

Austin's Colony Home Owners Association
Board of Directors Meeting
Tuesday, October 11th, 2016
Equity Real Estate

- I. Call to Order
 - a. There was a full quorum in attendance, so the meeting was called to order by Charles Grimes, President, at 6:02pm.
 - b. In attendance- Charles Grimes (President), Joseph Mitchell (Vice President), Marissa Maguire (Secretary), Rick Greig (Treasurer), Joe Contreras, Drew Kitterman, Donald Burnett, Patti Wade.
 - c. Equity Representative- Debbie Stzelecke
 - d. Absent- Jason McConnell
 - e. Guest(s)- Gary Thomas
- II. Formal approval of new officers
 - a. Charles Grimes, President, formally installed the new Board of Directors which consists of:
 - i. Charles Grimes- President
 - ii. Joseph Mitchell- Vice President
 - iii. Marissa Maguire- Secretary
 - iv. Rick Greig- Treasurer
 - v. Joe Contreras
 - vi. Drew Kitterman
 - vii. Donald Burnett
 - viii. Patti Wade
 - ix. Jason McConnell
 - b. Patti motioned to approve, Joe seconded, all in favor, none opposed, motion carried.
- III. Landscaping budget for Thornberry improvements
 - a. Discussed amount that HOA will contribute and what Carrabba will contribute. This matter was previously discussed at Board meeting in August but no decision was reached or voted on. Patti said original amount was between \$10-\$15k plus amount contributed by Carrabba. Need to vote on total so that GT grounds can bid on work to be done. Do not have a formal quote for scope of work due to no decision made on total of budget. No previous minutes recorded the amounts of the proposed contributions. Charles recalls \$10-15 for 3 years as what was originally outlined, when plan was originally discussed. Carrabba has now committed to \$4k for 2 consecutive years for total of \$8k, Patti will ask for all \$8k upfront. Budget is currently at \$4k in the proposed budget as first of 2 year investment. Table will discuss further during budget approval and review for 2017 proposed budget. Marissa asked question regarding budget first and then plan or vice versa. Improvements to include oak trees, crepes, and other plants that are

easily maintained. Thornberry and Bullinger will have flower bed with taller plants to assist with lights. Price will be for irrigation plus purchase of plants and install. Potential to involve the city for improvements as well as \$5k grant that the city offers that Patti is in the process of filing to receive. Rick asked for cost of increased irrigation cost for budgeting.

IV. Treasurer's Report

- a. Rick reported the current balances of accounts: savings \$27,297.61 and checking: \$88,693.36 total \$118,664.75.
- b. Expenses from current month that have cleared are utility costs and GT Grounds.

V. Formal approval of 2017 Budget

- a. Reviewed proposed budget from August. Projected for 2017 to net an income of \$9,857 (with landscaping contribution currently budgeted at \$4k).
- b. Discussed budget for future years' tax preparation due to this year being a catch up year for 2 past years that were not filed, as well as necessary research. Budget amount proposed is \$400 for future years as an estimate for what the annual filing cost will be.
- c. Additional charges for liability insurance when we take over the park which will increase our annual premium by \$150-200. We take over park Jan 1. This will also increase GT grounds monthly bill by \$85-125 for 2017 as well as \$100 for additional mow to cover cost of maintaining the park. Possible increase to water bill due to sign on Thornberry as well as park. Add an additional \$1500 to turf maintenance to cover costs. Will need to revisit utility increase cost as well as irrigation installation.
- d. Charles proposed \$10k per year for 2 years for landscaping improvements, in addition to \$4k per year for 2 years by Carrabba, and then revisit amount for the 3rd year, based on progress of the project by that point in time. Joseph clarified amounts, discussed amount being high. Originally discussed asking Carrabba to match the \$10-15k amount. Marissa brought up point of landscaping project being something you have one chance to do correctly. Joseph asking for difference from \$8-14k in what that will translate to on the proposal. Will we get bids for this work or will we go with GT grounds since they are our monthly provider? GT grounds up for renewal in 3/2017 and prior to expiration of their contract, we will bid out business including the landscaping improvements. Charles proposed to get proposals on what a bid of \$8k will get vs. \$14k and then review the proposals to determine which is better. Board will receive the bids from different vendors at the different price levels and then review on what each of the crews will offer. Question asked of how many vendors we are soliciting bids for. Goal is to get 3 bids for projects for price points. Warranty of work is part of original install. Project will need to include irrigation, long term growing plants and trees, additional tap. Bids will need to be submitted between \$8-14k. Carrabba will be billed directly for the \$4k contributions. Can start work in either fiscal year 16 or

