

OAK PARKE HOMEOWNERS ASSOCIATION, INC.

Minutes of the Meeting of the Board of Directors
July 19, 2011

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 July 19, 2011 at Bethany Lutheran Church.

In attendance were Monique Wells, Tom Young, and Ruth Andersen, Directors; Carl Gamble, Property Manager; Ginger Grissom, Recording Secretary; and Members Holly Leoni and Zeke Salinas.

1. **Call to Order.** After determining that a quorum was present, the meeting was called to order by Monique Wells at 7:03 p.m.

2. **Minutes.** Tom Young moved that the minutes of the May 17, 2011 meeting be approved. Monique Wells seconded the motion, and the motion carried.

3. **Members' Comments.** Please refer to Item B. under New Business.

4. **Committee Reports.**

A. Activity Committee. Monique Wells read the Activities' Committee report as follows:

i. Two past events (the Spring Fling/Fun Run in April and the Fourth of July Parade on July 2nd) were successful and within budget.

ii. Upcoming Events include:

(a) Fall Festival/Chili Cook-off tentatively scheduled for October 22nd. The committee hopes to expand and improve on this event, including the possibility of live music.

(b) Santa in the Parke is scheduled to take place on December 11th.

(c) Holiday decorations will be placed at the Amenity Center and at the Brodie Lane entrance in early December. They will be taken down in early January.

The above events are all expected to be within budget.

B. Pool Committee. Holly Leoni reported the following:

i. A number of items were completed in June/July by Holly including the following: the bulletin board was cleaned and updated with new information; new "No Smoking" signs were put up; new chains and locks were put up on the gate near the playscape to reinforce adequate closure of the gates; a Lost and Found crate was placed along the fence facing the entrance gate, the flowers in the pots and the newly planted lantana installed by Monique have been hand watered. Holly will be monitoring the Lost and Found crate, and anything left over fourteen days will be donated to Goodwill.

ii. A number of items will be completed in the future, including: making a new Pool Party sign; verifying the Pool Party rates with the lifeguards and making a new sign for that if rates have increased; ensuring that there are enough "Pool Rules & Specifically for Parents" signs in various locations.

iii. Possible future action items include the following: power washing the blue shade awnings or, if necessary, replacing them; purchasing and mounting new hose hanger at East end of pool.

iv. There have been problems with non-Members getting into the pool after hours. Various measures were discussed to prevent this problem.

C. Landscape Committee. Monique Wells reported as follows:

i. Vacant lot off Idalia Drive: There have been complaints that this is unkempt. The Board has discussed this with Susan Hoover/Circle C Landscaping. Circle C Landscaping's contract will be reviewed to add additional mowings. In addition, Susan Hoover will check the City of Austin maps to ensure that the entire area is getting mowed.

ii. Sprinkler System Problems. There have been a number of issues with the sprinkler system. Susan Hoover is also working on this problem.

D. Parking Committee. Holly Leoni has taken over the Parking Committee duties from Zeke Salinas. Aspen Creek has now been designated as a "No Parking" area. Minimal signs will be placed on Aspen Creek prior to August 22nd (the date school begins). However, if parking problems persist, additional signs will be installed.

E. ACC Committee. Ginger Grissom reported the following submissions and decisions:

10318 Wolftrap Drive - Declined covered patio project due to metal roof. Homeowners have been told that their project would be approved if they resubmitted using shingles. To date, this project has not been resubmitted.

3812 Idalia Drive - Approved front porch addition.

3912 Sawmill Drive - Approved landscape design.

3608 Leadville Drive - Solar Panel Project on hold. The Committee has requested that the Homeowner resubmit the application and provide additional information.

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

A. Garage Sale/Pool Party Permits. One garage sale noted in June. No Pool Party Permits were issued.

B. Homeowner Concerns.

i. Mantles for Gas Lanterns. If you need mantles, please contact Matt Lamm at (281) 660-7315 or mlamm66@gmail.com.

ii. Sprinkler System. Carl has received calls about the sprinkler system. Susan Hoover/Circle C Landscape is working on the problem.

