

**Minutes of the Annual Meeting of
The General Membership of
Bexar County Highlands Ranch Homeowners Association, Inc.
February 19, 2022**

The Annual Meeting of the General Membership of Bexar County Highlands Ranch Homeowners Association, Inc, a Texas nonprofit corporation (the "Association") was held at Fair Oaks Country Club, located at 7900 Fair Oaks Parkway, San Antonio, Texas and Via ZOOM pursuant to call by the Directors of the Association.

Call to Order

- ❖ The meeting was called to order at 9:06 a.m. by JoAnn Browne, the President of the Board.

Determination of Quorum

- ❖ The Bylaws of the Association require 30% of the 132 Owners (40) to be present in person, by proxy or by absentee ballot to constitute a quorum. The total number of owners present in person, by Proxy, and by Absentee Ballot was 83. Therefore, quorum requirements were met.

Introduction and Opening Remarks: JoAnn Browne thanked everyone for attending and provided the following information.

- ❖ Housekeeping items (food, drinks, rest rooms)
- ❖ If you need a copy of the DCCR or Bylaws, you can find these on our website, along with several other useful items.
- ❖ The HOA's website is www.highlandsranchhoa.org. To access all confidential information on the Members page, you need to use the password "hrhoa78006" (in lower case letters).
- ❖ There is a sign-up Sheet at the sign-in table for our:
 - Committees: ACC, Welcoming, Beautification, Finance, Roads and Safety, Social, Newsletter, and Oak Wilt Advisory
 - Clubs: Book, Gardening, Wine and Cards.
- ❖ For those of you on Zoom, please email me at joann.highlandsranch@gmail.com and let me know what committee you volunteer to serve on.
- ❖ There is a sheet at the sign-in table or being passed around for you to update your information, such as physical address, emails and telephone numbers, if necessary. If you are attending via Zoom, you can find the homeowners list on the website under the "Members" page. Please review this and email Pat Hopkins at pdhopkins18@gmail.com if you need to make changes.
- ❖ If you have questions during the meeting, please raise your hand. Once acknowledged, please give your name and state your question. After all questions from those here in person are answered, I will ask if anyone present via Zoom has questions.
- ❖ Lastly, we know that your time is valuable and we appreciate you taking time this Saturday morning to be here. Therefore, we will try to cover each item as quickly as possible. If you don't get your questions answered while we are on a particular topic, please ask one of us after the meeting adjourns and we will work on getting your questions answered.

Joann Browne introduced the following Board, Committee Chairs/Officers, and guests:

- ❖ **Directors and Officers**---Jo Ann Browne (President); Mary Teders (Secretary)—present via Zoom; Joe Zimmerman (Treasurer)—not present; David Thackrey (Roads and Safety Committee Chair); Max Martin (Social Chair) and David Cerminaro.
- ❖ **Other Committee Chairs and Officers**--- Pat Hopkins (ACC, Gates, and Welcoming); Lil Rogers (Beautification)—not present; Martha Grant (Newsletter); Jimmy Junkin (Finance and Oak Wilt Advisory, Assistant Treasurer and Assistant Secretary); Aaron DeWispelare (Assistant Treasurer) .
- ❖ **Guests:**
 - Eva Hecox, Association Manager, and Vickie Johnson, Administrative Assistant, with DAMC.
 - Tom Newton, Association Attorney, and his associate Ariel Erwin are here to help answer any questions on the Bylaw and DCCR amendments and to serve as our parliamentarian.
- ❖ **First order of business**—Jo Ann
 - We will handle the voting for 2022 directors and the Bylaw and DCCR amendments first, in case any of you need to leave early. Then, we will handle other business.
- ❖ **Proceed with Voting**---Jo Ann Browne
 - First, to those attending via Zoom today:
 - If any of you have not already voted, please cast your votes online at www.highlandsranchhoa.org today.
 - Use the **Absentee Ballots** for Bylaw amendments and DCCR amendments.
 - Use the **Meeting Day Ballot** for your Directors' Vote only if there are nominees from the floor for Board positions today and you wish to vote for one or more of those nominees. Insert the names of nominees from the floor that you wish to vote for. Otherwise, use the Absentee Ballot for Directors.
 - Also, we have previously informed you that you can recast one or more of your ballots if you wish to do so and that only your last ballots will count. That still applies during the meeting today.

Before moving to the voting, I would like to say a few words about the board nominations process.

- ❖ **Nominations Process**—Jo Ann:
 - The Bylaws state that the board will appoint a nominating committee consisting of three members to select at least two nominees for the two open board positions. The committee consisted of members who have lived in Highlands Ranch for many years and have gotten to know a lot of our members. You were sent a Notice naming the members of the committee and asking you for recommendations for them to consider. The committee considered a number of good candidates, but the committee has told me that a big part of their decision was based on who had the most available time and their commitment

to serving as a Board officer or committee chair. After much consideration, they selected two Nominees and sent you their report setting forth their process and decision. There were also two other members who requested their names be placed on the ballot.

- There were no nominations from the floor. Nominations closed.

