

DRAFT

Minutes of the Annual Meeting of The General Membership of Bexar County Highlands Ranch Homeowners Association, Inc. March 23, 2024

The Annual Meeting of the General Membership of Bexar County Highlands Ranch Homeowners Association, Inc, a Texas nonprofit corporation (the "Association") was held at La Hacienda Restaurant located at 25615 Boerne Stage Road, San Antonio, Texas. pursuant to a call by the Directors of the Association.

Call to Order

The meeting was called to order at 10:20 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 74. Therefore, quorum requirements were met.

Introduction and Opening Remarks:

Jo Ann Browne thanked everyone for attending and stated the following.

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 "xxxxxxx" (not provided in these minutes (in lower case letters)).

There is a sign-up sheet at the sign-in table for OUR committees.

ACC, Welcoming, Gates, Beautification, Finance, Oak Wilt Advisory, Roads and Safety, Social, and Newsletter.

Clubs: Book, Gardening, Wine, and Card Club

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 have questions during the meeting, please raise your hand. Once acknowledged, please give your name and state your question.

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.

Jo Ann Browne introduced the following Board and Committee Chair members:

Directors and Officers--- **Directors and Officers**---Jo Ann Browne (President); Jimmy Junkin (Secretary); Adam Pope (Treasurer); Mary Teders (Social Committee Chair), David Thackrey (Roads and Safety Committee Chair); Cynthia Shafer (Assistant Secretary).

Other Committee Chairs and Officers:

Pat Hopkins (ACC, Gates, and Welcoming); Lil Rogers (Beautification);
Corrine Castillo (Newsletter); Jimmy Junkin (Oak Wilt, and Assistant Treasurer);
Aaron DeWispelare (Assistant Treasurer).

Guests

Eva Hecox-Association Manager with DAMC.

Bibiana Uribe-Administrative Assistant with DAMC

Tom Newton, HOA legal counsel.

Tom was invited to address any legal issues that may arise during the meeting, and to explain how state law requires votes at property owners' association membership meetings to be conducted.

After Tom finishes, please raise your hand if you wish to ask him questions.

Mr. Newton stated that only items on the agenda may be voted on at this meeting per Texas Property Code. You have 3 items on the agenda: Election of Directors (the two with most votes are elected), Schedule of fines amendment (requires more than 50% vote at which a quorum is present to pass) and a DCCR amendment (requires a 67% affirmative vote to pass). Voting is done by absentee ballots, in-person, online and proxy.

First order of business—Jo Ann Browne-President

We will handle the voting for 2024 directors, the one change to the DCCR's and the Revised Schedule of Fines in case any of you need to leave early. Then, we will handle other business.

Proceed with Voting---Jo Ann Browne

The Ballot and other documents were mailed and emailed to every member along with the Notice of the Annual Meeting. This included instructions on how to set up your portal at Diamond and to vote online. Many of you set up your portal and did vote online. For those not voting online, a paper Ballot had to be used or a paper Proxy granted to another member, some of which we did receive.

Those who have not voted and are here today, you will be able to cast a paper Ballot today if you wish to do so. Now, let's go to the election process.

Do we have any nominations from the floor? If so, please raise your hand and provide the name.

There were none.

Names of nominees were announced.

Ballots were passed out to those who had not voted. Eva Hecox collected the ballots and also served as the tabulator.

The results will be announced at the end of the meeting.

Approval of Minutes

A motion was made and seconded to dispense with the reading of the minutes of the Meeting of February 25, 2023. A motion was made and seconded to approve the minutes of the Annual Meeting of February 25, 2023, as presented. Motion passed.

REPORT OF PRESIDENT ----Jo Ann Browne

Duties of the President 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:

- Board has generally met on a monthly basis, except for the 3 summer months and December.
- Agenda for the meetings are posted on the website.

- Involved in such things as planning the matters to be covered at board meetings and annual meetings, approval of contracts and routine expenses, coordinating efforts of the committees, working on various issues such as our roads, reviewing and following-up on deed violations, and legal matters.

