

CASTLEGATE OWNERS ASSOCIATION COLLEGE STATION TX

MINUTES FROM ANNUAL MEETING

MEETING HELD ON MONDAY SEPTEMBER 8, 2008
7:00 PM FOREST RIDGE ELEMENTARY SCHOOL

CALL TO ORDER

Meeting was called to order by Rick Bennett, the president of HOA at 6:14 PM. Mr. Bennett welcomed everyone to the meeting and introduced himself, the treasurer Vicki Hillert, the secretary Krystal Broussard and Sandie Miller from Neighborhood Partners.

Rick introduced Mark Spillers as the Proctor for the evening. Rick explained that Mark would be keeping us on topic and guiding us through the agenda in an organized manor.

Rick asked Krystal Broussard, secretary of the HOA, if a quorum was present. Krystal replied that a quorum was not present.

Rick Bennett then explained that we had prepared for this type of situation. We as an HOA had consulted the HOA attorney as to how to proceed. Cully Lipsey advised if a quorum was not established the meeting would continue but that it would be for information only and no official action would be possible. Rick explained that the members who voted would be voting in a preference poll rather than an election. He stated that the 3 people with the highest votes would replace the current board of directors. He explained that the current board members would resign and be replaced by the nominees with the highest number of votes. The results would be announced at the end of the meeting.

Rick explained that according to the current bylaws 51% of the community must vote in order to elect a new board of directors. He also explained that this was an over site when the HOA was established and the bylaws were written. He explained that in order to change the bylaws 51% of the community must vote. In order to change the 51% rule, the attorney has recommended a ballot be sent out along with the 2009 dues statements. At this time, the board of directors can propose changing the 51% to an alternate number, if the change is approved by 51% of the community the bylaws can be amended and this should not be a problem in the future.

A question came from the floor as to how many people needed to vote to make a quorum. Rick replied that we needed 426 votes. Krystal stated that at the meeting there were 57 voters present. She explained that voting was on a lot basis. One vote per lot, Krystal also explained that 139 Absentee/Proxy votes were submitted prior to the meeting. The total number of votes cast was 196. To establish a quorum we needed 426 votes. Someone from the floor asked how this compared to last years meeting, and we did not have that information available.

Krystal advised everyone that the minutes from the September 10, 2007 annual meeting had been posted on the website for review. She also told everyone that there were a few copies on the tables for review as well. She explained the minutes from the 9-8-08 meeting would be posted on the website for review shortly after the annual meeting.

Rick then turned the meeting over to Mark Spillers and Mark asked for 2 volunteers to help count the ballots of the preference poll. One gentleman and a lady named Joann assisted in the counting. Rick also reminded everyone about the sign up sheets for volunteers, if anyone was interested in helping in the community, please sign up.

REPORTS

President: Rick Bennett explained that there had been a change with the management company. SideByte was no longer in operation and Neighborhood Partners was the current management company. He explained that Sandie had worked for SideByte and started her own company when they chose to close. He also reviewed items that were accomplished this year.

- Numerous pet signs purchased and installed along walking trails
- Walking trails had been trimmed back up to 7 feet tall and debris disposed of
- Dead trees had been removed twice through out the community
- Hwy 40 design and plan had been established and was in progress
- Reformed tree wells and mulching
- Landscaping and plantings along Victoria
- Ornamental replanting along Victoria
- Belvoir Cul-de-Sac removed 16 pine trees and replaced with eight 45 gallon live oaks, replaced tree bubblers and replaced grass
- Changed tree bubblers on bald cypress which were able to stay foliated all year long probably the first year they have been able to stay foliated all year
- Added additional weed control
- Hosted the Spring Festival and planning the Fall Festival
- All pumps on the fountains have been rebuilt
- All lights and timers on fountains repaired and working properly