❖ **As to the Bylaw and DCCR amendments**, we have provided you with a Summary document that discusses these and we have had a few questions submitted prior today. But, before proceeding to the voting, are there any remaining questions about these amendments? None were asked.

- Those of you here in-person who have not already cast votes, or wish to recast your votes, and therefore need Ballots, please raise your hands.
- Those of you attending via Zoom will need to have cast your votes online no later than today, unless there are acceptable motions today to further amend any amendments already presented, in which case you can vote in the next few days once amended ballots are posted online.
- Use the Meeting Day Ballot for Directors if there are nominees from the floor, or otherwise use the Absentee Ballots for all voting.
- Because we might have uncounted votes from yesterday and might receive votes in person and online today, this will delay the announcement of the results. DAMC will send out an email with the results of the voting in a few days once the tallying is completed.

A few ballots were handed out and the meeting will be recessed for 15 minutes while Ballots were completed. Then the meeting continued.

Approval of Minutes---Jo Ann Browne

❖ A motion was made and seconded to dispense with the reading of the minutes of the Meeting of February 20, 2021, as presented. Motion passed.

Report of President ----Jo Ann Browne

- Discussed duties per Bylaws, Section 8.04, as follows:
 - Serves as CEO of the Association.
 - Presides over meetings of the members and the board.
 - Has the general powers and duties usually vested in such an office.
- Meetings of the board:
 - Have met generally on a monthly basis, except for the 3 summer months and December.
 - Notice and agenda for the meetings are posted on the website.
 - Involved in such things as the matters to be covered today, approval of contracts and routine expenses, coordinating efforts of the committees, work on various issues such as our roads, the review and follow up on deed violations and legal matters.
- Drainage construction at front entrance:

- As we previously informed you, in 2020 we settled our lawsuit against the Developer of the apartment and commercial property at our front entrance concerning the water drainage issue. This process began about 5 years ago.
- The Developer agreed to pay for the installation of a pipe underneath Ranchland View to divert the water from over the road to under the road, to pay up to \$20,000 for restoration of the eroded landscaping, and to pay the HOA \$20,000 toward our legal cost. In conjunction with this, the board decided to have the road repaved from outside the gate to inside the gate to the first home on the south side.
- All of this work has now been completed, including the landscaping restoration.
- Jo Ann for any questions and there were none.

Oak Wilt problem—Jo Ann asked Jimmy Junkin to report.

- As we have previously told you, we discovered oak wilt fungus in 2017 in oak trees in Country Bend on the west side of our community, adjacent to several lots at the north end of Ranch Creek, and north of us in Windwood Estates. At the time, the board approved payment to trench about 1600 linear feet along the perimeter between Highlands Ranch and Country Bend to help prevent the fungus from spreading underground into our neighborhood.
- Since then, it was also discovered on at least three lots in Highlands Ranch, each of which have been treated by BioGreen Tree Care. There has been some success with this, but not entirely.
- The board suggests that each of us look closely at our trees periodically and report it to one of the members of the Oak Wilt Advisory Committee or to the Board. These members will be glad to come to your home and look at your tree with you to help identify any oak wilt.
- Also, we suggest that you look at the information on the website, which includes photos of leaves that show what oak wilt looks like.
- Oak wilt can be spread in different ways, including by the oak wilt beetle which can infect open wounds on the trees and by woodpeckers.
- If you find any oak wilt, it needs to be treated immediately.
- A final reminder is that when you have your trees trimmed, please be sure that any equipment that is used is first disinfected with bleach and that every single cut is immediately sealed.
- Jimmy asked for questions and there were none.

Speeding and tailgating: Jo Ann asked David Thackrey to report.

- There is still a good amount of speeding, with speeds up to 60 MPH, even when crossing the speed humps and around curves. Please slow down.
- Tailgating continues at our gate, causing broken gate arms and gate damage, which costs us all money when we cannot get the offender to pay.
- The Board has discussed at length the remedies for the speeding, each of which we recognize will be objected to by some. The Board has discussed three options:
 - Adding more speed humps.

- Using equipment that captures a driver's speed and license number so that fines may be assessed, and
- Speeding equipment that shows the drivers the speed they are going in hopes that it will cause them to slow down.
- The less invasive method seems to be the third option. Therefore, the board has voted to purchase 4 of these initially to see how they work. If satisfied with them, the board might vote to add more. If this does not work, the Board will reconsider the other two options.
- David asked if there were any questions. Some expressed concerns about more speed humps. But, no serious objections were made to the board's actions.
- David also stated that the board has voted to install new stop signs, as the current ones have been up for about 20 years and are showing significant deterioration.
- Jo Ann added that some good gate etiquette to follow includes (1) stop inside the gate and wait for the arm to come down to prevent tailgaters, (2) when visitors call from the keypad, wait a few seconds to punch 9 to let them in, so that the gate won't begin closing before they can get in.

Committee Reports—Jo Ann introduced each of the following for their reports. Before doing so, she stated that all of us should appreciate the work that our committee chairs and members do for the rest of us.