C. Manager Action Items Report.

i. Unexpected Expenses. There have been some unexpected expenses for repairs--mostly plumbing issues. There is a stoppage problem outside the amenity center bathrooms. The plumber will do a video feed to determine the problem.

ii. Sidewalk Installation on Brodie Lane. The City plans to place a seed pad down after the Brodie Lane sidewalk project has been completed to repair areas where the landscape has been damaged.

iii. Garbage Contract. Carl received the garbage contract, but will not sign it because the garbage company wants a twelve-month contract. Carl insists on a contract that will permit a thirty-day termination.

iv. Pool Incident. There was one pool incident where a Member allowed sixteen people in the pool without obtaining a pool party permit. Pool privileges were suspended for two weeks.

v. New Legislation. Carl advised that the legislature passed a number of laws affecting homeowners' associations--some that will become effective September 1, 2011 and others that are effective January 1, 2012. This includes legislation regarding notices to Members, members' access to Association records, and laws limiting restrictions on certain items such as solar panels and rain barrels. Attorney Adam Pugh has drafted Resolutions for the Board to review. Once the Board has signed the resolutions, they will be filed in the Travis County Real Property records so that they may be enforced.

- D. Budget. The budget is still in good shape.
- E. Delinquency Report. To be discussed in Executive Session.
- F. Deed Restriction Violations. To be discussed in Executive Session.

6. **Old Business.**

A. Lawyer's Opinion. Monique Wells reported that the Board had received a lawyer's opinion (from attorney Connie Heyer) with regard to two issues. The first question submitted was: "Is replacing or inverting a fence on the common area (so that the outside "smooth" edge is facing the lot's interior and the inside "rough" edge is facing the lot's exterior) a repair or an alteration in need of ACC approval?" The attorney opined that it is an alteration in need of ACC approval.

A second question submitted was: "Is an owner the *Declarant*?" The attorney opined that the original Declarant (also the Developer) was Benchmark Land Development, Inc., who eventually sold enough lots so that its membership was discontinued and the rights (to appoint ACC members, etc.) were assigned to the Board of Directors. The "Declarant" no longer exists.

A copy of the Lawyer's Opinion is attached.

B. Bathroom Improvements/Remodeling. The Board will determine necessary improvements for the amenity center bathrooms. Once the determination is made, they will get bids from several companies.

C. A/C Installation. The Board has signed a contract with Mike Wood of Comfort Systems to install the A/C for the camera system upgrade. The Board hopes to complete this project soon.

D. Camera System Upgrade. The Board has signed a contract with Dean Scoggins with HSP Systems to upgrade the camera system. The Board hopes to complete this project soon.

7. **New Business**

A. Resignation of BOD Member. Chris Driggs has resigned from the Board.

B. Appointment of New BOD Member. Ruth Andersen has been appointed by Monique Wells and Tom Young to replace Chris Driggs. Ruth stated that it is an honor to be asked to serve on the Board of Directors. She said that she views the job as a way to help out in Oak Parke, and she'll do her best.

One Member expressed disappointment that a renter, not a property owner, had been selected. The Member further commented that Monique and Tom should have

contacted every single property owner first before appointing a renter, even if that meant going door-to-door to every single home in the neighborhood.

Monique Wells reminded this Member of an attorney's opinion in 2011 that stated that Board Members did not have to be property owners.

[Secretary's Note: The Attorney's Opinion stated that Board members need not be Members of the Association pursuant to Article VIII of the Articles of Incorporation and Section 5.1 of the ByLaws.]

Another Member thanked Ruth for accepting the responsibility of Board member, and commented that Ruth was a good candidate because Ruth had done a lot of good things for the community since living here. This Member also commented that the renters in our community are good people who take care of their homes, and often times are more concerned or just as concerned about our community. Ruth stated that she realized there's a popular misconception of renters as transient and irresponsible, but it's not always true. She further stated that, especially in this economy, more and more people are renting; she and her husband care for the property they rent and have done a lot to enhance it. They are eager to get involved and contribute to the neighborhood.

C. Landscape Company Revised Schedules. Please refer to Item C (Landscape Committee) under Committee Reports.

D. Lifeguard Stand. The lifeguard stand is in need of repair. There are three choices: free standing, mounted, or the same type that we currently have. These alternatives range in price from \$520 to \$2,600. Information will be emailed to the Board Members so that a decision can be made.

E. Discussion of Future Projects. The Board is searching for future community projects. Suggestions were: replacing trees, conversion of gas lanterns into electric lights at the park to save money, possible solar power for the amenity center, addition of lights/motion detectors in the park, replacement of sprinkler heads with energy efficient heads, new tarps, and planting additional landscaping to deter unauthorized people from getting into the pool.

8. **Adjournment.** The meeting was adjourned at 8:28 p.m.

Monique Wells, President

Attachment: Attorney's Opinion.