mitchell (Vice President), Jacqui Peterson (Secretary), Pat Dallas, Jason McConnell, Patti Wade, Charles Grimes, Joe Contreras, Rick Greig

Equity Attendees: Keith Clements and Jessica

Guests: Ann and Nick McDowell; Martha and Ernie Montoya

There was a full quorum so the meeting commenced. Due to the president of the HOA running late Joseph called the meeting to order at 6:05

Minutes

The minutes of the prior meeting were approved by email and ratified at the beginning of the meeting

Treasurers Report

Keith from Equity provided a report on outstanding balances to the HOA and provided spreadsheet for the board members of cash flows for the months of January, February and March 2016. Because there was a large sum of money in the checking account it was approved that \$40,000 be transferred from the checking into the savings account.

Guests New Business

Ann and Nick McDowell brought an issue to the attention of the board which was the situation of needing an approval for a pergola and patio at their home. On 2/17/2016 they provided drawing of the design to Equity. On 2/24/2016 they telephoned Equity and asked whether plans had been approved. On 3/2/2016 they still had not heard about approval for their plans and Keith of Equity said he would expedite their request. On 3/4/2016 Equity telephoned the McDowells and said he was sending the plans to Carrabba. On 3/25/2016 the McDowells still had not received an approval for their intended patio and pergola. On 3/28/2016 the McDowells received approval from Carrabba to move forward with their patio and pergola. The issue at hand was the time it took to get approval for building a simple item such as a patio extension and pergola in ones backyard. The committee discussed this issue and determined that the flow of emails between the HOA and Equity needs to be improved so the board is aware of any issues.

CC&R report

- 1) Equity personnel gave the CC&R report. There were 105 violations between January and April (year to date) and these were mainly due to lack of mowing, edging and weedy flowerbeds. As of 4/5/2016, 121 homeowners were delinquent on their HOA dues which compute to 24.2% of Austin's Colony homeowners and \$20,307.09. Most of these delinquencies are for the current

year (2016) and our attorney (Watson Law Firm) is dealing with delinquencies of greater than 1 year. The board had voted to waive fees on those delinquencies that were mailed to the incorrect addresses. A question of whether one homeowner owns 2 lots do they pay for 1 lot (\$120 a year) or 2 lots (\$240 a year) was asked and the response: *"if two lots are owned then the dues are for 2 lots"*. Discussion was held on the delinquent dues remaining; there are three categories 1) paid past dues but did not pay attorney's fees, 2) homeowner was contacted and they said they would pay past dues but did not and 3) no response for request to pay past dues. It was decided that those delinquent under numbers 2) and 3) should be forwarded to our attorney. Eric motioned to have categories 2) and 3) have suits filed on two homeowners who said they would pay and did not and on 9 homeowners who have not responded to any requests to pay their dues; Joseph seconded the motion. It was also noted that it is up to the homeowner to inform the HOA of any change of address so that dues notices are sent to the correct address. Patti gave a spreadsheet and disk to Equity with all of the residents addresses from the Tax Appraisal Office for mailouts

Old Business

- 1) Joes neighbor moved into their property and the walkway to Pecan Ridge between Joes house and his neighbors was discussed and will be surveyed to proceed with possible closure of alleyway working with City of Bryan
- 2) Situation with the flags and flagpoles is now resolved (Sign Pro is the Contractor)
- 3) The new home to be built facing Austin's Colony Parkway; the owners have been sent a copy of the letter that the board sent to the city. (The concern is a)house facing parkway, b) where will the residents guests park, c) mailbox placement, d) garbage pickup with trash can in parkway, etc.
- 4) Wixon water solved the issue with the water supply to the new park and raised the water meter and filled hole.
- 5) Still no notification from Carrabba about the new park being completed so that we can start the 1 year clock after which the park will be the responsibility of the HOA (Eric will contact Carrabba)

New Business

- 1) Due to repeated violations to CC&R's by some homeowners a fining system was discussed. Patti obtained the rules and regulations for 2 other sub-divisions (Pebble Creek and Spring Meadows). This was tabled because until we have spoken with our attorney we are not sure that we can enforce fines for violations. An email will be circulated among board members with questions to ask our lawyer appertaining to possible proceedings
- 2) No more than 2 unrelated persons in one home. Discussion was had on which phases have this CC&R and can we enforce this? There are phases that have this and the board will inform residents on how to proceed with their phase in conducting this process. This was tabled for further discussion.

- 3) Phase 1: there are no restrictions as to what can be parked in the homes driveway. It could be taken a step further if 2/3rds of the homeowners in that phase vote to change the CC&R on what can be parked in homeowner driveways. This is the only phase that has no restriction on what can be parked. It would be useful to petition and get signatures so that this phase aligns with all the other phases in the HOA. It was suggested that the board contact our lawyer in regards to the process of amending this to align with other CC&R's and costs involved
- 4) All CC&R's for all phases should be the same because it is confusing with different CC&Rs for each phase built – someone will get in touch with the Carrabbas to rectify this. (Eric will contact)
- 5) The consistence of policy, specifically BYLAW 15.03 was discussed
- 6) Communication issues between Equity and board members was discussed as well as expectations from both groups.
- 7) When we approve spending by email are we voting or agreeing? Should we be voting on every bill to be paid or are these simply operating costs? This was discussed and the board decided that normal operating statements would be paid, irrigation repairs are to be done not to exceed \$250.00 without approval
- 8) Automatic replies should be sent to everyone who sends an email to the board via the HOA website or to Equity worded "Thank you for your email, we will have someone contact you within 48 hours"
- 9) The Austin's Colony Annual HOA Meeting will be held on 9/12/2016 and Eric will reserve the room for this at the Mitchell elementary school cafeteria
- 10) A discussion was held on getting envelopes printed with Austin's Colony HOA so that homeowners know for sure that the contents are from the HOA. Joseph was elected to send our logo print to Keith at Equity so he could place an order for logo printed envelopes on our behalf

Joseph motioned to adjourn the meeting and Eric seconded the motion. As there was no further business the meeting was adjourned at 8.30 pm

The next meeting will be on Tuesday 19th July 2016 at 6pm at Equity.