

Cat Mountain Homeowners Association, Inc.
Board of Directors Meeting

Date: August 13, 2007

Time: 6:30 p.m.

Location: CMHOA Clubhouse • 6007 Mt. Bonnell Rd. • Austin, TX • 78731

1. **Call to Order:** Mr. Adkins called the meeting to order at 6:30 p.m. Meeting attendees included Board Members Mr. Adkins, Mr. Joseph, Ms. Jastram, and Mr. Johnson. Not attending was Mr. Ma. Also in attendance were Association Manager, Mr. Chargualaf, and ECC Committee Chair, Mr. Thomas.

Others in attendance included Ms. Adkins and Mr. Duly.
2. **Member Forum:** No new issues or questions were presented.
3. **Approval of Minutes:** Draft minutes for review, correction and approval.
 - a. Mr. Joseph noted an item (5b) pertaining to a cedar tree and urged the Board to amend the stated action as follows: rather than remove the dying tree at this time, wait until the tree is dead prior to removal. The Board agreed. No other corrections being raised, the minutes were passed unanimously with this amendment.
 - b. The Board agreed to defer discussion of the Financial Report in the event that Mr. Ma might be running late. The Board then took up the matter of the Manager's Report, out of sequence.
4. **Manager's Report:** Discussion of Association projects, incidents, and owner issues.

Mr. Adkins expressed thanks on behalf of the Board to Mr. Chargualaf for having dealt with the clearing of growth from the top of the CMHOA retaining walls and thereby avoiding damage to them by root systems.

- a. Mr. Adkins inquired of Mr. Chargualaf as to whether any further information had been obtained regarding the retaining wall on Mountain Villa Cove. Mr. Chargualaf had called three references but had not received bids back from all three. The Board requested that Jesse continue to seek at least two other bids on the work.
- b. The Board discussed the recent problems with kids climbing the walls of the pool at the clubhouse at night and using the pool after hours and making noise. Mr. Chargualaf reported that, although called, the police would not respond to such a complaint. The Association is in compliance with requirements to have a wall of sufficient height around the pool, a locked gate, signage as to hours, and nighttime lights. It was suggested that the Association consider a surveillance camera and Ms. Jastram will investigate this option further. It was also suggested that Mr. Adkins or Mr. Joseph speak with the area police department about other deterrents to such activity and options for requesting help from the department.

(Subsequently, Mr. Ma made a gift to the Association of a surveillance camera and volunteered to assist in the setup of a surveillance system appropriate for the task.)

- c. An inquiry was made regarding cost of signage for special events at the clubhouse. Mr. Chargualaf responded that he was currently procuring signs at a cost of \$60 for 5 signs. Mr. Adkins requested that the current BBQ Night sign be altered so that it would not be confused with the previous National Night out sign, since both look the same in terms of color. It was suggested that Mr. Chargualaf add a few balloons to the sign at the entrance on Ledge Mountain and he will do so.

- d. It was noted that Jim Lloyd had donated the traps for catching a feral cat that was then transported to the animal shelter. Mr. Adkins agreed that he would send a letter of thanks and acknowledgement to Mr. Lloyd.

5. **Financial Report:** Discussion of Association's financial activities and status.

- a. A request was made to change the date of the report to read July 1 to July 31, rather than to August 8. It was noted that the Board wants to get the report onto a monthly cycle. Mr. Chargualaf indicated that he had turned in financial data to the bookkeeper through August 8 and that it had therefore been processed that way. Mr. Joseph will confer with the bookkeeper to process the data only through the end of the month so that future boards will be able to make monthly and year to date comparisons of data. Mr. Joseph will also follow up on conversations that may have already transpired between Mr. Ma and the bookkeeper regarding format changes, and Mr. Joseph and Mr Dully will work with the bookkeeper to finalize a standard report format and approach.
- b. A concern was expressed that some of the items appear to have been incorrectly expensed rather than drawn from the Reserve Fund Account. For the future, the Board requested that Mr. Chargualaf notate items that should be charged to the Reserve Fund. Mr. Joseph and Mr. Dully will assist the bookkeeper to make these adjustments for past entries. Future reserve fund expenses need to be written directly out of the reserve fund account.

Mr. Duly agreed to assist Mr. Joseph on this task and both will email the Board within the next two to four weeks on resolution of this matter.

- c. The Board reviewed the Delinquency Report and concurred that the numbers look improved over the past quarter, and the trend continues to show improvement. Mr. Adkins will call on one delinquency that is 120 days over.
- d. Ms. Jastram made a motion to approve the Financial Report pending the subsequent action to be taken by Mr. Joseph and Mr. Duly. The motion was seconded by Mr. Curtis. The motion passed unanimously.

6. **Old Business**

a. **Pool Repairs Update**

Mr. Chargualaf reported that 5 repair people have come out to look at the retaining wall for the pool but only one has submitted a bid. The Board asked Mr. Chargualaf to ask Mr. Connelly to submit a bid. Mr. Curtis will check with a couple of sources he knows that might be able to submit competitive bids, and Mr. Joseph will pursue recommendations via Angie's List. The complete job is one requiring work on the decking and retaining wall. This is also not an item of great urgency, as it won't be addressed until the summer season is over.

b. **Clubhouse Repairs Update**

Mr. Chargualaf is meeting with a contractor in two days and will accompany him to secure a permit from the City of Austin. Mr. Chargualaf informed the Board that he will email them results of this meeting. (Subsequently, Mr. Chargualaf reported that a permit had been successfully obtained from the City and that work could therefore proceed apace.)

c. **Improvements to the Clubhouse**

A new refrigerator and a new water heater have been installed. The Board asked Mr. Chargualaf to take a protective measure to ensure that the freezer door of the refrigerator did not open so as to hit the window of the clubhouse. Mr. Chargualaf will apply a bumper guard to the freezer door to protect

the window.

d. **4605 Limestone Circle CCR Violation**

The Board discussed whether to pursue the pending CCR violation and fine. The Board agreed to instruct the attorney to pursue all avenues of possible recourse against violators.

