

OAK PARKE HOMEOWNERS ASSOCIATION, INC.

Minutes of the Monthly Meeting of the Board of Directors
January 19, 2010

The meeting of the Board of Directors (the "Board") of Oak Parke Homeowners Association, Inc. (the "HOA") was held at 7:00 p.m. on January 19, 2010 at Bethany Lutheran Church.

In attendance were Chris Driggs, Monique Wells, and Scott Robuck, Directors; Carl Gamble, Property Manager; Ginger Grissom, Recording Secretary; and Member Zeke Salinas.

1. **Call to Order.** After determining that a quorum was present, the meeting was called to order by Chris Driggs at 7:00 p.m.

2. **Minutes.** Chris Driggs moved that the minutes of the November 17, 2009 meeting be approved. Scott Robuck seconded, and the motion carried.

3. **Members' Comments.** One Member spoke of differences that he had with the agenda item regarding gas lanterns. For further information, please see New Business (Variance Permitting Electrical Conversion of Gas Lamps) below.

4. **Committee Reports.**

(a) Activity Committee. Chris Driggs reported that the Spring Festival will take place on March 28th from 2:00 to 4:00 p.m. The rain date will be April 3rd from 2:00 to 4:00 p.m. More Members are needed to volunteer for this committee as some of the committee members have resigned.

(b) Pool Committee. Chris Driggs reported that there were some problems associated with the recent freeze. The outside shower pipes burst, but has now been repaired. Carl Gamble reported that the oldest pump also had to be repaired.

(c) Landscape Committee. Chris Driggs reported that the landscaping crew will be doing some mulching.

(d) Parking Committee.

(i) Parking Permits. Mr. Salinas is now selling 2010 permits. The permits are \$20.00, cover the period January 1 through December 31, 2010, and provide Members with two window stickers and two visitor tags.

- (ii) Possible Permit Restrictions on Oak Parke Streets. Mr. Salinas is driving through the community once or twice each week to determine problem areas. He doesn't anticipate that any streets will be added to the permitted areas. If anyone is experiencing parking problems, please inform Mr. Salinas. He will need your name and address, and photos documenting the problem.

(e) ACC Committee. Scott Robuck reported on a variance that had been given to the owners of 3809 Aspen Creek Parkway (the "Property") to build a shed larger than that permitted by the deed restrictions. The shed will be permitted on the Property so long as it is well-maintained and structurally sound. Once the shed is no longer structurally sound or is in otherwise poor condition, then the owner of the Property will be requested to move it off the Property at the Property owner's expense, and no further variance will be given for a shed of this size on the Property. "Poor condition" will include, but not be limited to, (i) the shed needs to be painted; (ii) the shed's paint does not match that of the residence; (iii) the shed's shingles do not match that of the residence (in color or style); and/or (iv) anything on the shed looks to be in poor condition (trim, side boards, roof, etc.).

The variance was solely given because the ACC's electronic system failed to give notice to ACC members that the Property owners had submitted the additional information that had been requested by the ACC. This, in turn, led to a failure of the ACC to decline the Property owners' application within the timeframe required by the deed restrictions. Had the ACC's system worked properly, the ACC would have declined the application. Steps have now been taken to ensure that the ACC's electronic system is working properly. It is noted that no other Members will be permitted to have such a variance.

A request was made to spend the fees necessary to discuss this matter with an attorney in order to file the proper documents with the Travis County Clerk in order to preserve the HOA's right to remove the shed in accordance with the variance granted for this special circumstance. Chris Driggs moved that the necessary funds be spent to file the necessary paperwork with the Travis County Clerk. Monique Wells seconded it, and the motion carried. Ginger Grissom will be responsible for coordinating this filing with the HOA's attorney and the Travis County Clerk.

5. **Property Manager Reports.** Carl Gamble gave the following reports:

- (a) Garage Sale/Pool Party Permits. No requests have been made.

