

OAK PARKE HOMEOWNERS ASSOCIATION, INC.

Minutes of the Monthly Meeting of the Board of Directors
September 14, 2009 **(AMENDED APRIL 27, 2010)**

The meeting of the Board of Directors (the "Board") of Oak Parke Homeowners Association, Inc. (the "HOA") was held at 7:40 p.m. on September 14, 2009 at Bethany Lutheran Church.

In attendance were Chris Driggs, Monique Wells, and Scott Robuck, Directors; Ginger Grissom, Recording Secretary; and Members Zeke Salinas, John Basham, and Rick Wempe. Carl Gamble, Property Manager, was not able to attend.

1. **Call to Order.** After determining that a quorum was present, the meeting was called to order by Scott Robuck at 7:40 p.m.

2. **Minutes.** Scott Robuck moved that the minutes of the July 21, 2009 meeting be approved. Monique Wells seconded, and the motion carried.

3. **Introduction of New Board Member Monique Wells.** Scott Robuck introduced Monique Wells as the new Board member. Monique brings many good qualities to the Board, including previous experience as a Board member for the Estates of Shady Hollow and previous experience working with Goodwin Management. Monique is filling the position that Pam Monday vacated, which expires in 2012.

4. **Members' Comments.** There were a number of Member comments as follows:

(a) Board Meeting Agendas. One Member requested that Board agendas be posted prior to the Board meetings. He also requested that Board agendas be emailed to him personally at least one week in advance of the Board meeting. Scott Robuck will post the agenda to the HOA website. The agenda will be posted shortly after meetings and stay on the HOA website until the next meeting. It was noted, however, that most updates are made about a week prior to meetings.

(b) Errors on HOA Website. One Member informed the Board that there were many errors on the HOA's website that need to be corrected. Scott Robuck said that he would try to make these changes within the next week.

(c) Gas Lanterns. Two Members requested that the Board allow gas lanterns to be changed to electric or solar by addressing it in the Code of Rules and Regulations (hereinafter the "Code"). Scott Robuck opined that he would like to make such changes legally -- that he doesn't want to create any slippery slopes in our governing documents. One Member stated that he could provide backup documentation from the developer and previous Boards to give the Board authority for including such a change in the Code.

(d) Open Records Request. One Member brought up an open records request from 2007. He said that the Board told him that he had to be "specific enough" about what he wanted when he made open records request. Discussion ensued, and Monique Wells asked if the Member was requesting that the Board define "specific enough," because each Board may differ in what they determine is "specific enough." The Member brought up the request for financial information as an example. Scott Robuck said that being specific enough for financial information would mean providing the years that you want, the months that you want, and the monthly detail that you want.

In this same discussion, a Member brought up that, in accordance with Section 3.2(f) of the Covenants, Conditions, and Restrictions (hereinafter "Deed Restrictions") all books and records of the Association are to be made available for inspection by Owners at reasonable times and intervals. The Member also asked that Article 11.2 of the Code be corrected to be consistent with the Deed Restrictions.

Article 11.2 of the Code says: "Members of the Association may make a written request to the board for copies to view records of the Association. Requests must be specific enough for the board or management company to identify what records are being requested."

Article 3.2(f) of the Deed Restrictions states: "To make available for inspection by Owner within sixty (60) days after the end of each year an annual report and to make all books and records of the Association available for inspection by Owners at reasonable times and intervals."

As part of this discussion, one Member mentioned that many federal rules governing privacy had changed since the governing documents were created, and that federal privacy rules trumped the governing documents.

Also in this same discussion, one Member asked for the entire content of an attorney decision back in 2007. He stated that he wanted not only the attorneys' opinion, but also the questions that were asked.

(e) Updates to Amenity Center. One Member asked for the status of the electronic upgrades to the amenity center. He said that this had been discussed in November 2008. Scott Robuck stated that nothing had been done to date as the Board is still considering the various options available. The Board hopes to move forward with this project and also with the pool replastering project. Bids were obtained last year for the pool replastering project; however, the companies bidding informed the Board that the project could wait, so it was decided to delay the project until it was necessary.

(f) HOA Attorneys. One Member asked if the Board had switched attorneys (from using Susan Haney to using the attorneys recommended by Goodwin

Management). Scott Robuck informed the group that, as discussed in previous meetings, Susan Haney would continue to handle the collection matters that are currently assigned to her. All new collection matters will be referred to attorneys recommended by Goodwin Management. By doing this, the HOA saves money in that the new attorney will not have to charge the HOA for review of the materials handled by Susan Haney.

(g) One Member asked the Board to correct Article 8.2 of the Code (which states that the Board shall be the ACC) to be consistent with Article 5.1 of the Deed Restrictions. Scott Robuck said that the Board is not the ACC and that he will try to get this corrected.

Article 5.1 of the Deed Restrictions states: "Architectural Control Committee. A committee to be known as the Architectural Control Committee (the "ACC") shall be established consisting of three (3) members. . ."

Article 8.2 of the Code states: "The board shall be the Architectural Control Committee in order to enforce the provisions of Article V of the Declaration of Covenants, Conditions, and Restrictions for Oake Parke."

5. **Committee Reports.**

(a) Activity Committee.

