

APACHE SHORES PROPERTY OWNERS ASSOCIATION
14919 General Williamson Drive Austin, Texas 78734
Office: (512) 266-2719 Fax: (512) 266-3910
Website: www.apacheshorespoa.com

MINUTES OF THE REGULAR MEETING

October 16, 2013

7:05 PM - Meeting Called to Order by President Michelle Dent

ROLL CALL: Present: Directors Coney, Delaney, Hogan, Lemieux, Martinez, Rosen and Dent.
Absent: Directors Leach, Nava and Wood.

A quorum is established.

Motion made by Director Dent to approve the absence of Directors Leach and Wood, as they notified the board of their absences in advance.

Motion seconded by Director Martinez.

Motion Passes: Yes: 7, No: 0, Abstain: 0, Absent: 3

Motion made by Director Dent to approve the minutes from the previous regular Board meeting held on September 18, 2013. Motion seconded by Director Wood.

Motion Passes: Yes: 6, No: 0, Abstain: 1, Absent: 3

Director Delaney abstained because he was not present at the 9/18/13 board meeting.

President's Report: Michelle Dent

Director Dent reminded the community of the joint brush cleanup program set up by ASPOA and Lake Travis Fire Rescue to clear dead wood and ladder fuels from ASPOA-owned property and assist owners in cleaning up their private properties.

This pick up is being scheduled AT EVERY LOT in order to help residents who do not have trucks or trailers (whereas during the Clean Sweep of previous years, residents were required to haul their brush to the dumpster at the office.

The Brush Pick Up Day is scheduled for Mon, Nov 4-5 with a rain date of Mon, Nov 11-12.

Director Dent discussed the joint ASPOA-Travis County paving of Fort Smith Trail and stated that the county is expected to begin the project in early November. Michelle Dent and Director Hector Nava are getting bids and setting priorities for paving other, smaller roads this winter with ASPOA funds.

Treasurer's Report: Wendy Martinez

Director Martinez will be assigning the Reserve Study project to one company in the coming weeks. This study will aid this and future boards in planning improvement and maintenance

projects, and will also help in the budgeting process from year to year. She also expects to begin work on the 2014 budget (fiscal year beginning March 1, 2014) in early November.

The financial report was distributed to members in attendance and is posted on the ASPOA website monthly.

Amenities Committee: Mark Rosen

Director Rosen announced that the Amenities Committee (formerly Land Use) will meet the last Wed, October, 30 at 6:30. This committee continues to work on the trail to Lake Apache, the new soccer field, and the paving of the drive between the parking lot and Broken Bow. He also mentioned the concept of a “take a book, leave a book” program that a resident has asked him to evaluate.

Property Management:

Judy Phelps reported that year-to-date 2013, ASPOA/Pioneer has received over \$125,000 of the \$165,000 budgeted for this year’s Special Assessment. They have also collected over \$31,000 of assessments still owed from prior years.

Ms. Phelps stated that our insurance costs are slightly over budget probably due to increases in premiums. Ms. Dent asked if this was liability insurance for the POA and the board, or property coverage for POA-owned properties. Ms. Phelps stated that it is likely both, and that she will look into those costs. She added that our electric bills are running a little higher than budgeted as well but this overage is not significant and is probably due to weather fluctuations from year to year.

Ms. Phelps reported on Deed Restriction enforcement: 10 new friendly reminders were mailed, 3 violations moved to the warning stage, 27 were escalated in the fine stage, and 23 violations were cleared up and closed.

Judy has been working with our office manager, Hector Quintanilla, to establish a better tracking system for Stop Work Orders and the various actions that are taken by the property manager, the owners, and the ARC to achieve better follow up by all parties.

NEW BUSINESS:

- a. Motion made by Director Michelle Dent to remove the fines associated with the already closed “unpermitted construction” violation at 1904 Westward Ho. Motion seconded by Nancy Lemieux.

Motion passed, Yes 7, No __, Abstain __ Absent 3

- b. Motion made by Director Michelle Dent to remove any fines associated with the “unpermitted construction” violation at 1801 Westward Ho. Motion seconded by Tom Delaney.

