

**Meeting Minutes**  
**Austin's Colony Homeowners' Association Board of Directors**  
**August 3, 2021**

Attendees: Anne McBroom Balke, Chris Davis, Jeff Skelton, Patti Wade, and Bruce Worley. Representing Berkshire Hathaway Management Company - Briley Blackshear and Suzan Reed. Patti Wade had the proxy for Karen Compton.

The meeting was called to order at 6:04pm and a quorum was established. There was one guest, Laura Bailey-Ramsdale.

The minutes from the May 4, 2021 Board meeting were ratified unanimously. The motion to accept was put forward by Patti Wade and seconded by Jeff Skelton.

**Treasurer**

Chris Davis, on behalf of Karen Compton, reported first half expenses were under projected budget and our income was over projected budget. A large part of the lessened expenses was the result of the negotiation of lawn services. Some of the increased income was due to additional houses being sold in the development. We have 41 properties delinquent on dues; last year at this time we were at 52 delinquencies. We anticipate some recovered income from legal fees.

**Management Company**

The violation report was not available by the Management Company but will be emailed to Board members. There is an on-going problem property that has been reported to the city. Legal action may be necessary. Anne McBroom Balke moved to send a 209 letter (letter notifying of intent to file legal action if problems are not remedied within 30 days) to the property owners. Jeff Skelton seconded, and it passed unanimously. Anne McBroom Balke will work with the management company to send the letter.

41 households with outstanding HOA dues are receiving demand letters.

**CC&R Update**

We are experiencing issues with the revised CC&R voting process. The company hired to administer the vote electronically, Vote Now, did not understand that there could potentially be multiple owners on a property and that each owner has a vote. They have been advised of this issue. Jeff Skelton has worked to develop a spreadsheet with all property owners listed and this should be completed and forwarded to Vote Now by the end of the week of August 7. Only those who have not previously voted will be sent an email with an invitation to vote.

Some owners will be grandfathered for the current CC&Rs; anything that is unreasonable to update or change (i.e. square footage requirements, rod iron fences) will be grandfathered. It is difficult to explain changes in the CC&R's to the general Austin's Colony population because the original CC&R's were different for each phase, as set up by the developer. We may need a second vote in some phases if not a majority of residents vote.

Our guest had questions. The increase of the dues were a concern. Also, the reserve fund amount is a concern. Typically, one year's reserve is equal to the annual income. The reserve is for projects and unexpected expenses, not day to day expenses.

She was assured no one on the Board has access to the funds. There are multiple eyes on the accounts, the Board, the management company, and the CPA.

Residents have the ability to vote “no” to the CC&R’s. The guest stated that the initial letter was confusing.

The Board committed to clarify issues in the next correspondence.

The one-ton vehicle CC&R was a typo and the attorney will be consulted as to how to remedy in the future.

Hopefully, there will be only one vote needed; each voting process costs money.

Our guest was encouraged to get involved with the Board and to encourage others to do so.

#### **Lawn and Maintenance – Patti Wade**

Last meeting \$1600 was approved to remove dead plants and replace them. We have planted 12 junipers and removed the dead mealy grass. Some junipers have been infected with web worms. To date, we have spent \$619 of the \$1600. Those plants infected need to be removed before the worm problem spreads. An estimate of \$500 was given by the landscaper to perform that task. We may replace some of the dead plants with roses.

Residents need to be aware that much that is maintained is city or developer responsibility. Help Bryan website is very helpful for complaints. The city took down the dead trees at the entrance at no cost to us.

#### **Entrance Flags – Bruce Worley**

We need to purchase 4 Texas flags for the entrance. We commit to only buy flags made in the USA. The polyester flags are \$51.25 each. It will cost \$14.51 to ship. Patti Wade will forward the tax-exempt certificate to Bruce Worley for the purchase. A motion was made by Anne McBroom Balke to approve the purchase of 4 Texas flags out of the miscellaneous section of the budget. The motion was seconded by Chris Davis. The motion passed unanimously.

#### **Old Business**

The legal case has gone to settlement.

The updated by-laws were re-approved unanimously by the Board, after public posting. The motion to approve was made by Anne McBroom Balke and seconded by Chris Davis.

#### **New Business**

The Best Western on Austin’s Colony has been contracted to hold the Annual Meeting on September 14, 2021. Chris Davis will clarify the details with the contact at the hotel and advise the Board. The cost of holding meeting will be \$225. The hotel will provide water, cups and ice. We will have a view- only Zoom which will be coordinated by Jeff Skelton. A motion was made by Anne McBroom Balke to budget \$300 for the meeting. Chris Davis seconded the motion. It passed unanimously.

Patti Wade moved that Anne McBroom Balke lead the annual meeting. The motion was seconded by Chris Davis and was passed unanimously.

Chris Davis will invite the City Code Enforcement officer to attend the meeting. Anne McBroom Balke will invite the attorney who worked with he Board on the CC&R’s. Jeff Skelton suggested a Brazos Valley GroundWater Conservation District representative may want to attend and make a presentation

on their smart watering initiatives. Jeff Skelton will follow up with them. All presenters should arrive at 6pm.

We will have an information session/town hall q&a on the CC&R's at this meeting, Anne McBroom Balke will lead this session. We will have note cards at the sign-in table for question submission.

The group will need to send a list to Chris Davis as to what is needed to be communicated with the hotel.

Briley Blackshear will be furnished new items for the Annual Meeting agenda by Chris Davis.

**HOA Signage**

The HOA signage discussion was tabled until a later date.

A motion was made to adjourn by Anne McBroom Balke. It was seconded by Bruce Worley. The meeting adjourned at 7:25 pm.

The next Board meeting will be November, 2021. Specific date TBD.

Respectfully Submitted, Chris Davis, Secretary