(i) Membership. There have been changes in the membership of this committee. Carrie Nelson resigned and two new members were added.

(ii) Events. The next scheduled event will be the Fall Festival, which is scheduled to take place on October 25th from 2:00 to 4:00 p.m. They are uncertain if there will be an October home decorating contest this year.

(b) Pool Committee.

(i) Hours. The hours of the pool will remain the same through December 31st when the pool closes for the season. One Member asked why the pool was not open year-round. Chris Driggs stated that it is not cost-effective to keep it open year-round as the HOA has to pay for the pool to be cleaned twice a week when it's open and only once per week when it's closed.

(ii) There was also discussion of obtaining a deposit from Members requesting pool parties and/or fining Members for pool party violations. It was decided that further research was necessary before implementing these rules.

(c) Landscape Committee. There were no updates from the Landscape Committee.

(d) Parking Committee. Zeke Salinas reported that everything with the parking program was quiet for now. He reminded everyone that that you cannot park on the street in permitted areas from 9:00 a.m. to 4:00 p.m. during the week. He also reminded everyone that you can get ticketed for "wrong wheels to the curb" if you park facing the wrong way.

(e) ACC Committee. Scott Robuck would like additional help with this committee. He has added access to the new ACC system for the Board members.

(f) Safety Committee.

(i) Meeting with District Representative. Our Southwest District Representative, Senior Police Office Joshua Visi, would like to set up a security meeting with our residents, since he was not able to attend our Board meeting this year. There was discussion that there had been very low turnout for safety meetings in the past, and that his presentation was better limited to annual meetings.

(ii) Curfew Violations. One Member complained of curfew violations at the park--kids playing in the park and being loud after hours.

(iii) Motorcycles & Motorized Vehicles. One Member complained that motorcycles and all-terrain vehicles are still cruising the neighborhood. One Member stated that the only motorized vehicle permitted on sidewalks is a wheelchair. He also stated that motorized vehicles without plates or exceeding the speed limit could be ticketed.

(iv) Tickets for Reckless Driving. There were complaints of reckless driving in the neighborhood. Sometimes this occurs when the driver isn't exceeding the speed limit. One Member said that reckless drivers can still be ticketed a number of ways. For instance, they can be cited for "improper start from a stopped position" or "display of speed."

(v) Area Concerns. Chris Driggs reported that three adults and one juvenile were caught in Circle C shooting BB guns.

(vi) Incident Notification. If residents see any violations occurring in our neighborhood, they are encouraged to call "311" or "911." Make sure that you get an incident report number, and give the incident report number to Goodwin Management. Our community is safer when the police department is aware of violations such as those discussed above.

5. **Property Manager Reports.** There were no Property Manager Reports since Carl Gamble was not able to make it to the meeting.

6. **Old Business.** There was no Old Business.

7. **New Business**

(a) 2009 Meeting Dates. The next scheduled meeting will take place on November 17th at 7:00 p.m. The location for that meeting will be posted prior to the meeting.

(b) The Association's Financials.

(i) Scott Robuck said that there shouldn't be too many changes needed for the upcoming budget. He will obtain the 2010 budget from Carl Gamble in time to get it approved before 2010 coupons are ordered.

(ii) At the last meeting, Scott discussed having a Member (Larry Seelke) review the Association's Financials. Mr. Seelke is a Certified Public Accountant who currently does this on a voluntary basis for his church. He would also do it for the Association on a voluntary basis. Scott has sent the financials to Mr. Seelke for his review. It is hoped that Mr. Seelke can give the Board some direction on how to best invest the reserve accounts. Mr. Seelke will also review the financials to ensure that the management company maintains its honesty. One Member who was in attendance also expressed the desire to be on the Finance/Audit Committee.

(iii) Scott Robuck expressed that he would like to create an area on our website where Members can look at the HOA financials. Zeke Salinas asked that the financials be access controlled if ever placed on the HOA website. [Note by Recording Secretary: A Member had requested a couple of years ago that names of Members not be shown on HOA minutes. The Board agreed with that suggestion. Therefore, no credit was given for this suggestion. At the April 27, 2010 meeting, Zeke Salinas asked that he be given personal credit for this recommendation. Therefore, these minutes were amended on April 27, 2010.]

(iv) Monique Wells was nominated to be the Board's new Secretary/Treasurer. Monique will be added to the HOA's accounts and Pam Monday's name will be removed.

(v) It was noted that we currently have \$25,996.78 in our reserve account.

(c) Insurance. Scott Robuck will obtain a quote from a Farmer's agent who has informed Scott that he can save the HOA money by consolidating our policies while still maintaining the same level of benefits.

(d) Gas Lantern Issue. It was noted that Scott Kozcman, who lives in our community and does a great job at repairing our gas lanterns, is moving to Houston. There was concern that another company should be found that can do the same services offered by Scott Kozcman. It was also discussed that this might be a good time to research the governing documents to determine if a variance could be created to permit the conversion of gas lanterns to electric or solar. As noted above, it was determined that this matter should be tabled so that additional research could be done.

8. **Adjournment.** The meeting was adjourned at 9:08 p.m.

Chris Driggs, President

Attachments:

(1) Notes by John Basham of errors on HOA's website