

Austin's Colony Home Owners Association
Board of Directors Meeting
Thursday, January 12th, 2017
6:00pm 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 6:04pm.
 - b. In attendance- Charles Grimes (President), Joseph Mitchell (Vice President), Rick Greig (Treasurer), Joe Contreras, Drew Kitterman, Jason McConnell, Don Burnett, Patti Wade
 - c. Equity Representative- Debbie Stzelecke
 - d. Guest(s)- Joe Patranella (Attorney representing HOA)
- II. Joe Patranella regarding CCR enforcement/Collections for Past Due Assessments/ Policy Updates/Legal Questions
 - a. Joe recommended the attorney recovery fees assessed on accounts turned over for collections be increased from \$100 to \$225 which is equal to one billable hour attorney fee. Jason motioned to make the increase, seconded by Patti. **Motioned carried 7-0.**
 - b. For the Fine/fee structure, Mr. Patranella exhibited an example of a similar document adopted by another HOA for basis of Austin's Colony to follow. Has two warnings before escalation to fine, then resident has 30 days to pay fine or request hearing. Charles stated that the only way to enforce the CCRs as it now stands is to file suit to force compliance through court order. Jason asked about how to enact the document for the HOA, Mr. Patranella said that a majority approval of the residents of Austin's Colony would enact the policy for fine structure. Mr. Patranella further suggested a mail out ballot for the residents. Patti motioned that a ballot be added and the mailing of statements for 2017 assessments be moved back to January 27th to allow the necessary time to prepare the policy and ballot to be sent out. Seconded by Jason. **Motion Carried 7-0.**
 - c. Charles asked how to amend the CCRs, since the phases have differences between them. Mr. Patranella stated that a majority of residents from each phase must vote to approve any changes in CCRs for that phase. Overnight parking was brought up about enforcement, and Mr. Patranella would have to look further into the enforceability of it.
 - d. Mr. Patranella was asked by Jason about the Architectural Control Board and who had control after the 10 year developer window expires. Mr. Patranella stated that his understanding of the reading of the CCRs, the board would have control whether they established a separate committee or left the responsibility to the board itself.
 - e. Mr. Patranella also stated in his work on the Policy Updates he found that the 7 mandatory policies required by law needed to be updated. They are Payment Plan, Flag Display, Religious Item Display, Open Records/Record Retention,

Rain Barrels, Solar Energy Devices, and Roofing Materials. Mr. Patranella had an example of previous policy drawn up for Copperfield that his firm had done and could be used as a basis for the Austin Colony policies. President Grimes called for a motion for Joe Patranella to draw up the policies for review by the board. Joseph motioned, with Jason seconding. **Motion Carried 7-0.** Joseph suggested a 1 week turnaround time for review and comments from the board before sending to attorney for revisions and then attach to mailing with statements.

III. Approval of Minutes

- a. Changes to minutes from December Meeting- Section X.-a. unanimous vote and Section X.-b. to read 16-17 phase. Drew motioned to accept amended minutes, seconded by Jason. **Motion carried 7-0.**
- b. October meeting minutes, affirming email vote to accept amended minutes adding Jason to board of directors listing. Motion to approve by Jason, seconded by Drew. **Motion carried 7-0.**

IV. Treasurer's Report

- a. Rick reported that IRS was not mailed payments from income tax filings. \$44.28 was owed, Debbie will mail out tomorrow. Rick suggested that now that the accounts were properly labeled and being drawn from correctly that money be moved from the Operating account to the Savings account. Suggested to maintain 3 months operating budget \$20,000 in the Operational checking account. Jason motioned to transfer \$60,000 from the Operational account to savings account. Joseph seconded motion. **Motion carried 7-0.**
- b. Rick also stated that a policy should be established for Equity payments. Equity should submit invoice to Rick and then Rick will cut the ACH to pay Equity invoice.
- c. Rick stated that 2016 tax preparation was nearing due date. Rick motioned for Kay Perrone CPA firm to handle 2016 tax preparation. Patti seconded. **Motion carried 7-0.** Equity will coordinate all needed info to the CPA firm.

V. Equity Report

- a. Debbie reported drive-thrus on December 21st and January 6th. 5 to 6 new homes completed in the new phases. Debbie asked to board to clarify the wording of the pool questionnaire. Guidance given by board to keep simple wording, something along lines of "are you in favor of a pool in Austin's Colony".
- b. Patti asked about house on Settler's Way with iron fencing and clutter in plain sight in backyard. Debbie stated they have been written hang tag violations several times. Charlie asked Debbie to send a certified letter stating that unless the back yard is cleaned up in compliance with the CCRs, the HOA will pursue legal action to enforce compliance.
- c. Charles stated he would create a spreadsheet for Equity to track violations in and Debbie would create the drop box account that the board authorized in October meeting.

VI. Insurance

- a. Charles stated that in preparing to add the Bullinger Park to the HOA insurance, the original quote would increase to nearly \$2,000. He authorized 3 bids to be

submitted by Patti for Insurance. Charles submitted a recommendation for the board to approve the Farmer's Insurance bid which would be the same coverage as Beal and Winn suggested but at half the cost. Jason motioned to accept the Farmer's bid with Joseph seconding. **Motion carried 7-0.**

VII. G.T. Grounds Contract Renewal

- a. Patti asked for clarification of the board regarding the status for renewal of the contract. When the contract was initially negotiated, in exchange for the board not requesting bids every year, G.T. Grounds would cap all increases to the contract at a max of 5% at renewal. The 2017 contract which would cover from March 1st through February 28, 2018, was submitted with no increase of existing areas. However adding the Park to the contract would make the contract \$2,555 from \$2,470. The board had indicated a desire to request at least 3 bids for all contracts when discussing the landscaping project in August. The board clarified that no, the contract would not need to be rebid and Joe motioned to accept the 2017 contract from G.T. Grounds, seconded by Jason. **Motion to renew carried 7-0.**

VIII. Street Parking

- a. Patti submitted the communication from Austin's Colony BPD NET officer Melinda Fox into the record (see attached communication).

IX. Board Email Communication

- a. Charles emphasized the importance of email communication of the board on items in order to keep the board meetings as timely as possible.

X. Timeline for Management Contract renewal

- a. Charles reminded the board that the HOA management contract was expiring in August. The board would need to establish a timeline for the process of renewal/bidding. Charles suggest the board discuss the any changes or suggestions for the new contract in before the next meeting in April and then at the April meeting have the recommendations built into a formal RFQ.

XI. Meeting Schedule

- a. Charles suggested changing the meeting schedule to every other month in order to keep the business of meetings from building up and keep the meetings as timely and productive as possible. The board set the meetings for 2017 to the first Tuesday of every even month. (April, June, August, October, December).

XII. Adjournment

- a. With all agenda items completed, Charles called for meeting to adjourn. Patti motioned and Joseph seconded. **Motion to adjourn carried 7-0.**