- 17 and extending for 3 years beyond that.
- e. Rick motioned to let Patti will head up bidding process for landscaping, irrigation, and coordination of scope of work to include at least 3 vendors one of which is GT grounds, Marissa seconded, all in favor, none opposed, motion carried.
 - f. Question asked of what will frequency of board meetings be? Are we planning to meet quarterly or more frequently? Need to coordinate a special meeting to review new CCR policy and review bids for landscaping projects. Charles will notify, per bylaw requirements, of next board meeting on Tuesday, December 16th at Equity Real Estate.
 - g. Were Halloween cops/security included in budget? If so where? Price for current year is \$400 for 2 officers for 4 hours. Need to have checks prepared by Equity to be ready for that night, Debbie will prepare. Charles to obtain invoice for fees.
 - h. Joe motioned to table 2017 budget approval until 12/6 meeting, Drew seconded, all in favor, none opposed, motion carried.
- VI. Approval of minutes from August Board meeting
- a. Minutes were previously sent out via email for review and revision.
 - b. Patti motioned to approve the minutes, Don seconded, all in favor, none opposed, motion carried.
- VII. Approval of minutes from Annual Homeowners Meeting
- a. Minutes were previously sent out via email for review and revision.
 - b. Marissa motioned to approve the minutes, Rick seconded, all in favor, none opposed, motion carried.
 - c. Charles declared for the next Annual Homeowners meeting to be set for September 11, 2017.
- VIII. Webmaster Gary Thomas
- a. Presented with certificate of appreciation and recognition for 10 years of service.
 - b. Must renew domain in 2/2017. If we contract for 36 months price is \$10.99 per month for total of \$395 for web hosting service in addition for \$15 per year for domain. Mentioned realtor who used to sponsor website.
 - c. Gary to create documentation of all passwords, in the event of an emergency, that we are able to access.
- IX. Equity Report
- a. Debbie reported 67 lots coming in for 2014 and 2015.
- X. Discussion on progress regarding CCR enforcement
- a. Jason not present to comment on progress from CCR enforcement from attorney. Hired attorney to do background and research of what we need to do in order to implement fine structure. Issue has been that each phase has to ratify new rules in order to make all phases the same and equally enforceable to a set of rules. Uniform set of CCRs for new phases to implement moving forward. Fine structure would be in place for all phases. All items need to be able to be enforced by the board. Example given is parking enforcement which we are not able to

enforce via the HOA as they are public areas. Joe Patranella is attorney working on this with the Watson Law Firm serving as an advisor for implementing the fine structure. In the past it was not possible to spend additional money to Watson to task with implementing the fine structure or possibly bidding out to have law firms bid on what it would cost to implement the fine system to be able to meet original goal of implementation by Jan 1, 2017.

- b. Charles tasked Joseph with reaching out to Joe to get an update and ask if we will meet original deadline of Jan 1 and based on update, potentially spend money towards being able to speed up the process. Joseph motioned, Patti seconded, all approved none opposed, motion carried. Joseph will provide an update via email by 11/1 from Jason and Joe on realistic timeframe of implementation. Will vote at December meeting if the timeframe presented is sufficient or if we need to reevaluate strategy.
- XI. Discussion regarding parking from General Meeting
- a. Cannot have anything in CCRs that we cannot enforce as it could possibly violate the rest of the CCRs. Specifically overnight parking on the street. Could be damaging that this is in some of the current CCRs.
 - b. Brought up complaint from homeowner at the annual meeting regarding the newer sections having cars parked across the street from each other, and if an emergency vehicle can pass through. Patti contacted the city and this is a legitimate issue. Patti working with city officials and will provide updates as given.
 - c. White camaro parking issue that was also brought up at meeting is parking in the right direction, away from mailbox. Charles got clarification from the city and that is not a violation and is not enforceable. Charles responded to homeowner that filed the complaint.
 - d. Potential to elect a committee to review CCRs and determine a consistent CCR based on what we can enforce or have attorney review. Joseph to task attorney Joe to review CCRs and determine what cannot be enforced by the HOA. Will be billed the time to review the CCR spreadsheet and make recommendations on what we cannot enforce. Marissa will send spreadsheet to all board members. Marissa motioned, Joseph seconded, Rick abstained, motion carried.
- XII. Report regarding CPA and tax filing status
- a. Joseph reported that we are current on all filings.
- XIII. Bill paying procedures for invoices/ expectations/ contract renewals
- a. Charles introduced a policy and procedures and documentation for a roadmap of how things should operate.
 - b. Rick updated finance procedures to include first draft of bill paying procedures. Rick will send out electronically for review by the board and tabled pending approval at the 12/6 meeting.
 - c. Contract renewal dates and upcoming expirations: GT grounds 3/1/2017 requires 30 day notice. Liability insurance bill due end of 4/2017. May 15th Texas

Franchise report and no tax due report. Equity contract expiration is 7/31/2017, requires a 60 day notice.

