

# OVERLOOK ESTATES HOMEOWNERS ASSOCIATION

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## General Membership Annual Meeting Minutes

January 15, 2013

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The annual meeting of the General Membership of the Overlook Estates Homeowners Association was called to order by Dan Wight at 7:05 p.m., Tuesday, January 15, 2013 at Leander Public Library, 1011 South Bagdad Road, Leander, Texas. There were 16 Proxies, 1 Absentee Ballot (No Proxy), and 25 Present. Dan introduced the Board Members and thanked Jerry Strickland for his services/consulting to the Board. Dan then introduced the Ballot Committee which consisted of Gail Wight, Linda Allen, and Dimas Diaz.

### 1. **NEW PROCEDURES:**

Michael Allen went through the change in voting procedures. He explained the different ballots for the Property Management Co., the nominees, business items, and other. TX Property Code, Title 11, Section 209.0058(a). **BALLOTS.** Any vote cast in an election or vote by a member of the property owners' association must be in writing and signed by the member. (b) Electronic votes cast under Section 209.00593 constitute written and signed ballots. (c) In an association-wide election, written and signed ballots are not required for uncontested races.

### 2. **MINUTES:**

Dan Wight asked if there were any corrections to the 2012 minutes. Laurie Strickland made a motion to adopt the minutes and Mary DiBonito seconded the motion. Hearing no opposition, the minutes were approved as published.

### 3. **2012 GENERAL HOA BUSINESS SYNOPSIS:**

Rob Aldridge discussed how the HOA, ARC and ACC carried out business as usual with many ARC requests, including new home development, landscaping, violation enforcement, and neighborhood concerns. In June, the HOA researched and presented a price on purchasing the streets of Overlook Estates back from the City of Leander for purposes of eventually gating the neighborhood if desired. A new website was built for Overlook Estates with many new features and updates. In August, the HOA supported National Night Out with approximately 50 in attendance. Also in August, there was an insect infestation of Aphids in the entry Crepe Myrtles. A treatment was researched, applied and have since recovered. The entry irrigation system controls were replaced due to deteriorating controls that were not outdoor compatible. In October, the faux brick stamp at the entrance was power washed

stained and the two OE entry icons were repaired of masonry cracks and loose stone. In December, the HOA held a Special Board of Directors Meeting to inform the neighborhood on the needs of hiring a management company. New HOA laws required many hours of research by the board which also lead to the discovery that our corporate charter with the State of Texas had been forfeited on February 11<sup>th</sup> of 2005 due to failure to file Franchise Tax Reports with the Texas Comptroller's Office. As of October 10, 2012, the corporate charter was reinstated after the board had filed all delinquent Franchise Tax Reports from 2004-2012. We are currently in good standing with the State Comptroller's Office. A franchise tax exemption was filed and received which means another report does not need to be filed. The Board purchased new portable file boxes and organized all papers by subject and/or property address. The OE directory has been updated and distributed as needed throughout the year. The Social Committee adorned the neighborhood with bows on mailboxes and Christmas lights throughout the entry and intersection.

Dan said we would now vote on the hiring of PAMCO. This was discussed extensively on Dec 5<sup>th</sup> meeting and through e-mails. Asked members to keep comments brief but there were none. Michael Allen gave motion to approve, and Mark Anderson motioned to second that. There was a vote by raised hands with opposition, so it had to go to paper ballots. During the ballot count, Dan thanked the Welcome Committee and several other Committee members. Maria Fulton stood and announced the new neighbors that were welcomed to Overlook Estates. Those that moved in were Ann and Jerry Meade, Michael and Debi Poe, Gary and Heather Hill, and Shawn and Pamela McCain.

#### **4. COMMITTEE REPORTS:**

- WEBSITE COMMITTEE: Michael Allen designed a new website and took over as webmaster. It was expanded and updated to provide information that is going on around the neighborhood. The website address is [www.overlookstates.org](http://www.overlookstates.org). Ann Meade commented that the new website was nice.
- NEIGHBORHOOD WATCH: Tracey Diaz headed the national night out. It was a big success.
- FIREWISE COMMITTEE: Dan Wight headed this Committee. In December 2011 OE became a fire wise recognized community. Currently there are 5 such communities in the Austin area. Information and brochures can be found on the Overlook website, which includes the wildfire risk assessment done by LFD in the fall of 2011, our fire wise action plan, and links to about 8 fire wise educational literature pieces. Part of our requirement is to spend \$2/per capita on fire mitigation. This is only about \$270 for the whole neighborhood. Brush or vegetation clearing that will make your house more

defensible will count towards that. Your time x \$21/hr also can be used and there is a form on the website to log this. There is a fire wise event coming up in Sun City on Feb 26-27 with great info. Dan noted that he would like more people on the Committee. Currently Dan is the only one serving on it. September 2012, the Leander Fire Department completed the inspection process to up its public protection classification from a Class 6 to a Class 3. The process to officially make the change effective comes from the State Fire Marshall and is anticipated in early March 2013. Michelle Cantwell said she will keep an eye out and send an e-mail when it happens. When it does become official, neighbors can contact their agent and try to get their premiums lowered.

