

TSHOA General Meeting Minutes: Tuesday, October 26, 2021

Lisa Whittle called meeting to order at 5:41 pm
She thanked all for coming.
We have met quorum based on all requirements.

Lisa reviewed the agenda.
The October 2020 General Meeting minutes are available for review. Approval of the minutes was a ballot item and they were approved. Vote count was 129 yes votes and 12 no votes.
This meeting's minutes will be approved by membership at next year's general meeting.

2021 Review

Financial Review – Lauren

September's numbers

Balance on Hand	\$81255.07
Expenses	\$97.24
Ending Balance	\$81168.18

In 2021 so far we did 10 resale certs. Still in the process of doing a couple more. YTD \$3600, budgeted was \$1200.

Accomplishments

4 officers 9 board of directors

Winter Storm Clean Up – had a landscape company come in and clear out dead branches and do clean up. Need more dead trees and limbs removed. They will be coming out before the end of December to do this.

Signs on Common Area Property – working on updating signage as a result of catch and release rule.

Directory – coming soon. Lisa is working on them and they will be delivered before the end of the year. Large number of resale certs coming in so they wanted to wait and make sure it's as current as possible. Printed copies for those who requested them, all others will be emailed.

Social Committee – Lisa thanked all the chairs and committee members for putting in time and effort to engage with our community.

Jan – recapped all of things done this year in spite of Covid. BBQ was a success, Flamingo Friday's were a lot of fun.

Coming up: Halloween for the kids, cookie exchange in Nov on the tennis courts. Signs will be posted and will post on the website. Luminaries have been very well received and will be done this year. Twelve people are working on the committee and having a lot of fun.

Bridge Fence – at the beginning of year did a survey of the community and asked what needed to be done. Bridge fence was one of the issues that came up. Curt Sellers volunteered to take this on and recruited volunteers. Volunteers went out and sanded the boards. Hope to get it painted in the next few weeks. Will take a few paint samples and post on the website for the members to vote on. Will paint the fence using the one that wins. Huge thank you to Curt and volunteers.

Updated Trash Contract – Mark Richardson, Kelly Hobdy & Jan Vargas have been working with vendor to negotiate a new trash contract. The current one expired on 9/30. The current amount paid is \$84/qtr. The new fee will be \$69/qtr. There were 2 providers to choose from. All services will remain the same and they negotiated 2 days where we'll get heavier item pickup. The new contract will be in effect by 1/1. We can still have up to 40lbs bundled brush and additional trash bags. Once it's finalized, we'll push it out in an email and information will be made available on the website as well.

Items to Address Before Year End – watching the budget and see if we can afford mulching and bridge plank outside of the tennis court. Been in touch with Wilco regarding keeping trees trimmed and weeds trimmed around bridge and for line of sight. If you see other streets that need service, let the board know so we can reach out to county for service. Service request has been submitted.

Wyoming Springs Extension Info - Gene Saienga

Walked the route with City of RR. Was able to get a fence put into the project. Hopefully 10 ft made of recycled rubber for sound absorption that will run the entire length of Tonkawa Springs behind Fox Hollow. Will be an elevated road and will be hauling in lots of fill and they will be putting in lots of culverts for flood control. There will be some roadway abatement to save some monarch trees. They have been listening to property owners. There will be a 4% grade from light to prevent high speeds and trying to eliminate risk of hitting deer. Once all construction is done, service road along the back of the property will be removed and cleaned up. Alignment here and at Fern Bluff still needs to be worked through. Dedicated right turn lane from and left turn lane into Behrens Ranch. Projecting 2023 completion. Still need to get final drawings/design to submit to state for approval. Any turn lanes into or out of Tonkawa Springs would be up to the county.

