

Cypress Creek HOA
Board of Directors Meeting
Thursday 7 April '05 **7:00 PM to 9:00 PM**
Universal Unitarian Church

Call to Order– Establish Quorum by Sign-In and Proxy Count (7:05 p.m.)

CCHOA Board Introductions: Christine Gamache (Alliance), Marilyn Stanford, Terri Brisse, Bobbie Fuller, Mike Dion, and Rodney Schwalbach.

Statement by President: Voting for Board Members, plan for Rodney and Terri to put their Board seats up for election, Voting for Amendments, Hold Comments, sign in to speak for three minutes.

Review and Approval of 2003 & 2004 Annual Meeting Minutes – Minutes approved.

Financial Report From Treasurer: Mike Dion Three year (2002-2004) audit was completed. Full report is available at Alliance.

Minor adjustments to previously reported figures are due to accounting accrual adjustments. No unusual activity or transactions were found. According to the auditor “The results were fairly typical of our kind of association except for the lawsuit.” Revenue and Cash balances match perfectly. Expenses were reasonable and verified as valid.

Summary of **significant budget variation in 2004** were:

Special assessment was not budgeted but actual was:	\$60,480.00
Collection Income was not budgeted but actual was:	\$3,191.00
And expensed as:	\$3,675.00
Should match: Difference of \$484 being investigated.	
Transfer from Operating was not budgeted but was:	\$4,500.00
This was cash put into Cap. Imp. Savings account.	
Insurance was over budget by:	\$962.00
Legal fees totaled \$5153.61 -- over budget by:	\$4,913.61
Only a deductible to our insurance co. has been paid to defend the lawsuit.	
Fence was paid for with Cash – financing was not necessary	\$74,500.00
Special assessments totaled -- \$64,800 (not all paid as of April)	

Budget for 2005 was approved by the board at the January board meeting. Dues were lowered by \$6.00 per quarter.

Significant changes to the budget include:
Management fee to Alliance increase by 10% due mainly to a very high level of special requirements in 2004 (lawsuit and demand for documentation).

Legal fee budget of \$2,000 – we expect a limited amount of expense to be on-going.

Audit expense of \$2,800 – already completed will be paid for in 2005.

Capital improvement reserves -- \$4500.

This will add to existing cash position of \$28,774 for future projects and maintenance.

Audit results: The Board approved an audit of the books spanning 3 years (2002-2004).

Committee Reports: We will hear reports from the various committees on progress made throughout the previous year and any future plans they would like to see implemented. If you would like to join one or more of these committees, please stay after the meeting and meet with the people or leave us your contact information. We would love to have you!

*Before reports, the Board would like to express its gratitude to **Terry Tobias and Matt Brisse** for all the hard work in creating and maintaining the web site. Terry was instrumental in putting together the Communications Committee, generating and distributing flyers and organizing several initiatives for the betterment of the community. Frank Rhodes has taken over the helm of this Committee and will have an update in just a few minutes. Matt Brisse has done wonders for the Association by formatting and maintaining the web presence in an effort to keep the community informed about current events. We appreciate all Matt and Terry have done to improve communications for the Association. Thank you both very much!*

- Bylaws and CC&Rs Revision Committee –Terri: Anyone wishing to join and help revise the bylaws should contact Terri. We would like at least one member per street.
- Welcoming Committee – Terri: Alliance is slow to let us know when new people move in. Asked community to let committee know when new neighbors move in.
- Landscape Committee – Marilyn: Proscapes to replace plants they dug up. Yard of the Month starting again now that the lawns have greened up.
- Neighborhood Watch Committee – Marilyn: Officer Thate gave a great run-down of happenings in our neighborhood.
- City Relations Committee – Marilyn: Park area update.
- Communications Committee – In need of someone to Chair this committee
- Architectural Control Committee – Rodney: Everything going smoothly.

Old Business/Past Accomplishments - This has been a busy year for the Association and the Board. We started by cleaning up issues and, in our opinion, have done a good job. A few Accomplishments include:

Fence Project – Thank Fence Committee, specifically Geoff Meiteen for hard work. Dave at Concretex did a great job on the fence – on time and on budget.

Capital Improvements Committee started looking at possible improvements. Board voted to suspend the Committee's actions until the 3-year Audit was completed. This initiative will continue once the budget is set following the audit.

