



Meeting Minutes

Homeowners Annual Meeting September 12, 2011 (7-9pm) Creekview Elementary Cafeteria

- Meeting was called to order at 7:05pm
 - Member Attendees: approximately 35 people
 - Board Attendees: Gary Ives (President), Noel Bauman (VP), Stu Allison (Member Rep)
- Motion made to waive reading of Minutes from previous meetings; seconded; approved unanimously
 - 2010 Annual Membership Meeting minutes
 - 2010 Special Membership Meeting minutes
- Gary Ives presented the President's Report and Treasurer's Report (**see PowerPoint presentation slides**)
 - Gary reviewed board efforts for membership outreach (Email List, walkabouts, web page, etc.)
 - Gary reviewed neighborhood events for 2010-2011 (National Night Out, Big Event, Bombers Night)
 - Gary reviewed neighborhood vital statistics (years of home ownership, property sales, etc.)
 - Gary and Noel presented issue with Deed Restriction and Bylaws related to Home Refinancing
 - Mike Gerst asked for a clarification of the issue; Noel provided details related to the change in Texas law allowing for Equity Refinancing as it relates to Loan Subordination
 - SHOA documents only state that SHOA will be subordinate to the "Primary" loan; not 2nd
 - Gary reviewed the SHOA Email List status
 - Gary stated that over 85% of homeowners are subscribed to email list
 - More than half have authorized the Board to officially notify them via email (saves money)
 - Gary reviewed the Landscaping Report with outline details of contract items
 - Brian Leschber stated that he was satisfied with the details of the report
 - Gary reviewed the Dues Collections status (27 homeowners had been reported as delinquent a 2010 Annual Meeting)
 - Of 196 homes, 190 are current on dues, 3 are on payment agreements, 2 are under liens filed in 2003 for \$100, and 1 new lien had been filed for \$1,090
 - Marcy Halterman-Cox asked about progress on 3 payment plans; Gary responded that all are making satisfactory progress
 - A member asked if payment plans will be extended every year; concerned that all members may wish to pay payments rather than full amount; also asked if terms were documented
 - Gary and Noel stated that Board will take this up at the next Board meeting; goal is not to need payment plans for future years (2010-2011 was a "catch up" year)
 - Gary confirmed that all payment agreements were covered by signed documents
 - Gary raised a question about exercising the SHOA's option to charge interest for past-due payments (mainly affects those properties with existing liens)
 - Stated that interest charges could be applied retroactively (if desired)
 - Stated that filing fees for a lien are \$40 and legal fees are \$300
 - Show of hands showed 18 in favor of charging interest (5 against)
 - Board will review this issue at an upcoming Board meeting
 - Gary reviewed the Beautification Grant
 - Gary acknowledged and thanked the Beautification Committee for their efforts



- SHOA applied, and was approved, for a city grant of \$4200 for landscaping (1 year to spend)
- SHOA is responsible for matching funds, but plan to contribute more than minimum
- Gary proposed using the \$7,000 collected in back dues toward this project; Board will consider at next Board meeting as part of 2011-2012 budget
- Brazos Valley Landscaping was the winning bid for the "full" project (at \$26,522.08)
 - This effort can be spread over a multiple years
- Gary reviewed Deed Restriction Violations
- Gary reviewed some potential changes to Deed Restrictions and Bylaws
 - Primary concern is that these documents have fallen behind the times and need updating
 - Changes to be considered included: date of annual meeting, using fines as an enforcement tool; updating language to correct issues with home-equity refinancing; updating language for 21st century technology (small dish antennas, etc.); and adding an email "opt in" as a suitable form of notification (with approval from the individual member)
 - Gary discussed how a committee would be best suited to review and suggest change to the Board
 - Brian Leschper asked about how these changes could be made; what percentage vote is required for adoption; answer was believed to be 60% (but was subject to further research)
 - Mike Gerst suggesting using the "exceptions" clause of the Architecture Committee to handle some of these issues; Gary and Noel expressed interest in this approach, however not all items suggested can be resolved this way
- Gary reviewed the 2010-2011 SHOA Balance Sheet and activity (since Treasurer was not present)
 - A question was asked about the Gifts and Thank You Cards; Gary noted that these were approved by the members at a previous meeting and were presented to the outgoing members
 - A question was asked about the dues being waived for Board Members; Gary and Noel noted that this was not approved by the Board and that all Board members pay dues
 - A question was asked about the amount deposited for "Damages to landscaping on Eagle"; Gary noted that this deposit was collected from the insurance claim from the damage caused to SHOA landscaping by the drunk driver who crashed through the Eagle Ave fence line.
 - A question was asked relating to an escrow fund established for a home rental violation; Noel noted that this was a temporary arrangement between the SHOA Board and the homeowner to resolve a rental violation issue; the property has since sold and the funds were retained by the homeowner; no funds were ever taken by or distributed to the SHOA.
 - A "Proposed 2011-2012" Budget was not provided at this time; however this will be taken up at the next Board Meeting
- Noel Bauman presented the Vice President's Report (***see PowerPoint presentation slides***)
 - Noel reviewed the establishment of the Lick Creek Committee (first meeting was Jan 27, 2011)
 - Noel acknowledged and thanked the committee members for all their time and efforts
 - Committee members volunteered to research various issues related to the Lick Creek common area, including: flood plain issues, maps and boundaries, history of creek belonging to the SHOA, flood insurance issues, questions for City staff, etc.
 - Committee members also discussed and planned the 2011 Big Event cleanup of the creek
 - Discussions led to follow-up special member meetings for FEMA Flood Insurance and with Dr. John Crompton
 - Noel reviewed the 2011 Big Event project