ACC – has been a moving target this year. SB1588 created a lot of issues. ACC can no longer be part of the board. It's now its own entity including deed enforcement and project review. ACC can deny projects and members can appeal to the board. Must follow the 209 hearing policy which is posted on the website and has been provided to membership. If ACC wants to enforce a deed restriction violation, you can appeal. We had 2 board members on the ACC so they had to resign from the board. We had 1 resign from the board to remain on the ACC and 1 resigned from the ACC to remain on the board. The ACC then had to seek out another non board ACC member. They are putting together their guidelines and processes for the board to review. Once done, they will be implemented. Twelve projects reviewed this year so far and six complaints to date. Working on continuing to make things better and make membership aware like keeping communications going and website updated.

Deed Restrictions – Dan

Process to produce updated restrictions to align the needs of ALL community sections. Dan has worked hard on this all year long with 12 different committee members.

The current deed restrictions are dated and needed to be updated. Practices that became common but were never addressed in the originals. For example short term rentals, Airbnb's, periods of not less than 6 months rentals. Quite a bit of discussion on the issue but what it came down to is how the short term rentals would be used.

Running business out of home – can't run a retail operation out of your home but can work remotely. Garden sheds came up - allow garden sheds, one story, quality construction, avoid shoddy looking

structures. Building materials – lots of updates in materials since these homes were built in the late 70's. Tried to update them and make them more workable for 2021 and going forward. Ran it through several committee members and worked through feedback. Plan is to post them on the website for comments from general membership and will come up with a final set that will be voted on at a special meeting. Trying to get a unified set for all neighborhoods but each section will need to vote on them. New set would hopefully have more flexibility and protections for homeowners.

Question if they will be unified or identical. Answer was that they would all be identical. Key thing to note is that we need 51% of homes in each section to approve, not 51% of votes. Each section that passes them, will be under them.

Any differences in what animals depending on lot size as in the old ones? No.

Any restrictions in place to protect the waters? Yes, language that would protect them was kept. Taking water out of the ponds would be prohibited. Situations where lots extend into ponds. If you're doing a project that affects the appearance of your property, you'd need to get ACC approval. This includes any improvements that would extend into the water.

Gene talked about TX state laws regarding what we can and can't do with the water in Tonkawa. We aren't considered a navigable body of water so we don't fall under federal laws. Talked out federal law changes are upcoming regarding water.

Process – Dan has his copy that received lots of feedback. Lisa will post on the website with information regarding where to post comments/feedback. Will likely go to the committee's email address for them to address comments. Window of approx. 2-3 weeks for feedback and once final version is done, we'll vote on them.

2021 Legislative Session

Turned out a bunch of HOA law. Once they came out we had July/August to get up to speed and get compliant. All boards going forward, will need to comply with the new laws. Lisa talked out how the website is now mandatory.

Updated Bylaws – three line items were updated as a result of the TX Leg. Budgets, ACC section and website requirements.

Management Certificate – doc that we have to file with the county and TREK. Must keep it updated and now have to keep a phone number available as part of the new requirements.

Update to resale cert compliancy – 2 page doc and HOA packet. They now have to be done in 10 days or we can be fined up to \$5000. Capped price of cert is \$375. We were charging \$600. Lawyer suggested we charge a rush fee if they want it in less than 10 business days (max for this is \$100). Resulting in loss of income for the HOA.

209 Hearing Policy – policy available to homeowners that they can appeal. Approved at board meeting on 10/11. Process is now available and has to be followed to maintain state law.

Website Requirements - SB 1588 put a lot of requirements on the HOA and those are built into the bylaws and deed restrictions.

Voting results read by Sue Boyle

2020 Meeting Minutes – passed
129 for, 12 against

2022 Proposed Budget – passed
116 for, 30 against

Funds Expenditure for Tennis Courts – Option 2 passed
Option 1 - 32 for, 14 against
Opt 2 - 97 for, 8 against
Opt 3 none

146 ballots were counted

Elected Board Officers

President - Larry Jolly

Vice President - OPEN (*No name submitted during nominations. See Bylaws- Vacancies on Board*)

Secretary - Jenny Halley

Treasurer - John Kurkjian

Directors: Sarah Grantham, Melinda Hester, Kelly Hobdy, Dan Isenhower, Christy Litz, Jan Vargas, and Stefani Zolper

Vote tally sheet is attached.

