

Austin's Colony Home Owners Association
Board of Directors Meeting
Wednesday, April 12, 2017
7:00pm 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 7:00pm.
 - b. In attendance- Charles Grimes (President), Joseph Mitchell (Vice President), Marissa Maguire (Secretary), Rick Greig (Treasurer), Joe Contreras, Drew Kitterman, Donald Burnett, Patti Wade, Jason McConnell.
 - c. Equity Representative- Debbie Stzelecke
 - d. Guest(s)- Jason Boney, Jennifer Wellman, Laura Bailey
- II. Jennifer Wellman- Resident of 4404 Colony Place
 - a. Spoke on dues issue from last year. Lived in AC since 2008. In 2015 they received the letter and sent in check, received letter during summer that payment was not received. Discovered that the check had been applied to address on Colony Chase and she lives on 4404 Colony Place. Went back and forth and was assured that it would be corrected, which it eventually was. Received certified letter on January 12, 2017 stating that her 2016 dues were not paid. First certified letter was left in her mailbox and second letter that was sent, no proof of signature has been provided. Has paid \$100 towards 2016 dues to the attorney and paid \$100 towards 2017 dues, over the course of 2 payments. Wants to dispute attorney fee due to not receiving the certified letter as well as the newsletter. Expressed issue with being able to pay off attorney fees and possibly spreading over several months or consider waiving attorney fees. Attorney's office will not discuss setting up a payment plan until Board comes up with a decision.
 - b. Charles assured items would be taken under advisement and she would receive a response within the next week.
- III. Laura Bailey- Resident
 - a. Just purchased vacant lot in AC and plans to begin building over the next few months. Attending meeting just to observe.
- IV. Jason Boney- Resident of 3017 Archer Circle
 - a. Moved into AC February 21, 2015. Did not receive any notices or communication until October 2016. First communication received was a certified letter stating that 2016 dues were unpaid with a certified letter fee and late fee. Made multiple attempts to contact Equity without any answer or response. Left 3 messages with the answering service and did not receive a phone call back. Eventually spoke with someone at Equity office concerning the dues as well as the hang tags about his lawn. Has received violations for unkempt lawn which he states was not in violation of specific length requirements by the HOA or by the City of Bryan. Resident is not disputing the past due, annual due fees, but is asking to waive certified letter fee and late fee. Raised concerns of similar issues of other residents who live near him. Brought up similar concerns raised by other residents on

Nextdoor app. Stated that he has submitted online payment for the 2017 dues and is asking to waive the \$31.47 worth of fees. Brought up issue of not receiving dues according to the stated timeframe on Nextdoor and thought it was unbelievable that the Post Office would have lost that many mailings. Recommended better communication between Equity, HOA, and residents and suggested looking for a different management company.

- b. Charles discussed getting welcome packet to the Title companies to be given out at the time of closing. Charles assured follow up will be sent in the form of a letter and the same letter will be sent via email.
- c. Also thanked the Board for lobbying to have Austin's Colony Pkwy repaved.

V. Treasurer's Report

- a. Rick reported the current balances of accounts: savings \$87,336.50 and checking: \$63,402.54 total \$150,739.04
- b. Rick reviewed line items and brought up a few invoices that were not yet received from Equity including several deposits that still need to be reconciled.
- c. Jason moved to accept the Treasurer's report, Joe seconded. All in favor, none opposed, motion carried.

VI. Equity Report

- a. Number of residents with outstanding dues by year
 - i. For 2017- 314 residents have turned in dues out of 571 homeowner's total. Many of the unpaid are for new lots that were returned mail with no other contact information. This is approximately 55% of dues paid. Debbie stated that a handful of residents have contacted Equity to submit payments this week.
 - ii. Charles brought up that during 2015 year, there was approximately 25-30% of homeowner's that were delinquent, most of which were past due on multiple years. Based on this, the Board voted to implement a more strict collection policy. Charles discussed issuing the late fee, based on 90 days past due balance, from the April 1st date. No late fees should be issued until then.
- b. Percentage/number of repeat violations
 - i. 25-30 homeowners are repeat violators mostly concentrated on Pleasant Rose and Settlers Way. Debbie discussed seeing an increase of broken fences (for example on Pioneers Circle) that are visible from the street. Other violations include visible debris and unkempt yards, mostly for weeds, flower beds, and dead trees. Board suggested for Debbie to reach out to W Mercers Lndg resident with dead plants to offer further explanation and provide corrective measures.
 - ii. Resident asked clarification question about sheds
- c. Findings from post office about HOA dues mailings
 - i. Any mail that is mailed from Bryan, is now sent out from Houston. Debbie did admit to postage being incorrect on the first mailings, and that if they did not have the correct postage they would be put into holding until proper postage was received. No notice was sent to Equity about the mailings that

did not have correct postage. Debbie did a test to see how mail would be returned if it was incorrectly addressed.

