

**Unapproved Minutes**  
**Chimneyhill-Austin Homeowners**  
**Annual Meeting Minutes**  
**November 30, 2005**

**I. Call to Order**

There being a quorum of 46, the meeting was called to order by Acting President, Karen Charles. Present were Carol Wolf, Manager, Board Members, Dan Pyka and Toni Fisher, Acting Treasurer, Shirley Garner.

**II. Minutes**

Due to no quorum being met at the last annual homeowners meeting, there were no minutes.

**III. Presidents Report**

Karen Charles reported the following board activity:

1. 6 security lights installed around the cabana area.
2. Neighborhood Watch Program started.
3. Neighborhood Work Session down at the cabana area.
4. An arborist trimmed trees this last summer.
5. Wimbledon Drive hole was repaired.
6. A CHOA website was initiated.
7. Board Member Jackie Merrill resigned.

**IV. Managers Report- Mr. Greg Cagle**

Association attorney, Greg Cagle was introduced by Carol Wolf.

- He stated that as an association attorney, he represents ALL the homeowners, not just the Board.
- He explained what would happen to our community if we went into receivership. CHOA would be required to repay attorney fees, receivership fees, and court costs for the going into and coming out of receivership process.
- He stated that an increase in HOA dues requires 2/3 of a quorum.
- He stated an HOA should have in savings one year's cost of HOA expenses, which was \$70,000 years ago. It was suggested that CHOA build up its depleting reserve thru inflation increase of 3.4% to 5% a year in HOA dues or thru a special assessment. A special assessment requires a special assessment meeting to be called.
- Mr. Cagle will review the pros and cons of the association selling 10 lots on Baron's Court to someone interested in building. (Action Item)
- A question was raised is there any way to reduce the number of members for non-payment in meeting a quorum. Mr. Cagle stated non-payers could be restricted from use of the pool, tennis courts and walking trails. That process can be drafted as an amendment.
- Carol Wolf explained the process to amend the declarations.
- Mr. Cagle stated our covenants are outdated and severely hamper the board to effectively function, and that none of our amendments of the past are not valid because they weren't processed with the City of Austin properly.

**IV. Managers Report- Mr. Greg Cagle - Page 2 cont.**

That procedure or timetable will take 51% of mortgagees and consent of the City of Austin, and will probably take about 1 1/2 years to complete.

**IV. Manager's Report - Carol Wolf**

- CW stated the letter addressing the need for an HOA dues increase was mailed out prior to the general meeting and if a owner had not received one, she had extras.
- Carol stated that our utilities and insurance increases would be about 25%.
- A homeowner asked why we are paying \$800. For a pool phone that does not work and probably cut. CW replied we are required by insurance co to have a working phone for emergencies and that she would have the phone repaired. (Action Item).

**V. Treasurers Report**

- CW reported that we had a loss of \$11,000 from unpaid dues this last year.
- A question was asked why we had to pay for 2 garbage pickups a week. Carol explained that this is required by our contract, which is still cheaper than most others.
- A question was asked why we have an attorney do our foreclosures. CW explained the process is too complex for a layperson to process.

**VI. Old Business**

There was no old business.

**VII. New Business**

A motion was made to increase the HOA dues by \$40.00 making the total monthly dues to \$150.00. After discussion, it was seconded and passed by ballot of 31 for increase and 13 against increase. The increase will be effective on 1/1/05.

**VIII. Election of New Board Members**

Nominations on the floor were for Glenda Nunley, Mary Helen Pratt, Karen Charles, John Garner, Dan Pyka, Bob Carr and Kai Wong. Ballots were handed out, votes placed and collected. The results were, Glenda Nunley, Karen Charles, Mary Helen Pratt, Dan Pyka and Kai Wong. Jackie Merrill offered to be Posting Officer.

**XI. Homeowners Communications**

- Both Tennis courts need to be locked up
- Working committee of DCC&R:  
Reeder, Morey and Fitzgerald.

**X. Adjourn**

A motion was made and seconded to adjourn. It was adjourned at 9:18pm. The next board meeting is December 15, 2005 at 6:30pm at the Sheriff's substation.