- Noel indicated that over 25 homeowners, plus teen helps and about 40 TAMU Aggie students participated in the cleanup efforts
- The event became a multi-weekend event, with crew performing several tasks to cut up downed trees and prepare trails for the main Big Event day
- Funds were spent on rental equipment to get the most out of the volunteer effort (4 mules, plus a chipper/shredder were rented)
- The city removed the 4 large wood piles later that week
- The city also cleaned out the silt and debris around the Longmire Bridge the following week
- Noel reviewed the special FEMA Flood Plain meeting (a special Lick Creek Committee meeting)
 - Noel presented the information from the meeting notes related to new FEMA Flood Map
 - FEMA "Letter of Determination" date was August 16th 2011; City has 6 months to adopt (roughly February 2012)
 - Lenders should send 45-day letter to notify homeowners
 - Still awaiting official notice of new FEMA Map (Mike Gerst will advise if he hears of notice)
 - SHOA Board urges all homeowners to research this issue, ask questions of your insurance agent, and determine if you should get FEMA Flood Insurance
 - Rates are the same at any insurance agency (set by FEMA) (\$600-\$6000/year)
 - Rates are based on property elevation (be sure to do your homework)
 - A question was asked about the Dove Crossing detention pond
 - Noel responded that this pond is the final detention pond for Dove Crossing
 - The purpose of the pond is to collect water from Dove Crossing, detain it, and release it slowly into Lick Creek
- Noel reviewed the special meeting with Dr. John Crompton (a special Lick Creek Committee meeting)
 - Noel reported details of Dr. Crompton's comments from meeting
 - The committee asked many questions of Dr. Crompton about the HOA's rights and the city's efforts to build the Lick Creek Bike/Hike Trail
 - Dr. Crompton indicated the power was in the SHOA's hands (as the owners of the property)
 - He said the bond money was for the project, but not the "route" the trail would take
 - Dr. Crompton indicated that trails generally have more positive impact on property values and showed no evidence of increased crime
- Noel reviewed communications with the City
 - Numerous emails and phone calls were made with the city staff
 - Presented city with list of questions and requests for information from the Lick Creek Committee
 - City has responded to most questions and has provided a DVD with all the known historical files related to the development of Springbrook and the Lick Creek common area
 - Noted that city had just approved \$62K for Halff Assoc. to perform study for Trail project
 - SHOA will stay in touch with City to participate in community involvement meetings and Q&A sessions
- Secretary's Report
 - No report
- Homeowner Member's Report
 - Stu spoke briefly of effort to research new meeting-notice signs (new signs were not purchased)



- Mentioned upcoming "International Day" event (no SHOA plans for this event)
- Architecture Committee Report
 - Felix introduced the committee members; thanked them for their efforts and hard work
 - He reviewed some of the requests that had been submitted
 - He reviewed a recent significant issue with an "outbuilding"
 - A large outbuilding was under construction without permission from the Architecture Committee, nor from the City of CS; no permit filed with City
 - City determined that structure was in an easement and had to be moved
 - Committee and Gary Ives made several visits to the property and worked with homeowner to make the best of a difficult (and costly) situation
 - A new request was submitted to the committee and subsequently approved
 - Felix urged members to be certain to contact the HOA and City before building any structure
 - A question was asked about "historical" non-compliant structures (such as building and fences in the Lick Creek Common Area)
 - Gary and Noel confirmed that Compliance was a Board issue, not a committee issue
- Election of Officers
 - Gary Ives was nominated for President; ran unopposed; re-elected unanimously
 - Noel Bauman was nominated for Vice President; ran unopposed; re-elected unanimously
 - Paige Martin was nominated for Secretary; ran unopposed; re-elected unanimously
 - John Campbell initially declined nomination for a second term as Treasurer; no volunteers; position left vacant; board would seek a replacement
 - NOTE: John subsequently agreed to continue on as Treasurer
 - Stu Allison and Randy Sumpter were nominated for Homeowner Member; Randy won 12 votes to 10
- Old Business
 - No report
- New Business
 - Mike Gerst presented a proposal which, if adopted, would remove the SHOA Board Email List from Board management, place it under the management of two non-Board members, move the list to a non-TAMU platform, change the list from a moderated to a non-moderated list, and establish guidelines for subscribing, posting, and etiquette for the list as a social networking list. Mike made a motion that the proposal be adopted, and Stu Allison seconded.
 - Mike Gerst, Teri Gerst, Marcy Halterman-Cox, and Stu Allison spoke in support of the proposal, expressing the following concerns:
 - That it is a conflict of interest for the Board President, or any member of the Board, to manage the email list;
 - That message screening (through the moderator) is censorship;
 - That Gary has failed to approve messages intended to be distributed by the email list;
 - That it is inappropriate to have the email list hosted on the TAMU server because a non-TAMU person cannot serve as "listowner".
 - In response, Gary spoke against the plan, citing the early difficulty we had with our Email List as an un-moderated list because of the numerous "me too" responses to posts, complaints from several recipients because of this, the loss of one subscriber as a result, and the risk of losing more. Gary