Transition Meeting for 2022 Board TBD Meeting Date, Place – goal is to have this done before Thanksgiving. Will be posted with agenda on the website. Address any open items for 2021 and committees that may need to be formed.

Member Comments/Discussion

Question about the budget vote and what a yes vote would mean. Lisa talked about where the increase in dues would go and why it's needed – total of \$5/month or \$60/year.

Dan talked about how we're not even close to keeping up with inflation with this increase.

Question was asked about the cost of management company and if the increase goes to cover that and to replenish the reserves.

Money is going toward improving the community and not just to pay for a management company.

Member noted that we're saving the same amount on our trash bill so it's a wash.

Question about ACC appeal process. Lisa detailed what the appeal process is if improvement is rejected by the ACC.

Rita asked about voting process being line item or all or nothing regarding deed restrictions. Response is that it will be all or nothing and that's why we're working so hard at getting feedback.

Questions about the management company and how they must follow our bylaws and deed restrictions. Talked about the process that was followed for pricing different management companies. Eliminated some that cost too much, narrowed list down by what's offered and the cost of the packages. Want to make sure that they'll keep us compliant with state laws and filings. More legislative changes expected in 2023 so possibly more for us to be compliant with.

Member asked for details about the selection process in choosing a management company if the budget is passed. Asked if we would provide details about what's being considered and it was noted that info can be provided on the website.

Talked about future meeting locations and where they might be held.

Lisa motions to Meeting adjourned at 7:31 pm. Seconded by Nick. Unanimous vote. Meeting adjourned.

Board members in attendance:

Dan Isenhower
Nate Endsley
Lauren Grafe
Sarah Grantham
Jenny Halley
Kelly Hobdy
Larry Jolly
Nancy Napolitano
Mark Richardson
Curt Sellers
Jan Vargas
Lisa Whittle
Stefani Zolper

BALANCE ON HAND:

	<u>9/1/2021</u>	<u>\$ 81,265.07</u>
Checking	\$	39,014.31
Money Mkt	\$	42,250.76

2021 Financials

**Vote on 2022
Budget: increase in
annual dues**

	Actual Monthly	Actual YTD As of 09/30/2021	2021 Variance (Over/Under)	2021 Budget	2022 Budget
INCOME					
1. Membership Dues (141 homes)	0.00	16,930.00	10.00	16,920.00	25,380.00
2. Resale Certificates, etc.	0.00	3,600.00	2,400.00	1,200.00	0.00
3. Interest (Money Mkt)	0.35	3.17	(6.83)	10.00	5.00
TOTAL INCOME	\$0.35	\$18,732.10	\$602.10	\$18,130.00	\$25,385.00
EXPENSES					
1. Operating					
Electric	97.24	881.68	518.32	1,400.00	1,400.00
Refuse	0.00	267.75	132.25	400.00	400.00
Water	0.00	0.00	1,000.00	1,000.00	1,000.00
2. Office Expenses					
Facility Use	0.00	0.00	260.00	260.00	300.00
Legal & Accounting	0.00	400.00	2,100.00	2,500.00	750.00
Management (Beginning 2022)	0.00	0.00	0.00	0.00	7,600.00
Office Supplies & Misc	0.00	0.00	100.00	100.00	100.00
PO Box	0.00	106.00	(1.00)	105.00	115.00
Printing & Postage	0.00	103.90	446.10	550.00	550.00
Taxes & Water Rights	0.00	0.00	115.00	115.00	115.00
3. Amenities					
Repairs, HOA Property	0.00	62.69	1,517.31	1,580.00	2,200.00
Grounds, Contract	0.00	2,035.84	1,264.16	3,300.00	3,200.00
Insurance	0.00	5,158.00	(158.00)	5,000.00	5,000.00
Social	0.00	572.43	1,247.57	1,820.00	2,100.00
Reserves	0.00	0.00	0.00	0.00	555.00
TOTAL EXPENSES	\$97.24	\$8,702.86	\$8,541.71	\$18,130.00	\$25,385.00