- d. Due date for annual dues and when we will send out. What was discussed was 30 days from date sent out and invoices to be sent out first full week of January (Jan 2-6, 2017) making invoices due first full week of February. Annual dues will cover fiscal year Jan-Dec 2017.
- XIV. Discussion of swimming pool brought up at Annual meeting
- a. Resident had talked to Carrabba about swimming pool. Charles spoke with Grant and he confirmed that they offered land up for a swimming pool in 2011. Carrabba only offered land and no financial contributions. Kristi Fox Satsky (sp?) sent out handouts in 2011 regarding the pool drawings. Sometime between 2011-2013 there was a vote at the general meeting for the pool, where it was voted down because of expense and liability insurance, but the vote is not recorded in the annual meeting minutes. Potential cost is \$50k for install, not including fencing (to match size of Copperfield pool). Anticipated cost for fencing (which will determine insurance cost) will be \$25-30 per linear foot. Did not obtain insurance quote yet but through research, recommends \$10-15 million of liability insurance for the pool. None of these amounts include maintenance. Patti brought up that HOA residents would be liable for any lawsuits if a suit was brought. Additional cost of how to restrict and/or control access to the pool as well as additional cost of auxiliary facilities. Charles will continue with research and develop plan if there is interest by the HOA. Need to send out something that will document the interest of the community to ensure that the subdivision wants to hear a proposal of the cost and impact of installing a pool. Joe motioned to add an addendum to the return stub of annual dues for a “yes or no” vote on hearing a proposal, Drew seconded, all in favor, none opposed, motion carried.
- XV. Dropbox file access for digital copies of all documents
- a. Marissa proposed to create a Dropbox file for any files and forms that all board members would have access to via the Board e-mail address that can also be passed onto future boards.
 - b. Rick motioned to create a file repository, Patti seconded, all in favor, none opposed, motion carried.
- XVI. E-Mail response template for violations reported online
- a. Marissa inquired about the current process for when online inquiries are submitted, to ensure that timely and appropriate response is sent to the homeowner. Joseph clarified that between he and Debbie, they are currently responsible for responding to inquiries. Idea presented to create a log of all complaints that are submitted including resolution. Joseph to create Excel tracking sheet.
- XVII. Separation of duties by Board position/ member
- a. Marissa inquired about assigning or current duties delegated to each board member, outside of what is outlined in bylaws for President/ VP/ Secretary.

Decision is that we do not have clear enough description or understanding of positions and responsibilities to be able to document at this time but moving forward Board members will document their activities to be able to pass on and/or onboard future board members.

- XVIII. Alleyway/Wetlands/Creeks update on mowing
 - a. Patti reported that anything that has a gate is considered private. Residents are responsible to the center of the land. One at park, one off of Colony Village and possible across from Colony Village. Residents are throwing things over the fences into retention ponds including limbs, kindling, bricks, rebar, etc. How can we clean up these areas moving forward? GT grounds complained about mowing due to the trash. Patti can obtain quote for third party to take care of, but it will be costly. Residents will be responsible for cost if those measures are necessary.
- XIX. Median Cut thru construction update
 - a. Patti reported that everything has been completed. Grant allowed GT grounds to complete. Bark mulch put out this week.
- XX. Fences (actions of types and Carrabba reversal of fences facing wrong direction)
 - a. Charles contacted Carrabba in follow up from the August meeting regarding variances that Carrabba has allowed. For example, allowing a variance of a see through fence if you backed up to a wetlands. There are 2 fences that were installed “reverse” that Carrabba is working to get switched to face the correct way. Charles working with Carrabba on getting updates. Charles compiling list of variances for the older phases, along with what documentation Carrabba gives him, and creating a master log that we can use in the future for enforcement for repairs/ replacements/ timeframes for expiration dates of variances. CCRs require documentation of variances.
- XXI. Pavilion/ Shed types and roofing guidelines and procedures
 - a. At Settlers Way and Williams bend, there is a detached structure as well as others throughout the neighborhood. Charles reviewed CCRs and nothing is noted that there is a requirement that sheds must have the same roof composite as the home roof. Approval has been inconsistent and not documented (mentioned previous verbal approval), need to develop standard moving forward. Communicating the standard for architectural review by the board. Need to make homeowners aware that structure was built without receiving appropriate approval. Need to create a formalized approval process that residents can follow that would include drawings/ approval process/ etc. Charles proposed to contact those who have variances to either provide proof of the variance or come to Board meeting to discuss further. Patti will ask other subdivisions for forms that they currently use to present at 12/6 meeting for Board review. Debbie to draft letter to be sent out to those in violation of the CCRs to request documentation of approval for the variance or to notify the board that they do not have approval, so that we can discuss following steps

- XXII. Halloween report update
 - a. Charles reported that 2 deputies will patrol, same plan as last year. We will have 2 bike copes to keep traffic flowing down Settlers and Williams Trace/ Pioneer Trail. Charles will obtain invoice and submit so that checks can be cut and prepared for the officers on that night.
- XXIII. Christmas Décor projected plan
 - a. Charles has totes of the decor. Charles will contact ABC this week to confirm install, approximate cost is \$1k. Lights on Thanksgiving, lights off Jan 2, 2017. Charles to have invoice by 12/6 meeting.
- XXIV. Board Insurance
 - a. Patti reported that Sandy Whitaker wants the name of all of the Board members. Marissa to report names to her. Insurance will be cancelled as of Jan 1 and a combo created to cover the park and entrance. Currently pay \$1006 and it will go up approximately \$175 to cover park. Patti suggested walk through prior to us taking over to document state of all items.
- XXV. New Business
 - a. Charles called for any other business.
- XXVI. Dismissal
 - a. Patti motioned to adjourn the meeting, Rick seconded, all approved, none opposed, motion carried and the meeting adjourned 9:09pm.