VII. Ratify e-voting over HOA delinquent dues

- a. Marissa motioned to move this matter to an executive session, which Patti seconded.
- b. Jason moved to ratify all e-voting decisions, with the exception of #2, which is tabled for further decision. Drew seconded, all in favor, none opposed, motion carried.
- c. In the matter of resident Boney, the board voted to continue collection efforts on the remaining late fee and certified letter fee, by a vote of 6 for, 3 against.
- d. Based on the new information provided by Joe Patranella, Rick moved to rescind the previous decision on the delinquent attorney fees, Jason seconded, all in favor, none opposed, motion carried.
- e. Charles discussed drafting up a policy which would follow the recommend steps for collection efforts that are in compliance for what the attorney's office. Joseph recommended to review the current document that is on file with the County and review/ revise it at the June board meeting.

VIII. Pool and Bylaw amendment ballot results- Equity

- a. Voting for bi-law amendment are currently: 72 for yes, 94 against, 16 no answer, and 314 not yet received. In the bi-laws, quorum is stated as 26% and for voting it is 51% of the quorum, which means 149 votes are needed for bi-law changes.
- b. Voting for pool are currently: 52 for yes, 127 against, 1 no answer, and 314 not yet received.

IX. Management company RFQ Process

- a. Contract for Equity expires in July 31st and requires a 60 day notice if we intend to terminate, which means a decision must be reached by May 31st. Will have to hold special meeting in May to make a decision. Discussed obtaining a minimum of 3 bids to include Equity, BCR Real Estate, Century 21, and need to identify any other companies. Patti will lead effort to solicit bids from other management companies by obtaining their standard contract of services and fees that the Board will review and revise as necessary. Bidding process will close on May 12th and Board will meet the following week to review bids and vote on a decision.
- b. Meeting to review/ revise/ vote on management contracts will be Tuesday, May 16th at 6:30pm.

X. Park Update and insurance changes- Charles

- a. Will officially sign over the park next Tuesday, April 18th with Grant Carrabba, pending accuracy of the document. Will move forward with using Farmers Insurance and Charles will send information once transfer is complete.

XI. Landscaping project update

- a. Project for 6,7,8B, 9B was completed in March. Meters were installed by the city. After irrigation and landscaping are complete, Patti will need to take pictures and submit for a \$5,000 grant, from the city, to complete Phase 9b. Due to weather issues during the spring there was damage to the plant life that was installed and cracked sprinkler heads that needed repair. Patti brought up the cut through by the ER where drivers are running over both of the corners, and she asked the city if

they could install red bricks on those areas, which they did not approve, based on the width of the road. Cost to put the red brick border in is \$650 and cost to put in 2 boulders is \$350, both plus tax.

- b. Patti also brought up off of median one that the bottle brushes froze and that they are very small and do not look appealing. She recommended replacing the 5-6 bottle brushes that died with either drift roses (that will match another area), which would cost \$850, or do nothing and just plug up the irrigation, which would cost \$250, plus tax.
- c. Crepe myrtles in Median 2 have black fungus. We started with 10, and 2 have already been damaged. Replacement of the 8 would cost \$1200. Other option would be to install 32 roses, which would help reduce the sight variance issues, which would cost \$1300 plus tax.
- d. Total proposed for the boulders, removing the bottle brushes and replacing with roses, and removing crepe myrtles and replace with roses, will cost \$2,327.38 inclusive of tax.
- e. Jason motioned to approve for the full cost of replacement, Drew seconded. All in favor, none opposed, motion carried.
- f. Patti presented a bid for \$436 to install rain meters in the two locations that do not have them. Debates included ROI of if it will save us money in the long run. Board will not move forward with this cost.

XII. Nextdoor Responses

- a. Joseph brought up having a plan for how to handle responses through Nextdoor and that there should be a method behind how responses, that are official board communication, be presented. Marissa brought up that we should be able to post as a resident, without restriction, to ensure that timely responses are given and to help with communication between HOA board/ residents. Brought up creating a Social Media policy which Jason offered to draft and present at the May special meeting. Policy to include outline of responses given on behalf of the board, and not as individual homeowners. No decisions will be made by a single board member, without full voting board approval, in any communications. Marissa asked for a timeframe to be included in the policy for when a response would be posted.

XIII. New Business

- a. Debbie discussed implementing an online payment system by August 2017 to allow residents moving forward to be able to make online payments for their dues via the Equity system. No additional fees for using this service are anticipated at this time.
- b. 2711 Wood Court homeowner did not receive a dues statement for 2017 dues, his first communication was the letter from the attorney, which he subsequently paid. Mr. Wells did not believe that was fair and approached Joseph, in his driveway, and wanted his concern voiced.

XIV. Dismissal

- a. Patti motioned to adjourn the meeting, Joe seconded, all approved, none opposed, motion carried and the meeting adjourned 9:19pm.