

The Preserve Homeowners Association
P. O. Box 163772
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To: Homeowners' Association Members

Date: January 17, 1993

From: D. M. O'Neill, Secretary 

Subject: Annual Meeting Minutes

The Annual Meeting of The Preserve Homeowners' Association was held on January 14, at 7:00 PM, at the home of Dennis and Carol O'Neill. The meeting was chaired by Dennis O'Neill, Association Board Chairman and President.

Reports

Dennis called the meeting to order and took an official roll call. Sixteen homeowners were present, there were two written proxies that were submitted, and two (invalid) oral proxies that were noted. Attachment I presents the results of the roll call. In response to a number of request from the attendees of the meeting, we have included the latest list of names and addresses for all of the Association members (Attachment II).

Cindy Moreland, Association Secretary, read the minutes from the previous annual meeting, and she and Dennis summarized the additional meetings that had taken place during the course of the year. The specific items that were noted were the discussions concerning the circulation of water through the slough at the base of the bluff lot owners' properties, and the routing of utility connections beneath the surface of the private drive along Westlake Drive.

In particular, the *ad hoc* meeting of the bluff lot owners regarding the circulation of water in the slough was discussed. It was reported that as yet there has been no engineering action that has taken place to close this issue. John Stockton, chairman of the *ad hoc* committee took the action item to contact Russell Parker to try to resolve the issue as soon as possible. There is some urgency to the issue inasmuch as Lake Austin will be lowered during the coming six or seven weeks and this may afford an opportunity to complete the work at a lower cost.

Carolyn Bolenbach, Association Treasurer, then gave the annual Financial Report. It is included as Attachment III. Since at last year's meeting it was voted to revise the definition of the Association's fiscal year to coincide with the calendar year, she also submitted a report for the period November 1, 1991 to 12/31/91 that covered the redefined period. This is included as Attachment IV. The annual operating costs for 1992 were \$7,785.08, and under current assessments (\$300.00/month/lot), the annual income for the Association is 9,300.00. The subdivision began 1993 with a balance of

\$5,742.64. This balance is due primarily to the lump sum that was paid for past due assessments when a number of unsold lots in the subdivision were under the control of the FDIC/RTC. The Association members are also reminded that their bi-annual assessment of \$150.00 is due by the end of January.

During the discussion of the Financial Reports, Jim Bolenbach, Association Vice President (responsible for Landscaping and Security), reported that some of the figures for the upkeep and maintenance of the subdivision may be somewhat misleading if they are to be used as predictors for costs in 1993. This is because Jim undertook a number of the repairs himself, especially on the sprinkler system. If the incoming Vice President decides to have the repairs done by an outside contractor, the costs may be somewhat higher. There was some discussion as to whether the assessment should be increased, but it was decided to defer this issue to the Board to make a recommendation, if necessary.

Carolyn then reported that she has been in negotiations with Travis County for much of the year in order to get the county to assume responsibility for maintenance of the public subdivision roads, i.e., Canyon Crossing and Hidden Canyon Cove. After much discussion concerning liability insurance, the status of the tree on the esplanades etc., Carolyn felt that we are very close to a conclusion of this issue. She will continue to work on this project until it is resolved despite that fact that she is resigning from her position of Treasurer.

We had asked Russell Parker (or his representative) to report on the current status of the remaining lots and construction projects in the subdivision, but they were unable to attend. They asked Carol O'Neill, Architectural Control Committee (ACC) Chairperson to report that Russell Parker Homes owns only one more lot (Lot B9), and that Dr, Moritz still owns the spec house being built on Lot A1. Lot B11 is owned by Mr. William Gaston of Houston, and Lot B18 is owned by Mr. Sam Brown of Austin. The status of Lot B26 is still unclear as to whether it belongs to Russell Parker Homes or has been sold to an individual named either Buford or Gordon.

Speaking for the ACC, Carol then reported that in 1992 the ACC had reviewed the plans for ten different houses that were/are to be built in the subdivision. All of the plans have been approved, although there is currently a petition before the ACC to consider a revision to the approved plans.