Oak Wilt problem—Jimmy Junkin

- 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.
- Since that time, we also discovered it on at least four lots in Highlands Ranch. These have been treated and are being closely monitored.
- The board is suggesting that each of us look closely at our trees periodically and report it to one of the members of the Oak Wilt Committee or to the Board. These members will be glad to come to your home and look at your trees with you to help identify any oak wilt. The forest service will come out to look at the trees also.
- Walk your property and look at your trees. If you find anything, notify the committee and then notify neighbors.
- If you find any signs of 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 is first disinfected with bleach and that every single cut is immediately sealed.
- One member suggested that the HOA have an approved list of who can cut the trees.

Alternate Emergency Exit—David Thackrey

- As some of you know, there is a Country Bend water well at the south end of Ranch Creek, with a dirt access road to it between HR lots 75 and 76 that the Country Bend water well company uses. HR was granted title to this road in 2018. That road connects to another concrete road between Lots 22 and 23 in Country Bend. So, the water company comes over from Country Bend to access the well. For some time in 2022, we talked to the owner of Lot 22 in Country Bend and the water company about HR members using both roads in the event of an emergency. All parties agreed to this. Further, we discovered that the road between Lots 22 and 23 was never deeded to the Lot 22 owner. Thus, we were able to get the Country Bend developer to deed it to our HOA. Lot 22 owner has been notified, but no response. So, Jo Ann and Pat will contact the owner. Thus, we have improved the dirt road so that vehicles can easily use it, but ONLY in the event of an emergency. The road has a locked gate to prevent unauthorized use. Whenever there is a need, any board member and the management company will have the combination to the lock.
- Signs have been added on the street signs that point toward the “Alternate Evacuation Route”

Speeding on our roads and tailgating at the gate—David Thackrey.

- We are still seeing a good amount of speeding, with speeds up to 60 MPH, even including such speeds crossing the speed humps and around curves. We also see some drivers dangerously passing other drivers. So, please slow down and stop passing others.
- Also, tailgating continues at our gate. This causes broken gate arms and damage to the gate, which costs us all money when we cannot get the offender to pay.
- Over many years, the Boards have spent considerable time discussing remedies for the speeding. As a result, we have implemented three remedies:
 - ❖ We have added speed humps, which we know that some of you do not like.

- ❖ We have added speeding equipment that shows the drivers the speed they are going in hopes that it will cause them to slow down. Some of you have told us that this helps remind you to slow down.
- ❖ We added one Speed Radar sign on Ranchland View that records speed as well as takes a photo, which we use to identify the speeders.

This has helped some, but the problem continues. Therefore, in 2023 the board established a committee of about 11 members who volunteered to provide input to the board on what to do. The Committee made recommendations to the board on adopting a Policy under which the board would deactivate a member's gate remote after a certain number of excessive speeding events. For third parties, we will ask the gate security company to prohibit their access. The board adopted that policy on 2-15-24, which contains the suggestions of the Committee. A copy will be provided to each member and will be posted on the HOA's website.

- ❖ 1st notice-For residents, if recorded speeding over 45 mph, 3 times in 6 months. They will receive a warning. Non-residents will receive a warning as well. If anyone is recorded going 55 mph or higher, 2nd notice rules immediately apply.
- ❖ 2nd notice- (and each time over 45mph) For residents, their remotes will be deactivated for the entire household for 30 days and they will have to enter via keypad only, for access to the neighborhood. For non-residents, 30 days no access to Highlands Ranch.
- The policy will be fully implemented at a future date.

INTRODUCTION OF COMMITTEE CHAIRS—Jo Ann Browne

First, Jo Ann thanked all of the committee volunteers and the work they each do. She noted that the volunteers spend a lot of time on behalf of the community.

COMMITTEE REPORTS:

❖ Welcome Committee-Pat Hopkins-Chairperson

- Welcome committee visits with each new owner. Delivers HOA information to them.

❖ ACC -Pat Hopkins-Chairperson

- 9 Members. Pat Hopkins has been chairperson for 18 years.
- Review and approves secondary construction such as a pool. New construction plans are reviewed and approved by Denton Development.
- 2023 activities: 28 requests-workshop /garages, roof change, solar panels, sports court, fences, painting, well, casita and a carport.
- You can view a copy of the DCCR and related Policies on Highland's website. Please review these and if have any questions regarding construction projects, please contact us.
- Questions:
 - Can you make an exception for one and not another? The short answer is YES. But, the ACC tries to be consistent.
 - House that was started in 2021 on Ranchland View. Homeowner took over as General Contractor and hopes to be done by November 2024. DCCR does not state a time frame, just reasonable time.

