

## **Estates of Shady Hollow Home Owners Association**

### **Minutes From Board of Directors' Meeting of May 20, 2004**

#### **Present**

- Board: John Anderson, Allen Gunter, George Robbins, Deborah Treece
- Architectural Control Committee: Rich Anderson, Ysabel Pena
- Property Manager: Carl Gamble
- Homeowners: John Johnson, Jacqueline White

#### **Homeowner Comments/Questions**

None.

#### **Actions Since Last Meeting**

Deborah Treece was contacted by Ed Jarusinsky (12309 Corner Brook Pass) on behalf of a group of neighbors who are concerned about harassment, vandalism and other nuisance and possibly illegal activities by the teenagers residing at 3404 Lost Oasis Hollow and their friends. The Board met with these homeowners on Wednesday, May 5<sup>th</sup>. In addition to the Board, there were 22 homeowners representing approximately 13 properties in attendance.

Deputy John Cravatt from the Travis County Sheriff's Department attended, fielding questions and offering suggestions for dealing with situations such as this. Unfortunately, budget cuts have resulted in only two deputies assigned to the area that includes the Estates, and that area is large, extending from I 35 on the east to FM 1826 on the west. Unless the Sheriff's Department receives a large number of formal complaints (that is, where the complainants provides their names), the presence of deputies in the Estates will be too limited to be of much value in eliminated the current problem. John Anderson placed a summary of the issues and procedures discussed by Deputy Cravatt on the website. John also reported that Deputy Cravatt had reviewed John's summary and indicated agreement with it.

The Board took two action steps by email in connection with this situation. First, the Board approved a motion made by Allen Gunter and seconded by John Anderson that until further notice, Carl Gamble be instructed to not send any violation notices to the homeowners at 12305 and 12308 Corner Brook Pass, and 3401 Lost Oasis Hollow with respect to their destroyed mailboxes. The Board also approved a motion made by Allen Gunter and seconded by John Anderson to create a committee to include John Anderson and two or more homeowners affected by the current situation and not on the Board to develop ideas for dealing with problems such as this.

#### **Review/Approval of Minutes**

The minutes of the April 15, 2004 Board meeting were unanimously approved upon a motion made by George Robbins and seconded by John Anderson.

#### **Property Manager's Report**

Carl Gamble distributed month-to-date financials for May which included the refund of the duplicate insurance premium of \$3,136 paid in the last contract year.

He also reported that he had asked DiamondScape to cut the grass along the fence on the east side of Edwards Hollow Run. This property actually belongs to the residents of the Barker Ranch development whose properties back up to Edwards Hollow Run. It is unlikely that they will maintain it, however, so Carl will have DiamondScape mow it periodically. Carl also reported that he would be asking DiamondScape to mow the easement and drainage ditch off Lost Oasis Hollow (between 3318 and 3324).

Carl reported that the one homeowner who is still delinquent with respect to 2004 annual dues is now in bankruptcy proceedings. Per Carl, it would cost \$95 to file a claim with the bankruptcy court and \$25 per month to have the claim monitored. The Board unanimously approved a motion made by Allen Gunter and seconded by Deborah Treece to continue to carry the claim on the Association's books but not file it with the bankruptcy court since the cost would far exceed the amount the Association could hope to recover.

Finally, Carl reported that he had been contacted by John Mesky (3905 Green Emerald Terrace) in response to violation notices he has received with respect to a trailer in his driveway. The trailer is used for motorbikes which Mr. Mesky races on weekends. He usually arrives home very late Sunday evening to very early Monday morning, and he always moves the trailer as soon as he gets off work on Monday. Since Monday is the day that Carl makes his drive-through, the trailer is written up as a violation of the CC&Rs. The Board accepted Carl's recommendation that he have Mr. Mesky call him whenever this situation occurs, in which case no violation will be recorded.

### **ACC Report**

Rich Anderson reported that the ACC had recently approved a pool security fence and had just received a request for approval of a lawn storage unit.

### **Neighborhood Watch Committee**

The Board formed a Neighborhood Watch Committee to develop recommendations for dealing with issues such as those raised in the May 5<sup>th</sup> special homeowners' meeting. John Anderson is the chairperson, and John and Judy Johnson, Jacquie White and Steve Saska agreed to serve on the Committee. When the Committee needs legal input, it is to submit the questions/issues to the Board which will review, supplement and/or revise as appropriate and authorize John to contact attorney.

Upon a motion made by Deborah Treece and seconded by Allen Gunter, the Board unanimously approved paying for patrols by off-duty constables. These patrols would be in conjunction with patrols already being contracted for by the Shady Hollow MUD. An off-duty constable currently patrols Shady Hollow for four hours on one day of the week (Monday - Thursday), 8 hours on Friday, 8 hours on Saturday, and 4 hours on Sunday, for a total of 24 hours per week. The officers change which weekday and hours they work to prevent establishing a schedule that vandals might take advantage of. This also allows them to schedule patrols at times they see as problem times.

Gary Black, MUD President, has agreed to include the Estates in those patrols if we contract with the Constables Office for four additional hours during the week. This would result in a total of 28 hours per week spread over five days. The cost will be \$35 per hour (\$140 per week). This represents \$25 per hour for the off-duty constable plus \$10 per hour for his or her car.

John noted that even though the off-duty officers are contracted for specific times and neighborhoods, they are considered to be available for dispatch for other law enforcement activity in the area and may be "called out" of our area during their off-duty patrol times. This is not deducted from the bill, and furthermore, if they are required to stay on the "call out" for time over and above the hours we normally pay for, we have to pay them for all hours worked. However, according to the Constables Office, historically there has been less than one "call out" per week (usually on weekends), and very rarely has a "call out" gone over the scheduled patrol time on weekdays (which is what we will be responsible for).

One issue raised with John by a homeowner was whether or not the structure behind the house at 3404 Lost Oasis Hollow is in compliance with the CC&Rs since it appears that someone is living in it. The Board agreed that this was not an issue to be addressed by the Neighborhood Watch Committee. Rich Anderson will talk with GC Petty to see if he has any files relating to the approval of the structure, and Carl will also check his files. Since David Carpenter looked into this issue last year, further discussion was tabled until he is available.

#### **Treasurer's Report**

No report; all material financial issues were discussed in connection with the Property Manager's report.

#### **Drainage Study**

The study has been posted on the website and an article is included in the June newsletter. Other discussion of the study was tabled until David Carpenter is available.

#### **Amendment to CC&Rs**

Deborah Treece is to contact the Association's attorney to obtain final copies of the amendment to the CC&Rs concerning subordination of Association claims to mortgage claims so that it can be executed.

#### **CC&R Review Committee**

Allen Gunter reported that he is in the process of putting the proposed changes to the CC&Rs into a format that could be presented to homeowners. This will be reviewed by George Robbins and Brad McMahon and then presented to the Board.

#### **Guard Rails**

George Robbins spoke with Raymond Reid from Travis County. Mr. Reid believes that there is not enough concrete at the culverts to properly install posts for guard rails and it would be very expensive to add additional concrete. The County will pay for and install guard rails only if there is a pattern of accidents at a particular culvert.

The consensus of the Board is that it will take no further action with respect guard rails.

**Next Meeting**

Thursday, June 17, 2004 starting at 6:30pm at the Shady Hollow Community Center.

Respectfully Submitted,

*Allen Gunter*

*Recording Secretary*

*May 20, 2004*