

**CAT MOUNTAIN HOMEOWNERS ASSOCIATION, INC.  
MEETING OF THE BOARD OF DIRECTORS**

**Date:** May 12, 2014

**Time:** 6:30 p.m.

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

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1. **CALL TO ORDER:** 6:30 p.m. Present at the meeting: Directors Mr. Harter, Mr. Dully, Mr. Grant, Mr. Blanchard and Mr. Schley; and Manager Jesse Chargualaf.
2. **MEMBER FORUM:** N/A
3. **APPROVAL OF MINUTES OF THE BOARD OF DIRECTORS:** Regular Meeting of April 14 10, 2014.

Mr. Grant moved that the minutes of the regular meeting of April 14, 2014, be approved with certain corrections; Mr. Dully seconded the motion; the motion was unanimously adopted.

4. **FINANCIAL REPORT**

- a. April 2014 financial statements: Reviewed.

The Treasurer reported that there were no items in the current financials of note, and the results are generally in line with the budget. Mr. Grant moved for acceptance of the financial report; Mr. Blanchard seconded the motion; the motion was unanimously adopted.

- b. Review delinquent accounts: Reviewed. The Directors determined that no action was required at the current time on any accounts, as no accounts, other than those that had already been referred for collection under the Association's Collection Guidelines as of the date of the meeting, were at the point for referral under the guidelines. As of April 30, 2014, the amount of the outstanding accounts was \$2,165; and as of May 9, 2014, the Manager reported that the amount had been reduced to \$470.
- c. Review of 2011-2012 Electric Bills. Mr. Blanchard reported that he and Mr. Grant had meet with Shimona Kirkland of Austin Energy ("AE") on May 7, 2014, and reviewed the information for the period from late 2011 through 2013 she provided in advance of the meeting. The higher bills starting in October 2011 reflected the fact that in October 2011, which the AE tariff defined as part of the summer period, the Association for the first recorded a demand in excess of 20 kW during the summer period and, as a consequence, became subject to demand charges. In October 2012, AE revised its tariff to impose demand charges for demand in excess of 10 kW during the summer period. Based on the detailed information provided by Ms. Kirkland and Ms. Kirkland's explanation of the operation of the AE tariff, Mr. Blanchard concluded that questions regarding the AE bills received prior to July 30, 2013 were resolved.

As reported at the April Directors' meeting in March 2014, the Association had received a "catch-up" bill of \$1,091 from AE. At the meeting on May 7, 2014, Ms. Kirkland explained that the "catch-up" bill was due to the fact that AE installed the wrong meter following the renovation of the Clubhouse electrical entry in July 2013. In

December 2013, AE noted the error regarding the meter installed in July and installed a demand recording meter, which was also not correct. This further error was noted by AE and a correct meter was installed in April 2014. As a result, of the incorrect meter installed in July 2013, the AE bills for August through December 2013 had not correctly billed for either electric energy or demand. The catch-up bill, Ms. Kirkland explained, reflected the correct charge for energy for the period, but included no demand charges, as AE conceded that they had no basis on which to bill demand during a period in which no demand was recorded. At the request of the Directors in attendance in the meeting with AE, Ms. Kirkland agreed to provide a reconciliation of the energy charges in the "catch-up" bill to the bills actually provided during the period August 2013 through March 2014. Mr. Blanchard agreed to work with AE on this matter and request her to provide answers to any questions the Association might have or other information related to it.

- d. Audit of 2013 Financial Statements. Discussed. Bounds & Chatelain have the 2013 records and have not requested any further information regarding their conduct of the audit.
5. MANAGER'S REPORT: Reviewed. Other than as discussed below and in Items 6.e and 6.f under "Old Business," the Directors did not identify any matters in the Manager's Report which required action by them.

(Reference Paragraph 5(b) of the Manager's Report): The President will prepare a letter to be sent to the owner of 5918 Westslope Drive regarding the cut materials which a contractor working on vegetation on that property had piled in the Common Area.