- **NEIGHBORHOOD IMPROVEMENTS:** Headed up by Rob Aldridge. The HOA replaced the irrigation control panel at the entrance. The original control panel had deteriorated due to the fact it was not outdoor compatible. The new one that is rated for outdoor use was installed and is currently in service. The faux brick stamp at the entry was power washed and stained along with masonry cracks and loose stone repairs to the entry icons. It was recently discovered during a minor electrical issue at the entrance, that the electricity that powers the north side OE signage had been improperly and most likely out of compliance with the city, ran through the culvert pipe under the street and up to the south OE sign. This issue will need to be brought into compliance as soon as possible. Bids are already being taken at this time. We hope this issue will be one of the initial undertakings of the new board.

Dimas came in with the Ballot Committees paper results on whether to hire PAMCO.

Results: 41 Ballots cast; 33 For, 8 Against = 80%

Motion was carried to hire PAMCO.

5. **TREASURER REPORT AND PRESENTATION OF PROPOSED 2013 BUDGET:** Michael Allen presented the Treasurer's Report and Statement of Income and Expenses to date for 2012.
  - We had Income of \$17,157.79
  - We had Expenses of \$9,955.02
  - We have \$18,922.82 in the checking account
  - We have \$25,039.78 in the Money Market account and \$16,012.18 in CD's
  - Total bank balance of \$59,974.78

The proposed Budget for 2013 was presented in written form to each member present

- Projected Income with management company is \$15,675.00 from 7 undeveloped lots and 44 developed lots

- Projected Expenses with management company are \$15,495.00
- Projected Surplus of \$180.00

Jerry Sawicki raised questions about the money market and CD rates. Michael Allen responded that the CD is for two years with a rate around 1.2%. The money market is around .025%. Jerry asked if we can look at other money market accounts with higher interest rates. He also wanted to know why we have so much money in reserves. It is recommended to have at least \$30K in reserve money. Michelle Cantwell spoke up and said she thought HOA dues would go down or everyone would get a rebate after many of the empty lots were finally built out, and that hasn't happened. Some of the long term homeowners don't understand that we don't have pools or anything in the neighborhood that the money has to go to, so why would the dues need to go up. Michael Allen went on to say that after you look at \$60K in total money, with \$20K going out for expenses, and \$30K in reserves, that leaves \$10K to be considered for distribution for each home. Who is to decide the formula for who gets more than the other lot owner? Michael went on to say that the current Board will not address it, being they are at the end of their term. Hopefully, the next Board will take that up and put it at the top of their list. There was a motion to approve the budget by Jerry Strickland. It was seconded by Alison Williford. The 2013 budget was approved.

6. **OLD BUSINESS:** Given by Rob Aldridge. The topic of purchasing the streets from the city for the purpose of gating Overlook Estates. There was a 50/50 interest throughout the neighborhood although no official census was taken. Through extensive research, the board collected a cost and delivered it in an email to the neighborhood at a price tag of \$280,801.69. Once this number was established, it was found this was not a viable option and declined to reviewing maintenance or utilities, gates or entry construction any further. The goal was to simply get a realistic number of buying back the streets from the city. Lastly, there were no reports of malicious activity or dumping in the neighborhood. The Board hopes this is due to a monitored camera and signs that are currently in place.
7. **ELECTION OF 2013 BOARD OF DIRECTORS:** Michelle Cantwell nominated Jerry Meade, Kevin Kieper nominated Donnie Landers, Jerry Sawicki nominated Bob Cantwell, Michelle Douglas nominated Kevin Kieper and Stuart Williams nominated Alison Williford. Nominations were closed and Gail passed the basket for collection of the ballots.
8. **NEW BUSINESS:** Dan Wight presented new business. He asked for new captains for each of the Committees. Allison Williford asked if you have to be a homeowner to serve on a Committee. The Board answered that you do need to be a member to be named on a committee but anyone that is willing to volunteer their time is welcome

to help on a committee. Dan will stay on the Fire wise Committee and Michael Allen will stay on as webmaster.

The Board proposed an increase in the transfer fees as ours seems low. After speaking to realtors and title companies, the proposed increase is equal to one year of homeowner dues. It is usually paid by the buyer, not seller. Mike Sawicki asked who gets that money. Michael Allen responded that it goes to the checking account. Kevin Kieper asked why it was being increased. Mike responded that it is extra revenue, although that is not a lot of money. A motion was given to increase the transfer fee to one year's annual dues. There was opposition so we had to go to paper ballot.

Dan asked if there was any other new business. Maureen Swint wanted to thank the current Board for doing a good job and for their hard work. Jim Puckett would like to do something with the rock island in their cul-de-sac. He would like to bring in something flat. Mary DiBonito suggested making some parking spaces in the cul-de-sac.

After a short break, the meeting was called back to order at 8:28 pm. The ballot Committee picked up the ballots on the transfer fee to count them, and the new board nomination ballots were delivered:

New 2013 Board Members:

Bob Cantwell – President; Kevin Kieper - Vice President; Jerry Meade - Treasurer

Cantwell – 23; Kieper – 30; Landers – 17; Meade – 30; Williford- 22

After another short break, the meeting was called back to order at 8:37 pm. The ballot Committee delivered the ballots on the transfer fee increase.

Ballot count: 41 ballots cast; 33 for; 8 against = 80%

Motion was carried to approve the fee increase

Dan Wight thanked everyone for coming and volunteering. A motion to adjourn was entered by Stewart Williams and seconded by Allison Williford. With no further discussion, the meeting was adjourned at 8:40pm.

Submitted by Cheryl Aldridge, Acting Secretary