(b) Homeowner Concerns. There were concerns that Bowie students who drive to school have created dangerous situations for our Members by being inattentive to other drivers. Other concerns were voiced about parents blocking access to the HOA's amenity center by using the HOA parking lot to wait for their children. It was discussed that parents are not permitted to wait for their children at the HOA's amenity center. However, currently there is nothing preventing them from doing so. Chris Driggs will

investigate whether we can block access to the amenity center parking lot by charging a per diem fee.

- (c) Manager Action Items Report. The following was discussed:
 - (i) Record Storage. Records have been taken from Susan Haney's office and stored in an off-site storage facility. The property management company will have oversight of these records.
 - (ii) 2007 Audit. The 2007 audit has been completed by Steve Tilson, a certified public accountant. If the HOA wants to have audits done for 2008 and 2009, the cost will be \$2,200 per year. Chris Driggs moved that we hire Steve Tilson to prepare an audit for 2009; and that a 2008 audit only be done if the 2009 audit shows any irregularities. By doing it this way, the HOA will save \$2,200 for the 2008 audit. Monique Wells seconded this motion, and the motion carried.
 - (iii) Repairs for Light above Mail Boxes at Amenity Center. It was discussed that we need to determine if this should be repaired at the HOA's expense or at the City's expense. It was also noted that we need to have something in writing from the City so that it can be documented. The Board will investigate this further.
 - (iv) Delinquency Report. To be discussed in Executive Session.
 - (v) Deed Restriction Violations. To be discussed in Executive Session.

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

7. **New Business**

(a) Upcoming Meeting Dates for Regular Board Meetings. The next meeting date will be February 16th, at which time we will plan for the Annual Meeting. The backup date for the February meeting will be February 23rd. Another regular meeting will be held on March 23rd or 25th to prepare for the Annual Meeting. Notice of these meetings and the meeting locations will be posted on the HOA website and at the amenity center.

(b) Brivo System for Pool. The Brivo system for the pool's access control was discussed. Chris Driggs will obtain bids. Carl Gamble reported that one access card will be given to each Member. Members will be responsible for paying the cost for any lost cards. The cards will also be deactivated in instances where Members are in arrears or have deed restriction violations. It is hoped that the system will be in place in time to mail the cards with the Annual Meeting packets.

(c) Nominations Committee. Since Chris Driggs' term on the Board expires this year, a Nominations Committee is needed to find her replacement. Scott Robuck will solicit volunteers for this committee.

(d) Annual Meeting. The Annual Meeting will be held on April 20th (with a backup date of April 27th). Scott Robuck and Chris Driggs will review past procedures to ensure that the meeting goes smoothly. We will use the same procedure this year as last whereby the meeting is adjourned and a second meeting called on the same date if we don't reach a quorum at the first meeting time.

(e) Adding Monique Wells to Bank Accounts. The Board needs to confirm that Monique Wells has been added to the bank accounts.

(f) Variance Permitting Electrical Conversion of Gas Lamps. The need to create a variance to permit electrical and solar conversion of gas lamps was discussed. One Member provided some historical background, and noted an objection to the agenda item with regard to "requiring that all electric light conversions be low voltage (less than 30 volts) for safety". It was the Member's opinion that the Board shouldn't legislate against stupidity and that we should keep it simple -- if Members want to install something on their property, is up to them to obtain the proper City permits and to ensure that the voltage is within the proper limits.

Members will not be required to convert to electric or solar lanterns. However, homeowners that wish to convert will be required to go through the ACC Committee to request the variance. The ACC will need to be consistent in the type(s) of lamps that it will approve--any such lamps will need to look like the current gas lanterns and give off as much light as the current gas lanterns. It is hoped that vendors can be found to give cost breaks if enough homeowners decide to do the conversion.

(g) Necessity for Additional Hearing Rules. Scott Robuck and Monique Wells will work on necessary hearing rules with regard to appeals hearings. This will follow the protocol in Section 209 of the Property Code. Once written, they will be placed on the HOA website.

8. **Adjournment.** The meeting was adjourned at 8:25 p.m.

Chris Driggs, President

Attachments: None.