Treasurer: Vicki Hillert discussed the Balance Sheet. She explained that we had opened a Money Market account for the HOA and were able to earn interest on the monies collected. She explained we get a large amount of money early in the year and this way the money can work for us through out the year. We had a little over \$8000.00 in Accounts Receivable. She explained this included this year and previous years, she stated that this was a fairly low number. She also explained that liens were being placed or in the process of being placed on those who owe the HOA money. She also reviewed the budget. She explained we were operating a little under on some things and over on the fountains but overall we were doing great for 8 months into the year and seemed to be right on budget about 67%. She also explained we had been able to generate an additional \$3384 income by implementing a fine system for non payment of dues. She explained that there was \$18,637 set aside for the HWY 40 project or and we hoped that this project would be completed in 2009. She did not think there would be any need for a dues increase at this time. Vicki also discussed that the board had voted and approved an audit of the books. This audit was done by Seidel, Schroeder & Company for a seventeen month period from Jan. 07 to May 08. This was a period of time in which the developer, the first management company and the current management company managed the community. The audit found the books and financials to be in good standing. Vicki also reminded everyone that the financials are posted quarterly on the website.

Management Company: Sandie Miller explained that she was the owner of Neighborhood Partners and was glad to finally meet some of the residents she visits with by email. She said her biggest issue is violations. She stated that she is personally driving the community at different times during the month for CCR enforcement. It usually takes her about 3 ½ hours to drive the community and note all violations. Thus far she has issued 341 Garbage Can notices, 114 mow yards, 345 weed flower beds, 235 remove dead trees, which is down this year, 14 remove of boat and trailer, 9 vehicles parked on street, which is multiplying monthly, and 60 unsightly articles. She is sending a letter of the violation, after the 3rd violation a \$25.00 fine is assessed. If the problem is not cured, we have to cure it and it cost the HOA money. She said she also is taking pictures as she does violations in order to keep a record. She also explained there is a legal procedure that must be followed with any violation and at times it can be lengthy and take time. She explained that there are several liens in place on homes in the subdivision and there will be more to follow with those who do not pay their association dues.

Sandie also discussed the City of College Station Park Pals and the great response we had with everyone emailing the city with their concerns over the park shade and the irrigation issues etc. She was able to have a meeting with the city and progress is being made. She also explained that the city fills the front lake and the HOA fills the back lake. She also encouraged everyone to register on the website. She said she is able to save the association a lot of money by sending out emails for reminders. Currently she has about 420 email addresses. The website was given as www.castlegatehoa.com.

COMMITTEE ANNOUNCEMENTS

Spring Festival: Krystal Broussard gave a report about the Spring Festival. She said it was held in March at the Castlegate Park and they had a large Easter Egg Hunt. The HOA was able to hide over 2000 Easter Eggs and the Easter Bunny was there to take pictures with the kids. She said several hundred families turned out for the event and everyone seemed to enjoy the day. The HOA provided snow cones and door prizes were donated for the adults. They received a lot of positive feed back from the community and were able to do the event for about \$700.00. She also requested volunteers for this event for next year.

Fall Festival: Krystal Broussard said a date had been set for Fall Festival. The event would be Saturday, October 4, 2008 from 3:00-5:00 at the Castlegate Park. She said they had a lot of great events planned. There would be Pony Rides, a bouncer, a slide, a clown doing balloon art, a princess doing face painting, games and plenty of hotdogs, popcorn, and drinks and door prize's. She said to bring your camera for pictures in the pumpkin patch. Krystal also said Erika Ervin from Brazos Valley Green would be there and would have information on recycling and living green in the Brazos Valley. She encouraged people to volunteer and help with the event and sign up on the back table.

Community Trash Clean-Up Day: Kay Floyd gave this update. She encouraged everyone to help do this activity. She displayed her handy trash pick up tool and asked if people would consider a Sunday stroll to pick up trash. She said Saturdays have not been in a good day in the past and Sundays seem to work great. She stated the trash is not near as bad as it used to be because we were almost developed but she would like to have another event soon.

Landscape Committee: Molly Johnston and Barbara Von Blankensee chaired this committee. Molly said that they have some other volunteers and have 4 groups that do the yard of the month signs. They will continue to do this and add a few more at Christmas 2 signs per section starting Dec. 1 and again Dec 15.