Elections

Since not everyone present had seen a copy of the Association By-Laws as currently amended (Attachment V), Dennis reviewed the election procedure for the membership. He summarized the following points:

- five board members serve one year terms
- open nominations from the floor
- election by secret ballot

appointment of subdivision officers
job descriptions of officers (Attachment VI)
appointment of ACC members

Dennis then raised a number of topics that the Board had discussed during the past year relative to the elections:

- In order to insure some continuity from one year to the next, the Board recommended that at least one Board member from the previous year carry over and serve the following year.
- Given that the bluff lot owners (Lots B9-B16) and the private drive lot owners (Lots B23-B29) have specific responsibilities that are distinct from the remaining lot owners, the Board recommended that there be at least one Board member from each of these constituencies.
- In 1992, the five Board members came from only three households. The Board felt that this was not a particularly good situation, although to the best of their knowledge there had been no complaints in that regard. The Board recommended that there be no more than one Board member per household.

The Board did not pass any amendments to institutionalize these recommendations, and there was no further discussion of the topics. Before nominations were accepted from the floor, Dennis asked the current Board members if they wished their names to be considered for nomination. Carolyn and Jim Bolenbach, having served the previous two years on the Board, declined from participating in 1993. Carol, Cindy, and Dennis said that if there were no other volunteers, they would be willing to serve again in some capacity on the Board. The floor was then opened up for nominations, and the following people were named:

Jeff Carlson	(Lot B27, Private Drive)
Cindy Moreland	(Lot B16)
Carol O'Neill	(Lot B19)
Dennis O'Neill	(Lot B19)
John Stockton	(Lot B10, Bluff Lot)

Given that only five people were nominated, the group decided to dispense with written balloting, and the Board members were approved by acclamation.

Dennis then asked the membership for volunteers who wished to be considered for membership on the ACC. The following people volunteered:

Al Bialkowski	(Lot B22)
Carolyn Bolenbach	(Lot B20)
Tony Lopes	(Lot B29, Private Drive)
Peggy Meek	(Lot B21)

Lauren Mezaraups (Lot B13, Bluff Lot)
Keith Moreland (Lot B16, Bluff Lot)
Carol O'Neill (Lot B19)
Diane Sallot (Lot B7)
Tina Stockton (Lot B10, Bluff Lot)

Diane and Carolyn said they wished to be considered as "substitute members" in case the ACC was ever short-handed.

New Business

The floor was then opened up for the discussion of new business. Carolyn Bolenbach opened the discussion concerning the situation of loose dogs in the neighborhood. It was felt that since the signs requesting that all dogs be leashed went up, the situation had improved somewhat, but there was still a problem. In particular, it was felt that there are still one or two dogs that have been seen running loose on a routine basis, and that several dog owners, despite having their animals on a leash, have been letting them mess on people's lawns.

Since it is believed that the offending parties are from Rockcliff Estates and Green Park, we ask the Association members to remind any dog owner they see to respect our request, and to inform them that since at least part of the subdivision is within Austin City limits, we are empowered to call the city dog catcher to pick up offending stray animals. Association members are also reminded that as part of the subdivision CC&R's, all dog owners within the subdivision are required to have a fenced in portion of their yard to keep their own animals confined, and if they are taken for a walk, they should be on leashes also.

Jim Bolenbach then reminded the membership that there had been a number of break-ins into cars parked on the street or in driveways in the neighborhood over the past year. He requested that all members note any unusual or suspicious cars in the neighborhood and be sure to inform the Association Vice President should any incidents occur. The Association members were also reminded that the CC&R's require all vehicles be garaged on a routine basis. This should help reduce the opportunity for such incidents in the future.

Given that there was no additional business, Dennis O'Neill closed the meeting with asking the members to express their appreciation for all of the work done by the outgoing Board members, Jim and Carolyn, and the members of the ACC who have also resigned, Roseanne McAlister, Ag Meek and Cindy Moreland.

Summary of the Board Meeting

After the general meeting adjourned, the newly elected Board held their first meeting. The following appointments were made:

John Stockton	Chairman and President
Jeff Carlson	Vice President
Dennis O'Neill	Secretary
Cindy Moreland	Treasurer
Carol O'Neill	Chair, ACC

The Board then discussed the current status of the ACC, in particular the need for a speedy resolution of the pending petition before the ACC. Given that there were seven people who had volunteered for the ACC on a full-time basis, the Board declined to appoint any substitute members. Thus, the new ACC is comprised of the following members:

Al Bialkowski
Tony Lopes
Peggy Meek
Lauren Mezaraups
Keith Moreland
Carol O'Neill
Tina Stockton

Carolyn Bolenbach and Diane Sallot will be contacted should any ACC members resign during the course of the year.

Attachments

Meeting Attendees
Subdivision Directory
Financial Report for Fiscal Year 1992
Financial Report for the period 11/1/91-12/31/91
The Preserve Homeowners Association By-Laws
Job Descriptions for Directors/Officers