❖ **Welcome Committee**--Pat Hopkins, Chairperson

- Pat stated that he delivers welcome kits to each new owner.
- He said that we have 139 lots. 7 are adjacent lots owned by one owner, thus leaving 132 as actual homesites. 8 are undeveloped, but 4 are being built on.

❖ **ACC** --Pat Hopkins, Chairperson

- Pat said that the committee has 9 members.
- Review and approve secondary construction, such as a pools. New construction plans are still reviewed and approved by Denton Development.
- 2021 activities: 12 requests were made for such things as pools, spas, well house, sheds, lighting, patio, landscaping, and fences.
- He advised that members can view a copy of the DCCR on Highland's website for construction requirements and to contact him with questions.

❖ **Beautification**--Lil Rogers, Chairperson--Report by Pat Hopkins

- Landscaping at entry has been restored after drainage project was completed.
- Some of the new grass has not survived and needs to be replaced, as well as some plants.
- There is a Heritage Oak on right hand side on developer's property. Pat is going to ask the developer to do something to make sure it is preserved.

❖ **Finance Committee**--Jimmy Junkin, Chairperson

- Jimmy stated that the committee consists of the Board Treasurer, Aaron DeWispelare as Assistant Treasurer and himself as Assistant Treasurer.
- They review the monthly reports prepared by DAMC, prepare the annual budget, prepare the annual Reserve Fund analysis, and handle the HOA's

investments of the money held by the Reserve Fund. The Reserve Fund accumulates money for use on future major asset expenditures, primarily the roads.

- He asked for questions, but there were none.

❖ **Roads/Safety**--David Thackery, Chairperson.

- David said that some dogs have been running loose and being aggressive. This has been addressed with the owner of the dogs.

❖ **Social**--Max Martin, Chairperson. No report.

❖ **Newsletter**—Martha Grant, Chairperson. Martha stated that she prepares and sends a newsletter each three months. She asked for any input any members want to provide. She also said that the Little Free Library has seen some good activity and asked that everyone feel free to use it.

❖ **Unfinished Business:** Jo Ann asked if there was any unfinished business and there was none.

❖ **New Business:** Jo Ann asked if there was any new business and there was none.

❖ **Results of the election and the amendments.** Jo Ann again stated that the vote tallies will be provided by DAMC in a few days. Supplemental Report from Eva Hecox on February 24, 2022 went to all member via email:

- The two members with the most votes elected as directors were Jo Ann Browne and Adam Pope.
- On the Bylaw amendments:
 - 83 total members present in person, by absentee ballot and by proxy. Passage required a majority of those present, which would be 42 Yes vote.
 - 74 Yes votes for Sections 6.1 and 6.16.L, those required by changes in law, so a Yes vote was only option given. Thus, 9 did not vote. Passed.
 - 67 Yes votes for Section 12.01. Passed.
- On the DCCR amendments:
 - 78 total ballots. Required 88 to pass any amendment.
 - 62 Yes votes for Articles II.10, II.18, III.2, III.5, VII. 1, and XII.1-3, those required by changes in law, so a Yes vote was only option given. Thus, 16 did not vote. Failed.
 - 61 Yes votes for Article III.26. Failed.
 - 64 Yes votes for Article XI.1. Failed.
 - 71 Yes votes for Article XI.2. Failed.
 - 34 Yes votes for Article XII.1.b. Failed.
 - 56 Yes votes for Article XIV. Failed.

- ❖ **Recognition of and thanks to Directors whose terms ended.** Jo Ann thanked the outgoing directors, consisting of Joe Zimmerman and herself, and presented them a gift for their service. She also had a gift for Lil Rogers, Beautification Chairperson (not present), who did a great job on the landscaping restoration.


- ❖ **General Discussion and Questions**—Jo Ann asked for any discussion and questions.
 - One member stated that the board should send out e-blasts if gates are going to be open for some time.
 - Someone asked about an emergency entry/exit for our neighborhood. Jimmy stated that there is a dirt road on the south end of Ranch Creek that is used by the water company for Country Bend to access the water well at the cul de sac. The property it is on is owned by Highlands Ranch, but that water company has an easement on it. Also, part of it might cross over a Country Bend resident's lot, which means we would not have access across it there unless we get that owner's permission. Brad B. stated that he knew the Country Bend HOA board chair and would will talk to him.

- ❖ **Closing remarks**—Jo Ann
 - Jo Ann made more closing remarks about volunteerism.
 - We have had a couple of comments about certain members perhaps serving too long as a board member or committee chair.
 - There are some reasons why we are fortunate that these members continue to serve:
 - One, they have the time, when others do not, and have willingly volunteered.
 - Two, they have done a great job for our HOA and the boards have accordingly continued to appoint them.
 - Please take the time to thank these volunteers.
 - Any of our members are always welcome to volunteer for the board or committees

Adjournment

- ❖ There being no further business, Jo Ann adjourned the meeting at 10:58 a.m. and thanked everyone for coming today.


 Jo Ann Browne, President


 Mary Teders, Secretary