Common Area: Brian Warner gave this report. He has been taking care of the flags and monitoring the light poles. He said we voted to not replace the Castlegate Flag because it was very expensive (\$400.00) and instead we replaced it with the Texas Flag. He asked for volunteers to take over this job. He also said he has been monitoring the street lights. He said if you notice one out, go online to the city and report it and make sure you have the number on the street light. He said it can take several emails to get it done but someone in the group said they work for the city and they have one person that does this and he tries to get them fixed same day or next day. Several homeowners said theirs were fixed the next day. A gentleman from the floor asked about the letters on the Castlegate sign, if they were falling off or if someone had stole them. Rick explained that someone had stolen them.

Park Pals: Sandie spoke on for this committee because no one is chairs it. She said she does not live in Castlegate so if you notice something broken at the park please let her know ASAP and she will contact the city. She also requested volunteers for this committee.

Architectural Control Committee: Shaw Wulfson and Brian Warner spoke about this committee. Shaw said that they have approved 32 sets of plans for homes. They have approved 5 remodels and 5 pools. He stressed their job is to interpret the ACC. He mentioned that they have had a lot of request for sheds and they researched quite a few. He told everyone the ACC had pre-approved 2 sheds 1 at Home Depot and 1 at Sams. The information concerning these and frequently asked questions concerning the sheds was posted on the website. He also said information concerning placement is available as well. The sheds must be placed behind the house. Someone asked how long it takes to get a request approved and Shaw responded usually in 2-3 days you will get a response back. Shaw stated that all ACC request need to go to Sandie first then she will distribute them to the committee accordingly. Someone asked if the HOA had plans to stain all the fences along Victoria. Shaw responded no, it

would be too costly. He said if anyone wanted to stain their fence, there was a color pre-approved and it was posted on the website. Someone from the floor asked how he was going to enforce the guidelines, Shaw responded that he can not enforce, he can only interpret. Sandie explained that enforcement is a very slow process and we have a procedure in place. We have to follow the legal steps and it just takes time. Rick addressed the fine system and that the process is very slow.

Membership Committee: Sandie discussed this committee, she asked for volunteers. Currently no one chairs this committee. She suggested making a personal visit to each new homeowner and welcoming them to Castlegate. Sandie is sending a welcome packet to each new homeowner.

National Night Out: Scheduled for October 7th. If anyone is interested in hosting a party for your section, please contact Sandie.

UNFINISHED BUSINESS

Hwy 40 Entrance: Rick discussed the Hwy 40 entrance in depth. This is the most used entrance into and out of the subdivision. We have had numerous requests to revamp the entrance. We have had a lot of good ideas and suggestions. As a board we set aside \$21,650.00 for this project and currently there is \$18,637.00 tagged for this project. We have had drawings done and hope to have the remainder of the necessary funds available in 2009. We hope this project will be completed and make the Hwy 40 entrance have more curb appeal.

Shade Cover over the Playground: Sandie discussed the Shade Cover for the play ground. She explained that the board had gone to the parks and recreation committee meeting requesting a shade cover. We received a nice letter thanking us for coming to the meeting and letting us know the shade cover has been approved but the funds are not available at this time. They also offered they quote they had and said if we could find it cheaper they would consider it again. Sandie had several other quotes and none were any less expensive than what the city had. The city has also advised us that funds had been marked for a new park in a new subdivision planned further down Greens Prairie. If the plans for this park fell through, Castlegate would be able to claim these funds and would be one step closer to a shade cover.

