

## **Oak Creek Homeowner's Association, Inc.**

Minutes of OCHOA Annual Meeting of 10/2/2019, v3.0

### **Call to Order**

The meeting was called to order at 7:00 pm. Board members in attendance were Eddie Greene, Bob Berry, Kay Bursley, Chuck Farr, and John Denkler. Also present was Jennifer English of Certified Management of Austin (CMA). Also in attendance were 10+ homeowners. Jennifer determined that we had a total of 57 (need 43) homeowners (HOs) represented in person or by proxy, so we met the criteria for an annual-meeting quorum based on our new 10% rule.

### **Proof of Notice**

Jennifer English read the Proof of Notice.

### **Approval of Meeting Minutes**

Kay Bursley noted a missing parenthesis after the last word in the "Call to Order" section of the 2018 minutes. HO David Marquardt moved we accept the 2018 annual meeting minutes as amended. Kay Bursley seconded. Motion passed unanimously. Jennifer English will correct and publish the amended 2018 minutes.

### **Report of Officers**

President's Report: Eddie Greene summarized activities and improvements we did in 2019:

1. We added new pool furniture at a cost of about \$17K; hope to get the same shelf life as the previous furniture (12-13 years).
2. Added new camera to our security system to watch over the new pool furniture.
3. Added two new rules in the bylaws and HOA rules: [3a] changed annual meeting quorum requirements for conducting HOA business from 20% to 10%, because of historical low turnout; [3b] Added new basic leasing rules for non-resident landlords. HO Stuart Litwin asked for the new rules to be read by Jennifer.
4. Vandalism has been light this year: a few late-night fence crawlers trespassing; the new security system has helped with that.
5. Social events: the Easter egg hunt went well, and the summer pool social was a hit.
6. We did more pool repairs (tiles/coping); probably will need a full replastering in the next 4 or 5 years.
7. Still working on fixing the issues with the gate locking mechanisms that are not working properly; we are investigating a replacement system, which will require new cards; will be a 2020 repair.

Treasurer's Report: John Denkler gave a 2019 financial summary. For the year overall, the Board had planned on an aggressive \$30-40K repair campaign, and we are currently \$11K over budget. However, the HOA cash position and balance sheets show great strength, including a \$539K reserve fund, so dues will not need to go up. Delinquencies are lighter than past years.

## **Report of Committees**

Social: We had 20 clubhouse rentals for the year. See also Presidents Report above.

ACC: Eddie Greene, ACC chair, reported that the ACC oversaw 47 project requests in 2019: 39 approved, 7 approved with conditions, 1 was withdrawn. Most requests are approved or responded to within 10-15 days.

## **Election of Directors**

This year, there were three positions open for voting: Chuck, Bob, and Kay, all who expressed interest in continuing to serve. John Haygood also expressed interest and was placed on the ballot. There were no new nominations from the floor. Voting results: Chuck, Bob, and Kay were elected by proxy and those present. John Haygood was invited to join the ACC Committee.

## **Old Business**

See Presidents Report above.

## **New Business**

Here are some open forum discussions during the meeting:

1. Some complaints about the wording of the letters sent out from the HOA regarding rule violations. Some felt the language was cold, impersonal, but the Board reminded attendees that much of our official communications are written or reviewed by our attorney to reduce liability to the HOA. One HO suggested an education program in the newsletter to let people know what kinds of repairs are considered improvements needing ACC approval. Another suggests we change the name of the ACC, because it implies more than the intent of the committee.
2. How do we police and enforce all the cars parked in the cul-de-sacs and on our streets? And what about tree-cutting services that leave dumpsters sitting there five days or more? Eddie Greene admits this is a difficult issue to police/enforce, but if HOs do see an issue, please email [frontdesk@cmaaustin.com](mailto:frontdesk@cmaaustin.com) about the issue, include a photo of the vehicle and license plate if possible, so that the issue is shared with our management company and due process can be initiated.
3. The fire hazard along the fence line on back of property. This HO is concerned about all the trees on the Saul ranch. Asks the Board or the county to see if there is a way to create a fire break buffer between that area and our community. Is there something we can do to compel them to clear it?
4. The county is finally going to extend Wyoming Springs; we may become the only cut through to 620...concerned about increased traffic load. What can we do about that?
5. Website: CMA and the Board are currently working to redesign and implement a new one for the HOA.

There was some discussion about the new leasing rules. The Board has the authority to add more detailed rules without the approval of 2/3 of the voting members, but the Board only set some basic rules in 2019. The Board will continue to investigate, debate, and

recommend or implement additional limitations for non-resident HO landlords on behalf of and in the interests of all HOs in the future. The spirit of this effort is to address concerns from neighbors about increased activity in the leasing and short-term leasing (e.g., Airbnb/Vrbo) space that may affect safety, quality of life, and home values in the community. The Board shall investigate new rules that [1] limit minimum lease duration to 3/4/6/12 months (or less for short-term leases) and [2] ensure there is an effective way for enforcing and communicating with landlords regarding the rules. In the interests of respecting property rights and free enterprise, we understand landlords have a vested interest in any direction the HOA takes in this matter. The bottom line is to consider rules and processes that make landlords accountable for the behaviors of their tenants so that all property owners in the HOA are protected. We want to find a win-win landscape for resident and non-resident HOs alike. Stuart Litwin requested any major changes to leasing rules be brought before the HOA in the next annual meeting. The Board agreed, though they will continue this work in 2020, perhaps with open forum discussions during regular Board meetings to gather feedback from the community. The Board wants this effort to be transparent and encourages all HOs to stay tuned to future communications and meetings.

### **Adjournment**

HO John Haygood made the motion to adjourn; HO Stewart Litwin seconded; and the motion passed. The meeting was adjourned at 8:30pm.