❖ Beautification Committee-Chairperson—Lil Rogers. Reported presented by Jo Ann Browne

- 2023 activities:

- Trimmed and sprayed for ball moss on trees in the Highlands Cove island where the picnic table is. Ball moss will die, but can take years to drop.
- Added additional mulch to the beds at the entry, added rock to some beds at entry, and planted a couple of small trees. Also, removed dead trees.
- 2024 Plans:
 - Will replace some dead and dying plants at entry.
 - For the damaged grass at the entry caused by extreme cold and heat, will try to get the grass to grow back or replace it.

❖ **Roads and Safety and gates---David Thackrey**

- **Roads:**

- The roads are in good shape except for a few areas.

In 2023 the Board engaged Julio Colunga to do an assessment of the roads and future repair/replacement of the roads.

- Colunga provided a report that recommends certain maintenance over several years, beginning in 2024. 2024's budget is about \$200,000.

- **Gates:**

- Questions: people coming in exit gate? Have shortened gate closing time frame.
- Does someone keep track of crime? Gates closed in 2012 and only 1 burglary since that time that is known.
- Entry Gates are open Monday thru Friday from 7 am to 9 am to allow for service providers to enter and stop clogging up the entries.
- Barrier arm broken 9 times this year. Going to install a breakaway arm that is lighted.

- **Other:**

Jo Ann stated HOA was initially approached by a realtor to buy some of the HOA's empty lot at the front to the south of our road, but this seems to be a dead issue. Property on the access road at the exit side will have a fire station and a medical center.

❖ **Finance Committee-Adam Pope-Chairperson**

- Adam stated the Committee consisted of three members and they do the following:
 - Reviews the monthly financials that DAMC prepares. Prepares the Reserve Fund Analysis and the Annual Budget.
 - 2 Funds:
 - Operating
 - Increase in Social Budget
 - Increase in Income taxes due to the increase in interest income.
 - Reserves-2024. \$200,000 budgeted for street work.
- Property insurance policy-Not able to renew due to 3 claims in 3 years.

❖ **Unfinished Business: None**

- ❖ **Results of Election:** Eva Hecox announced David Thackery and Michael Prado were elected to the Board. Congratulations.
- ❖ **Announce the vote tally for the Schedule of Fines:** 51 Yes and 23 No. Passed.
- ❖ **Announce the vote tally for the DCCR amendment:** 55 Yes and 19 No. If this does not pass Board will have to adopt a Policy each time the Texas Property Code is amended in ways that affect HOAs.
 - There is a vast majority vote in favor of the DCCR amendment.
 - However, we have 132 Lots, so the number of YES votes needed to approve it is 88 (2/3 of members) and the number needed to NOT approve it are 45 (1/3 of members).
 - Thus, we don't have a clear voting result at this time. In order to give more members time to cast their vote, or even those who have voted to recast their vote, so that we can know the clear desire of the whole membership, the Board has agreed to hold the voting open until May 31, 2024.
 - We will notify all members of this and provide them with more information relating to this matter.
 - Two members objected to extending the time period for only the DCCR amendment and not for the Board seats and the Schedule of Fines. Mr. Newton explained that there is already a clear decision on each of these because the votes on each do not have the high approval threshold required for the DCCR amendment. He stated that this decision complies with the Texas Property Code. Another member asked them why they objected to the amendment, to which neither replied. The discussion then ended.

- ❖ **Recognition of and thanks to Directors whose terms ended. JoAnn Browne**
 - David Thackrey (for completing his full term) and Jimmy Junkin (for completing unexpired term of Max Martin) and thanks to Martha Grant for many years as our Newsletter Chair (she is retiring).

- ❖ **General Questions—Jo Ann Browne:**
 - No other questions or comments.

Adjournment

- ❖ Jo Ann thanked all attending the meeting and then adjourned it at 12:25 p.m.

Jo Ann Browne, President

Jimmy Junkin, Secretary