Increase Annual Dues Amt to \$180 per home;
An increase of \$ 60 from previous years.
Mgmt Company would complete and receive income

* Water has been turned off since 2019; thus amt
could be used for reserves if water remains off

Reduce Acct and Legal; Mgmt Co Hired
Hire Mgmt Company

Increase for Maint Work

Increase Social

Increase money for reserves fund

BALANCE ON HAND

	<u>9/30/2021</u>	<u>\$ 81,168.18</u>
Operating	Checking	\$ 38,917.07
Capital Reserves	Money Mkt	\$ 42,251.11

2021 TSHOA Ballot

Required language per state law: By casting your vote via absentee ballot you will forgo the opportunity to consider and vote on any action from the floor on these proposals, if a meeting is held. This means that if there are amendments to these proposals your votes will not be counted on the final vote on these measures. If you desire to retain this ability, please attend any meeting in person. You may submit an absentee ballot and later choose to attend any meeting in person, in which case any in-person vote will prevail.

This ballot is the only method for voting. As per our bylaws, business transacted at the annual meeting will be limited to items set forth in the annual meeting notice. Therefore, no votes will occur outside of the items listed on this 2021 ballot.

INSTRUCTIONS: Two (2) votes may be submitted for each Lot owned within TSHOA. The ballot(s) should be completed and signed in the spaces indicated. Your completed ballot may be mailed to us at P.O. Box 742, Round Rock, TX, 78680 but must be received by noon on October 26 to be valid. Alternatively, completed ballots may be placed in a sealed envelope in the drop-box at 3007 Fox Hollow St., also prior to noon on October 26, or be brought to the in person meeting at 5:30pm on October 26th.

Please print and sign the ballot. **We do not have electronic voting or vote by e-mail.**

Owner Printed Name: _____

Owner Address: _____

Owner Signature: _____

Date: _____

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2020 OCTOBER GENERAL MEETING MINUTES: Please vote regarding your approval of the 2020 general meeting minutes (attached with documentation to this packet)

_____ I vote FOR the approval of the 2020 general meeting minutes.

_____ I vote AGAINST approval of the 2020 meeting minutes.

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2022 PROPOSED BUDGET: This item is for membership approval of the budget (attached with documentation to this packet).

_____ I vote FOR the proposed 2022 budget.

_____ I vote AGAINST the proposed 2022 budget.

PAGE 2 2021 BALLOT

FUNDS EXPENDITURE (**CHOOSE ONE**): (documentation provided in this packet)

In accordance with our bylaws, the Board may not spend more than \$ 3,000 without approval of membership. In accordance with our deed restrictions, the maintenance fund is to be used for the repair and maintenance of our streets, common areas, and tennis courts. Due to the extensive repairs needed as well as review of costs long term, please vote FOR the option that best addresses what you feel is needed for this amenity.

_____ I vote FOR spending up to **\$ 29, 674.00** to provide repair to the cracks and resurface of our courts. By voting for this option, I understand we will be using our reserve funds and that no additional assessment will be needed by homeowners to cover the costs.

_____ I vote FOR spending up to **\$ 43,113.00** to provide repair to the cracks as well as an overlay and resurface to our courts. By voting for this option, I understand we will be using our reserve funds and that no additional assessment will be needed by homeowners to cover the costs.

_____ I vote FOR spending up to **\$ 136,069.00** to provide the most permanent fix for these courts which is considered a re-build and is the most expensive. By voting for this option, I understand that this expense will empty our reserve fund and will require an additional vote to be set at a later date as an **estimated special assessment of \$ 650 per homeowner** will be needed to pay for this item as well as provide funds back to reserve.