(Reference Paragraph 8 of the Manager's Report): Mr. Dully moved that the Manger's requested vacation during the period May 23-28 and the appointment of Ms. Charlene Casillas as a temporary replacement be approved; Mr. Grant seconded the motion; the motion was unanimously adopted.

## 6. OLD BUSINESS

- a. Update on Common Area clean-up to address potential wildfire hazard. Not Addressed.
- b. Discussion and potential action on periodic covenant violations. Not Addressed.
- c. Update on the appeal by the owner of 5827 Westslope Drive regarding the ECC's decision on oak trees planted at 5836 Westslope Drive. Mr. Grant will prepare points of agreement which the President will provide to the owners of 5836 Westslope Drive intended to finalize the Directors' conditional approval of the planting of the second oak tree based on the 5836 Westslope owner's position that upon reasonable notice from the Association, he would be willing to trim the oak tree it intruded above the ridgeline of the house.
- e. Update on Repair to the Playscape. Motion by Mr. Grant to ratify Mr. Jimenez' acceptance of performance of the repairs on the Playscape under the supervision and assistance of the Manager, as proposed in emails by Mr. Dully following his review of the feasibility and favorable costs of doing so compared to the other bids received by the Association; seconded by Mr. Schley; the motion was unanimously adopted. The Manager reported that the work had been completed on May 14, 2014.

- f. Update on tennis court condition and painting of the Clubhouse Exterior. The clubhouse exterior painting was completed on April 18, 2014. The manager replaced ties securing the windscreen on the north tennis court. As previously reported, when the tennis courts have an opportunity to thoroughly dry out, the manager will chalk the cracks and paint them a matching color.

7. NEW BUSINESS:

- a. Discussion and potential action on replacement of the Clubhouse air conditioner thermostat and control. The Directors discussed potential revisions to the heating and cooling system to reduce the electric demands produced by the system. The Directors agreed that appropriate due diligence which should be conducted regarding what might be feasible. The President offered to approach Mr. Drazic, who is a heating and cooling engineer, to discuss possible alternatives with him.
- b. Discussion and potential action regarding certain curb drains. The Association's policy is that curb drains installed by a contractor building a home at the front of a driveway where the contractor had removed the curb initially installed at the front of a lot are the responsibility of the owner. Since generally these drains have been properly maintained and replaced when necessary by the homeowners as applicable, the Directors decided that no action on the Association's part was currently necessary regarding any such curb drains.

8. RECESS FOR EXECUTIVE SESSION:

At 8:19 p.m., the Directors recessed for Executive Session to discuss and consider potential action regarding litigation commenced by the Association involving the compliance of 6016 Mt. Bonnell Cove with the Association's constituent documents and the City of Austin's requirements. The Directors reconvened at 8:29 p.m. following the recess for Executive Session. The President stated that during the recess, the Directors discussed the procedural status of the litigation, including the receipt of the defendant's response on April 21, 2014, and request for production of documents.

9. COMMITTEE REPORTS:

- a. Environmental Control Committee: The Chair of the Committee, Mr. Blanchard, provided a report on the activities of the ECC during the past month.
- b. Communication Committee: The Chair of the Committee, Mr. Harter, provided a report on the activities of the Committee during the past month, including the Facebook website and the restoration of documents to the Association website that had inadvertently gone missing.
- c. Social/Activities Committee: The Chair of the Committee, Ms. Casillas, provided a report on the activities of the Committee during April and anticipated future events, including upcoming book club discussion in May, a wine social in June, and the Summer Barbeque in August.
- d. Welcome Committee: No report.
- e. Reserve Committee: See Items 6.e and 6.f under "Old Business."

10. NEXT REGULAR MEETING - June 9, 2014.

11. ADJOURNMENT: The meeting adjourned at 8:34 p.m.