

CAT MOUNTAIN HOMEOWNERS ASSOCIATION, INC.

MEETING OF THE BOARD OF DIRECTORS

Date: November 12, 2012
pm

Time: 6:30

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

1. CALL TO ORDER: 6:30 p.m. Present at the meeting: Directors Mr. Harter, Mr. Dully, Mr. Harrison, and Mr. Grant; Manager Jesse Chargualaf; and homeowners Mr. Minnick, Mr. Erikson, Ms. Patel, and Mr. Tsao. In his absence, Mr. Blanchard gave a written proxy to Mr. Harrison authorizing him to act for him.

2. MEMBER FORUM:

Mr. Minnick addressed the communication he had received concerning the fence in the Common Area adjacent to 5907 Northwest Place. He indicated that he had not received a survey when he purchased his property and was not aware that the fence encroached into the Common Area. His title company had not noted an exception for the fence. He stated that he considered the fence to be aesthetic and he had been maintaining the area. Mr. Minnick requested the Board to consider allowing the fence to remain in the Common Area. Mr. Erickson, who had previously owned the property, acknowledged that had he installed the fence, and would abide by any decision the Directors would make regarding it.

Mr. Erickson also addressed the fence adjacent to the property which he had recently purchased at 4611 Twin Valley Circle. He understood that the Environmental Control Committee ("ECC") had declined to approve the placement of the fence in the Common Area, but in an endeavor to get more room, he acknowledged that the fence was placed about a foot into the Common Area. He indicated that he would abide by the Directors' decision on the fence.

Ms. Patel addressed the communications that she and her husband had received about the fence in the Common Area adjacent to 4613 Twin Valley Circle. When her husband moved in nine years ago the fence was there. The survey prepared when the prior owner acquired the property indicated that the fence was located in the Common Area. When the Patel's had recently requested the ECC to allow the fence to remain in the Common Area, the ECC had declined to approve it. She asked the Directors to give appropriate consideration the history and experience with respect to the fence, and requested the Association to grant an exception to allow the fence to remain in the Common Area. She stated her husband and she would cooperate with whatever decision the Board might make regarding the matter.

The Directors thanked the homeowners for the information they provided and their forthright discussion of the matters. The Directors stated they would consider the homeowners' requests in a manner in accordance with appropriate the stewardship of the Common Area under the Association's constituent documents. The Board indicated that they would consider these requests subsequently in the meeting (see items 7a. and 7b. under "New Business" below).

Mr. Tsao discussed with the Directors a proposal for the Association's landscaping contractor to make some landscaping modifications and plantings in the Common Area at the intersection of Northwest Place and Lookout Mtn. Drive. The Directors indicated that they were favorably inclined to considering improvements in this area and that unspent landscape improvement amounts budgeted for 2012 remained that could be applied to such a project. Since the proposal was first proposed shortly before the meeting, Mr. Dully suggested that action be deferred to provide the opportunity to further review and evaluate the proposal. The Directors agreed to defer the matter to a subsequent meeting so that further evaluation and consideration could be given to the proposal.

3. APPROVAL OF MINUTES OF THE BOARD OF DIRECTORS: Regular Meeting of October 8, 2012. Mr. Grant moved to approve the minutes with minor corrections; the motion was seconded by Mr. Dully; the motion was adopted unanimously.

4. FINANCIAL REPORT

- a. October 2012 financial statements: Reviewed. The Treasurer indicated that overall the financial results through September 2012 were generally consistent with the budget. Motion by Mr. Grant to approve the Financial Report; the motion was seconded by Mr. Harrison; the motion was unanimously adopted.
- b. Review delinquent accounts: Reviewed. The Directors decided that no action was required at the current time, as collection actions for all accounts overdue under the Association's Collections Policy had been initiated for all overdue accounts other than one in bankruptcy. The delinquency amount was \$3,150 as of the end of October 2012; with payments received through November 9, 2012, the outstanding delinquency balance was \$1,350.
- c. The auditor reported that they planned to complete the audit of the 2011 financials shortly and turn to preparing the audited financial statements.
- d. Consideration and action on the 2013 fee assessment. The Directors reviewed and discussed an analysis of the anticipated financial results for 2013 with and without a 5% increase in the members' fees. Motion by Mr. Harrison that the assessment for 2013 remain at \$45 per month, or \$540 a year, as the case during 2012; Mr. Grant seconded the motion; the motion was unanimously adopted.

