

**Austin's Colony Homeowners' Association**  
**Board of Directors**  
**Meeting Minutes**  
**May 3, 2022**

**Attendees:** Anne McBroom-Balke, President; Christina Hultquist, Member-at-Large and acting Secretary; Jeff Skelton, VP; and Bruce Worley, Treasurer.

Also attending was Steve Cauffman, Architectural Control Committee Chair. Representing Berkshire Hathaway Management Company were Cheyenne Gonzalez and Suzan Reed.

The meeting was called to order at 6:09pm by Anne McBroom-Balke, President, and a quorum was established.

Randy Freeman was welcomed as a guest and was voluntarily appointed to the Architectural Control Committee.

The minutes from the February 1, 2022, Board Meeting were ratified unanimously. The motion to accept was made by Jeff Skelton and seconded by Christina Hultquist.

**Treasurer:**

Bruce Worley, Treasurer, reported postage increased in February because of dues statements being mailed. Everything is staying on budget. Lawncare costs remained the same. Gary Thomas, Webmaster, was reimbursed for domain costs in March. The question was raised as to why utilities are paid by the HOA when the name on the account is Carrabba Interests. The management company representatives were unaware of the situation. The charges are for a water and electric meter. Suzan Reed stated that if the Developer had a meter installed, once the meter is removed the bill is sent to Berkshire-Hathaway. At that point, the responsible party is changed to Austin's Colony HOA and billed accordingly. This is a common occurrence with developers with new builds.

Anne McBroom-Balke asked the question of how much extra we have paid in attorney fees for Q1. Bruce Worley stated that legal fees were \$225 through March, however, \$450 in February bills were just received in April, which will increase the 1Q amount.

Anne McBroom-Balke stated that she and Christina Hultquist attended legal mediation for an outstanding violation of CC&R's. The violator will pay the HOA half of spent legal fees, leaving the HOA responsible for the remaining half. This is a matter of record for determining the viability of future lawsuits.

Also, Grant Carrabba, Developer, originally agreed to pay the attorney fees for the revamp of the CC&R consolidation but now he has reneged on this agreement. Suzan Reed stated that we need to use Berkshire-Hathaway as the main resource for this project, thus saving some legal fees.

Approximately 21% of our budget has been spent through 1Q.

### **Management Company:**

CC&R Voting Ballots update: Cheyanne Gonzalez reported approximately 105-115 homeowners have not supplied email addresses and that hard copy voting ballots are being mailed. This affects future postage costs.

Anne McBroom-Balke stated that if homeowners did not receive a dues statement, late fees will be waived.

Also, when dues statements were emailed, approximately \$10K in payment were received overnight. The following week, another \$10K had been paid. Using email is a cost-effective and efficient tool.

The violations report was reviewed. There was a summary of current violations and remedied violations.

Notable on the remedied violations are 12 Christmas lights were removed, 7 trailers removed, and 2 fence reversals. There are no current 209 issues.

Regarding CC&R project, Anne McBroom-Balke will be creating an FAQ/fact sheet for owners to review and stated that a quorum needs to be created with this vote. Board members will schedule a Zoom meeting in 2 weeks to discuss our path forward.

### **Lawn and Maintenance Report:**

Patti Wade, Chairperson, did not attend the meeting but submitted a report. Bark mulch has been added to public landscaping. We lost 4-6 shrubs due to winter conditions. The renewed landscaper contract is in effect including the increase of common areas, discontinuance of mowing the corner of Bullinger and Austin Colony's Parkway due to it being owned by the Developer. The contract totals \$51K annually. We are in month 9 of no response by the Developer of landscaping plans for the new additions. New additions with our current CC&R states that Developer can deed us any new phase but with new CC&Rs, the Developer needs our approval first before deeding us the addition pertaining to land, streets, landscaping, etc.

Suzan Reed, Berkshire-Hathaway, suggested inviting the Developer to the next meeting. We need to get a landscaping deed and plot deed from him and pinpoint landscaping responsibilities.

Anne will ask Patti Wade to oversee replacement of dead shrubs. Board members suggested replacing lost shrubs with something heartier, possibly roses.

### **Architectural Control Committee:**

The Board welcomed to Randy Freeman. Steve Cauffman, Chair, had nothing new to report but raised the question on past concerns. Cheyanne Gonzales will follow up and get a status of work in question.

Because Board members and members of their households cannot officially approve or deny Architectural Control requests, we need to recruit new committee members. Motion was made to add Randy Freeman as a committee member unanimously.

The City of Bryan has approved a 5ft easement instead of 7 ½ ft easement for sheds. New houses are required to follow new law of 5 ft setback. A new survey will need to be conducted and a new plat drawn for the 5ft easement due to this approval by the City of Bryan.

**Old Business:**

No other updates on violations or pending legal actions.

**CC&R Project**

Everyone needs to actively encourage voting. Our numbers are low for this point in the process. Board members will continue to answer questions from homeowners. Homeowners are getting email reminders weekly to vote if they have not done so. On 5/2, paper ballots were sent out and only 1 vote was returned. Board Members will create town hall meetings with homeowners to provide opportunities express concerns and generate conversations to create votes. Board Members also further discussed common concerns that are being made by homeowners such as dues increase parameters, overnight parking, and ensuring consistency between phases.

**New Business:**

Christina Hultquist asked about planning the next Annual Meeting. She volunteered to meet with Best Western Premiere hotel to plan the Annual meeting with roughly 50 attendees, tables and chairs, drinks, snacks/cookie tray and suggest door prizes. We have a budget of roughly \$300 for the Annual Meeting. Jeff Skelton will also follow up with the neighborhood school about potentially hosting.

Bruce reported one of three flag poles at the entrance of the neighborhood needs to be fixed. He will contact SignPro to get it fixed or find the hardware to fix it himself.

**Next Meeting:** August 2, 2022

The meeting adjourned at 7:10pm.

Respectfully submitted from notes taken by Christine Hultquist,

Christine Davis, Secretary