NEW BUSINESS

Parking and Traffic: Officer Craig Anderson from the College Station Police Department was able to speak to the group of homeowners about Parking and Traffic. He said they have had numerous complaints from homeowners on Ravenstone about people parking on the street and walking to the school. He responded that they really can not do anything about this. He also said that most of the people parking there may not live on Ravenstone but are residents of Castlegate. Officer Anderson said John Campbell had talked with the homeowners about placing no parking along the curb but the majority of the residents did not like that idea. Basically there is nothing the city can do about people parking here. The street has to be passable for emergency vehicles, and that is all the law says. Sandie mentioned that in the past were in a crossing guard study and we did not qualify for a crossing guard. She said we may need to ask for this to be done again. Someone also asked about a school zone for Ravenstone. Officer Anderson said that they need to contact Troy the traffic engineer. Some concern was voiced over the speeding on Newark Circle. Officer Anderson said please contact the police department if this is occurring and they can place a motorcycle officer in the area. He said they then can report back the statistics on working the area. He did mention that in the past when they have patrolled a subdivision the homeowners call and complain because they are the ones usually being stopped. Concern was brought up from the floor about the excess speed of the UPS trucks and FEDEX trucks in the community. Also, people are not stopping at the stop signs, especially the one at Rockcliffe Loop and Ravenstone. We may need to write a letter from the board on behalf of the HOA requesting some speed control. The more concern that is voiced to the police department the more action you will see.

Topics for Discussion:

Dead Trees fallen over walking Trail- Sandie said every effort is made to remove these trees ASAP. However, she needs to know about these things, if you see a fallen tree, please email her and the problem will be resolved.

Parking on the Street- Sandie said she is sending violation letters monthly. She said to try to talk to your neighbors and discourage this. It is very dangerous for cars to be double parked and emergency vehicles can not pass. The city has been in the area issuing tickets for this.

Homeowners posting sign on Street Signs- Sandie advised that you cannot post Garage Sale, missing pets or any other sign on a Stop Sign or any other sign. This is against the law and not permitted.

Other- A homeowner voiced a concern about pets on a leash. Sandie said all pets must be on a leash and if you see a pet not on a leash contact animal control. We may need to place a few more signs up in the subdivision concerning pets and using a leash. Someone voiced concern over all the cats in the area. There is not much that can be done about a cat. They can not be leashed, and the law does not address cats. We also have a lot of feral cats in the area.

Another resident suggested the board may want to create a safety committee due to all the safety concerns with the traffic and the school. Someone else voiced concern over a bobcat sighting at the school, Vicki said it might have been a bobcat, but someone owns a very large bob tail cat that looks very similar to a bobcat.

ANNOUNCEMENTS

Results of the Election:

Rick read the results of the election.

Brian Warner	180 votes
Molly Johnston	176 votes
Shaw Wulfson	174 votes
Mark Spillers	174 votes
Barbara VonBlankensee	168 votes
Gregg Baird	62 votes

There was a tie between Mark Spillers and Shaw Wulfson. Shaw with drew his name from the running and decided to stay on the ACC committee.

Rick then announced that Vicki Hillert and Krystal Broussard were resigning their positions from the Board of Directors and Rick appointed Brian Warner and Molly Johnston to replace Vicki and Krystal. Rick Bennett then resigned his position from the Board of Directors and Brian appointed Mark Spillers.

The new board members were introduced as Brian Warner, Molly Johnston, and Mark Spillers.

One resident asked if all the new board members were residents of Castlegate, all new members said yes.

Someone else asked if we could meet again in a month and reconvene to try to have elections. Rick explained that we have made every effort to get people here to vote. We told everyone up front that we needed 51% of the community to vote in order to have an election. He explained that we felt we could not get 51% of the homeowners to come to a meeting, cast a proxy vote, or absentee vote. He explained that nothing can be done until the bylaws are changed. Another homeowner voiced concern over the website not accepting votes and wanted to make sure that in January we were not going to have people try to vote on the website. Krystal explained that we would have a ballot in with the 2009 dues statements, the homeowners can cast their vote on the ballot and return the ballot with their dues payment. We think we can get a majority this way and a change can be made.

ADJOURNMENT

Brian Warner adjourned the meeting. Rick Bennett Seconded.

The meeting was adjourned at 9:15 PM.

Documents given out at Meeting:

Agenda

Balance Sheet

2008 Budget/Actual Profit & Loss Comparison

Description of Budget Accounts