5. MANAGER'S REPORT: Reviewed.

The Directors discussed a proposal made by Proscape, the Association's landscaping contractor, in the amount of \$2,535.39 for certain landscaping improvements and plantings adjacent to the Clubhouse, in Mt. Bonnell Cove, at the north entrance to Mtn. Villa Drive, at the corner of Mtn. Villa Drive and Twin Valley Drive, and in Twin Valley Circle. Motion by Mr. Grant to approve the Proscape proposal; Mr. Dully seconded the motion; the motion was unanimously adopted.

The Directors also discussed the removal of a tree at the back of the Clubhouse that is dying and leans toward the Clubhouse. Under high winds, it could be pushed onto the backside of the Clubhouse. The Manager presented a proposal by Legacy Arbor Care to remove the tree for \$975.25. Motion by Mr. Grant to approve the Legacy Arbor Care proposal; Mr. Dully seconded the motion; the motion was unanimously adopted.

The Directors discussed potential expansion of the City's no solicitation boundaries to include the Association area. Mr. Harrison indicated that he felt this was an action that Mr. Blanchard would be imminently suited to take up on behalf of the Association when he returned from his current trip.

Also discussed was a suggestion by a homeowner to consider landscaping the uphill, or north, side of the main entrance to the Clubhouse with river rock and plants similar to the south side of the entrance. The thought was that this would give a more "balanced" look to the Clubhouse approach. The Directors decided that they did not feel that this improvement was warranted.

6. OLD BUSINESS

- a. Update on tennis court repair. The Manager reported that he had adjusted the gate that had been rubbing the court surface and had performed a number of other follow-up repairs/refinishing/adjustments to the tennis court components following the work by Patriot Court Systems.
- b. Update on Common Area clean-up to address potential wildfire hazard. The Manager reported that at the end of October Proscape had completed the removal of cut branches and other dead materials the Manager had stacked around the Playscape.

The Manager reported that he had continued assembling cut branches and other dead materials to the east, south, and west sides of the Playscape and in other areas. He estimated that it will cost at least \$3,000, with a likely maximum of \$4,000, for Proscape to remove the materials. He will ask Proscape to make a proposal at the appropriate time.

- c. Update on Common Area encroachment survey. Discussed. Mr. Dully asked Mr. Grant to assume his place in engaging in further discussions with Mr. Harter regarding the approach to be taken.

- d. Discussion and potential action on periodic covenant violations. No discussion.
- e. Status of the newsletter. The President discussed where the newsletter preparation stood and circulated a template showing the concept of the newsletter that would be posted on the Association's website.

7. NEW BUSINESS:

- a. Appeal of environmental Control Committee decisions on the fences installed at the rear of 4611 and 4613 Twin Valley Circle.

Discussed. Factors discussed included the fact the Patel's had not installed the fence in the Common Area but had acquired the property in its current condition. Motion by Mr. Grant that (i) the Association obtain an estimate to remove the fence adjacent to 4613 Twin Valley Circle from the Common Area, (ii) the Association inform the Patel's that it will remove the fence from the Common Area, and (iii) if the Patel's want to install the fence materials completely on their property, the Association will offer the Patel's the opportunity to do so and they will bear the incremental costs of doing so over the cost of removal; Mr. Harrison seconded the motion; the motion was unanimously adopted.

Motion by Mr. Harrison that the Association accept Mr. Erickson's proposal to move the fence in the Common Area at the rear of 4611 Twin Valley Circle to be located completely on his property; Mr. Dully seconded the motion; the motion was unanimously adopted.

- b. Discussion and potential action on the fence installed at 5907 Northwest Place.

Discussed. Factors discussed included the fact Mr. Minnick had not installed the fence in the Common Area but had acquired the property in its current condition. Motion by Mr. Dully that (i) the Association obtain an estimate to remove the fence adjacent to 5907 Northwest Place from the Common Area, (ii) the Association inform Mr. Minnick that it will remove the fence from the Common Area, and (iii) if Mr. Minnick wants to install the fence materials completely on his property, the Association will offer him the opportunity to do so and he will bear the incremental costs of doing so over the cost of removal; Mr. Harrison seconded the motion; the motion was unanimously adopted.

8. COMMITTEE REPORTS:

- a. Environmental Control Committee: The Committee Chair provided a report on the activities of the ECC during October 2012.
- b. Communication Committee: See Item 6.e under "Old Business" above.

c. Social/Activities Committee: The Chair of the Social Committee, Ms. Charlene Casillas, submitted a report discussing the Committee's activities including the planning for the Holiday Party scheduled for December 9, 2012.

d. Welcome Committee: No report.

e. Reserve Committee: See Item 6.a, under "Old Business."

9. NEXT REGULAR MEETING – December 10, 2012.

10.ADJOURNMENT: The meeting adjourned at 8:50 p.m.