The Audit of 2002, 2003 and 2004 CCHOA Financials....

Dues Reduction – Following the completion of the fence and additional investigation, the Board voted to reduce your dues for 2005. It may be possible to reduce them even further once we determine the Association expenses have leveled out.

New Business/Upcoming Projects – We are continually trying to improve the community for your benefit. Several projects underway include:

Bylaws and CC&R Revision Committee – Approved and started prior to the lawsuit. Please join Terri Brisse in this very important project. Volunteers from every street needed.

Open Space Park on El Salido Parkway, between Jerry Lane and Strip Center. The Cedar Park Parks Department presented a request by the CCHOA Board of Directors to the City

Council to keep the lot an Open Space Park. We believe this has been approved and will follow up with the City. Once finalized, benches and a walking path will be added and the City will continue to maintain the area. Read: No buildings constructed.

El Salido Road Project – The City of Cedar Park City Council approved the curb and gutter project for El Salido through our neighborhood. The City Manager credited the multiple presentations made by Geoff Meiteen, Marty Cormier and Nathan Slippen as the motivating factors in bringing this project to the front of the line. We thank Geoff, Marty and Nathan for their efforts.

Lawsuit update: The lawsuit is over. It will be posted on the web site at www.CypressCreekHOA.org for 30 days after the AGM and we encourage everyone to take a few minutes to read the claims. A few of the issues brought while the lawsuit has gone on include:

Definition of "Owner" – When you think the term "Owner" you think of possession, mortgage payments etc. The lawsuit suggests that if you are not on the Deed registered with the County, you are NOT an owner. If you are not an owner, you may not participate as Board Member, vote in official Board elections, vote for Motions, review CCHOA records at Alliance or sign petitions as a representative of the property you claim to own. How many SPOUSES know for a fact that your name is on the Deed filed with the County? Not the Deed of Trust, but the Deed? Do you think Spouses in Texas are afforded ownership rights based on marriage? We do to. Should we amend the Bylaws with a Resolution at this time? Motion to include "Spouse" as an owner if only one resident is listed on the Deed filed with the County.

Board Seats – The Original documents suggest we should have only three Board Members.

(CCHOA Bylaws Section 4.1 Number states "The affairs of this Association shall be managed by a Board of three (3) Directors until the first annual or subsequent meeting, at which time the number of members of the Board of Directors may be changed by resolution of the Directors; provided, however, the minimum number of Directors shall be three (3).")

Since their writing over 10 years ago, we have had numerous Board Members come and go. Multiple Annual Meetings have taken place and as long as I have been in the Neighborhood, we have had seven Board Members or available seats to total seven. To give you some history, it was at a meeting similar to this one where a request for a candidate to fill an open seat was presented. Four people wanted the position and the suggestion to take all four was approved. Since then, we have had seven people representing YOUR interests as opposed to just three. With seven, you have more representation of the community and more ideas and opinions to consider

Board Members Open Forum

Homeowner Open Forum: Each speaker will be limited to three (3) minutes.

Sign up sheet to be available for those homeowners wishing to address the Board.

Officer Elections: We have 7 positions open. Anyone who would like to run is welcome. The qualifications are that you must be a homeowner in good standing (all dues and assessments paid). Several of the current Board Members are up for re-election. Nominations will be taken from the floor at this time. Please make an informed selection. If you would like to run for one of the board positions, speak up now so others can write in your name on their ballot.

Candidates:

7 people placed their names up for consideration of the 7 available seats:
Harold Piatt, Charlie Horn, Rodney Schwalbach, Marilyn Stanford, Bobbie Fuller, Terri Brisse, and Mike Dion.

Officers will be determined after the by-law amendments have either passed (staying at 7 Board members) or failed (dropping to 3 Board members). If amendment fails, the top 3 vote-getters will get the 3 open positions. Top person will serve 3 years, second person 2 years, 3rd person 1 year.

If amendment passes, the top 2 people will serve 3 years, second 2 people 2 years, remaining 4 people will serve 1 year.

Amendments must pass with a 60% vote of confidence of the membership (or fail with 40% refusal). Ballots must be collected until either 60% for or 40% against is reached.

ADJOURN: 9:28