Motion passed, Yes 7, No __, Abstain __, Absent 3

Directors Hogan stated that her approval included the condition that the dogs be contained. Director Rosen asked about follow up with the resident, to which President Dent replied that Pioneer will continue to work with the owner to ensure understanding of the required permits and the plan approval process. Failure to comply could result in the reversal of this decision.

- c. Motion made by Michelle Dent to approve the application for a fence permit at 1907 Platte Pass as presented by the owner to the ASPOA Architectural Review Committee and Board of Directors. Motion seconded by Wendy Martinez.

Motion passed, Yes 5, No 1, Abstain 1, Absent 3

Director Rosen abstained. Director Dent voted No, stating that she has concerns for the community related to the installation of 6 ft. high privacy fences that are further forward than the house, which run along the front property boundary, lining the street.

- d. Motion made by Michelle Dent to approve the posting of a business sign at 2016 Whitebead as presented by the owner to ASPOA Board of Directors. Motion seconded by Mark Rosen.

Motion failed, Yes ____, No 7, Abstain ____, Absent 3

- e. Motion made by Michelle Dent to appoint Anita Dallas to the vacant seat on the ASPOA Board of Directors which was vacated by resignation in September 2013 and which has a term expiring at the end of March 2015. Motion seconded by Mark Rosen.

Motion passed, Yes 5, No 2, Abstain ____, Absent 3

Directors Lemieux and Coney voted No.

Director Dent informed the membership that ASPOA's By Laws and policy on the methods, reasons, and timing of filling vacated seats are consistent with State POA/HOA laws on this topic. Director Dent pointed out that Anita Dallas was the next available candidate receiving the next highest number of votes from the last election. She also reminded the membership that 6 board seats are filled during odd years and 5 seats during even years—legally, a seat vacated by resignation during 2013 cannot be filled in the 2014 election but would have to wait until the 2015 election. This is partly why the majority of the board felt the need to fill the recently vacated seat with an appointed director.

MEMBERS INPUT:

Member Casey Farris inquired about the Architectural Review Committee membership and leadership, given the recent resignation of Director White (the board member who served as director of the committee). He discussed some possible inefficiencies regarding the processing of his construction permit application and the office manager's requests for documentation. He asked who reviews the applications for approval, the board or the committee, and who the best "point person" is, given what he views as duplication or confusion about what is needed from him. Ms. Dent explained that Bob White was still Chairman of the committee, and that she herself was serving as Acting Director (liaison between the committee and the board) until a new ARC Director could be named. She also shared the names of both board members and non-board members (community members) who serve on the committee and confirmed that the committee reviews permit applications and issues the permits, not the board (although the ARC might present items to the board for feedback occasionally, or for approval under certain circumstances). The best points of contact for all permit applications are Hector Quintanilla and Bob White.

Char Bunch inquired as to the fine procedures and amounts, who determines these and where the membership can find this information. Property manager Judy Phelps discussed the By Laws and Policies pertaining to Deed Restriction enforcement and referred residents to the ASPOA website, www.apacheshorespoa.com, as well as each property owner's POA

documentation which should be provided when anyone purchases their property (typically provided by the title agent but always available through the county, as these are part of the county records which are legally bound to every lot in Apache Shores).

Casey Farris asked about whether the board was considering handicap parking spaces (following up on the discussion at the September board meeting) and access to amenities for disabled residents. Michelle Dent answered that this is an ongoing discussion among the board and various directors will evaluate the task. The board has discussed the topic with property management to gain some legal understanding of our obligations (which are none, given that this is private property and ADA regulations do not apply) and related risks (to installing means of access that could put either residents or the POA at risk, physically or in terms of liability). Ms. Dent and Director Hogan reiterated that the board certainly does want to take steps to improve disabled access, at the very least designate some handicap parking spaces, but if we are going to pursue this project, we need to be sure we are going to do it correctly. Mr. Farris shared his experience in this area, and agreed with these concerns (regarding technical specifications), and volunteered to help with the task as we move forward.

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President Dent announced that the next Board of Directors regular meeting is tentatively scheduled for the third week of Nov, 2013 at 7 PM. However, the meeting will most likely take place on Tuesday, Nov 19, rather than the usual Wednesday. This is not final, please watch for updates.

Meeting adjourned by President Dent at 7:23 PM