- reported that, as a result of his proactive outreach, we now have over 85% of the Membership on the list, that over half of the Membership has authorized the Board to use it for official notifications, and that recruitment of subscribers has been based on a description of the list as a closed, moderated, low-traffic list used by the Board to keep the Membership informed, and to facilitate Membership response to the Board. Finally, Gary stated that he and the Board needs the list to do their jobs.
- Others from the Membership expressed concern that an un-moderated email list would generate too much incoming email, some expressed support of Gary's position that the Board needs the list to do their jobs, and some expressed the opinion that a separate social networking utility (whether email-based, blog-based, or Facebook) could be developed as an alternative to this proposal.
 - Discussion was concluded with Mike withdrawing his motion, referral of the matter to the Board, and a commitment by the Board to take the matter up at an open Board meeting within 90 days.
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- Meeting adjourned at 9:20pm



Text of proposal presented by Mike Gerst:

SpringBrook Homeowner's Association (SHOA) Listserv Proposed Rules for Management and Usage

Definition of SHOA listserv:

The SpringBrook Homeowner's Association (SHOA) listserv is an online site where SHOA homeowners can register their email addresses—and keep it hidden from other users—and then send emails to and view emails from others who join the list.

Function of SHOA listserv:

The primary function of the SHOA list serve is to make communication faster and more economical for members of the SHOA.

Management of the SHOA listserv:

- To maintain continuity between SHOA Boards and to ensure objective management of communication, the SHOA listserv should be hosted on a server that can be managed and subscribed to by any qualified SHOA member.
- The SHOA Board of Directors will appoint a primary and secondary moderator who are not officers of the SHOA Board of Directors to manage the list serve. The moderators' duties will include: subscribing homeowners, unsubscribing homeowners, and ensuring that postings to the listserv follow the posting etiquette rules (listed below).
- Neither the SHOA Board of Directors or the moderators will be permitted to delay, approve, or otherwise censor messages prior to distribution to the listserv.
- The SHOA moderators, after fair warning, reserve the right to suspend listserv membership for anyone who repeatedly violates one or more of the posting etiquette rules.

Qualifications for posting to the SHOA listserv:

The SHOA recognizes that the articulation of common interests, strong communication links with residents, and the constant pursuit of broad-based participation in the Association activities are critical to the success of the Association, and shall be fundamental considerations guiding Association action.

Thank you for considering being part of the SpringBrook Homeowners' Association (SHOA) listserv. The SHOA welcomes all residents of the neighborhood to use this communication method. By joining this e-mail listserv and communication group, you agree to adhere to the following:

- You must be a resident of the SHOA to use this listserv.
- Since the listserv serves the SHOA, postings to it must relate to the business needs of the SHOA.
- SHOA list serv posting etiquette rules:
 1. Be courteous and keep it impersonal; No show of disrespect, or desecration or debasement of someone or something.
 2. Responses of affirmation to the listserv should be avoided.
 3. Don't challenge or speculate about others: individuals or businesses.
 4. Humor is wonderful, but be mindful that it can be misunderstood.
 5. Information is more powerful than emotion. If you feel strongly about something, share the facts with the SHOA. Let the reader make informed decisions.



6. No commercial postings or business marketing, endorsements, solicitations, or promotional messages.
7. No political endorsements or political campaign postings.

Examples of uses NOT permitted: advertising, marketing, or promoting business services or products; posts seeking clients or business opportunities; advertising of services for home maintenance, web services; and political endorsements or campaign postings. This list is not all-inclusive.

Examples of permitted uses: posting notices of SHOA meetings, events, and issues, expressing concerns about SHOA neighborhood, community, or individual issue or need.