A question was raised as to why items under discussion were listed by property address rather than homeowner name. The rationale for doing so has been that the property address will have more longevity and be immediately understood by future boards (whereas a homeowner name may be forgotten, as a property is bought and sold between various homeowners). It was agreed as a matter of policy to continue reference to business issues by property address.

e. **Proposed Amendment to the Bylaws**

It was recommended by Mr. Thomas to add the following amendment to the Bylaws:

“An owner cannot be a candidate if any assessment against their lot or any fine for an infraction of the Association’s published rules and regulations remains unpaid on the date of the Annual Meeting.”

There was no action taken on Mr. Thomas’ proposal at the moment as it was the consensus of the Board that this was an item that should be brought to the Annual Meeting of homeowners in early 2008.

f. **Verizon Proposal**

An email to Mr. Adkins from MDL Consulting concerning the Verizon Update for Proposed Cat Mountain Communications Site was presented to the Board (copy attached).

Consensus of the Board was that a tower, if permitted, would be placed at the site of the old gazebo. Mr. Joseph recommended that the Association consider the procurement of a Transaction Lawyer to operate in its behalf in this negotiation. Mr. Joseph will talk to a couple and see what is entailed prior to the Board making a commitment to move forward.

It was suggested that an ad hoc committee be set up to deal with the Verizon Project possibly consisting of Mr. Grant and/or Mr. Boone and/or Mr. Duly, if these individuals agree to serve. Mr. Joseph will follow up on this. It was agreed that Mr. Joseph should also serve as a member of this committee.

(Subsequently, the Board approved selection of Ms. Cathleen C. Slack of Drenner & Golden Stuart Wolff, LLP, to represent the Association in negotiations with Verizon’s attorney(s). Ms. Slack happens to be a homeowner and member of CMHOA.)

7. **Committee Reports:** Status of committee activities:

a. **ECC Report**

See separate attachment for an itemized report from Committee Chair Tom Thomas.

The Board authorized Mr. Chargualaf to have a letter concerning failure to retrieve Certified mail to the homeowner at 4401 Jessamine Hollow be sent by Fed Ex Ground. The Association’s attorney Ms. Patrice Arnold was authorized to prepare and send a letter to the homeowner informing the homeowner that failure to properly receive communications from the Association does not absolve the homeowner from requirements or other matters stated in such communications.

b. **Communications Committee Report**

Mr. Joseph reported that the third quarter newsletter had been mailed. Mr. Joseph called attention to the upcoming BBQ and encouraged Board members to attend. He also reported a successful National Night Out event which included appearances by Dana Munguia, Austin Police Department Central/West District Representative, and the truck and crew of Ladder 19 Fire and Rescue of the Austin Fire Department for this area.

c. **Social Activities Committee**

The Second Annual BBQ is scheduled for Sunday, 5-8 p.m. Mr. Joseph has volunteers to handle the various activities.

d. **Reserve Committee**

Mr. Adkins requested that a report be prepared by the end of the fiscal year that updates the Association's reserve funding position.

9. **Next Meeting:** Monday, September 10, 2007 at the CMHOA Clubhouse

10. **Adjournment:** Motion by Mr. Joseph and seconded by Ms. Jastram, and the meeting was adjourned at 8:57 p.m.

###

Environmental Control Committee Report
13 August 2007

This report is mainly from observations that I and/or Jesse have made as of 10 Aug 07.

1. 6110 Twin Valley Cove. Request to re-roof and construct a flower bed at the street. Completed.
2. 6103 Twin Ledge Cove. Request to build a swimming pool. Finish estimate 6 Aug 07. Mostly complete-weather delay.
3. 5921 Mt. Bonnell Rd. Request to construct fences to secure dog. Finish estimate 31 Jul 07. Complete.
4. 4501 Knapp Hollow. Request to build patio with small fence, in front yard with installation of door replacing window for access. Estimated finish 1 Sep 07. Work in progress.
5. 6107 Twin Ledge Cove. Request to enlarge deck and add hot tub. Estimated finish 12 Jul 07. Complete.
6. 4825 Twin Valley Dr. Request for major addition to rear of house. Work in progress mostly now inside.
7. 4401 Jessamine Circle. Required repair or replacement of gutters, roof, fence, and deck. Repaint house. Finish date 24 Aug 07, ? for paint. Gutter on front of garage fixed, no other activity noticed.
8. 4607 Limestone Circle. Required repair and painting of exterior. Finish by 15 Dec 07. No activity noticed.
9. 5802 Westslope cove. New Construction. To start in one week.
10. 6110 Mt. Villa Circle. New construction. Some cutting for driveway, but no other progress noted.
11. Work has begun on Joyan house.
12. 4607 Twin Valley Circle. Major modification. Phases II and III will be presented to the ECC when drawings are ready.