

Oak Brook HOA Board Meeting

September 17, 2009

In Attendance: Bill Romere, HOA President
Sheila Blaicher, HOA Secretary
Greg Gibby, HOA Treasurer
Fred Daler, Property Manager
Matt Gibson, Goodwin Financial Manager

1. The Oak Brook Homeowners Association Board meeting took place at the Goodwin Management's office beginning at 7:00 p.m. on Thursday, September 17, 2009.
2. The board discussed a letter from Fencecrete stating that they will not repair the damage to the property at 9011 O'Connor Drive. Fencecrete acknowledged to Keri Scott by phone that they damaged the property at 9011 by driving on it when they were installing a fence at the residence next door. They asked for an estimate of the costs to repair the damages and agreed to pay for them. An estimate of the damages was prepared by Greater Texas Landscaping. The bill was presented to Fencecrete by the board's former property manager Keri Scott. After reviewing the bill, Fencecrete declined to accept responsibility and refused to pay for the damages in a letter dated August 21, 2009. The board discussed the ability to recover from the damages as it was a "he said/she said" problem. After a brief discussion, Fred was instructed by the board to go back to Fencecrete and advise them that the community has a large number of fences that will need to be repaired. If they are not willing to take responsibility for the damages they created, the board is reluctant to consider them for any future work on HOA property. Fred will follow up. Fred requested a copy of the bid from GTL for 9011 O'Connor. Sheila said she would check her archived items and send it to him. Fred has a copy of the letter from Fencecrete to Keri Scott declining to pay for damages.
3. Fred reported that a resident at [REDACTED] called about the violation she received for improper roof color. Fred wanted clarification on what the board wanted to do about the situation since the homeowner did not go through the proper procedure of getting the ACC to approve the color change. The board reiterated that the deed restrictions regarding roof color and material are clear and that it is the resident's responsibility to correct the oversight. Rather than placing a lien on the property it was agreed a deed violation will be placed in the residents files and the resident will be unable to get a clean title until the violation is cleared. This will allow them the opportunity to have their roof replaced in a future hail storm by their insurance company. The board instructed Fred to notify the homeowner that this violation would remain on file and that it would hamper their ability to get a new loan, home improvement loan and would also prevent the sale of their home until the violation was discharged.
4. Fred reported on Item #1 from his action list regarding Roofs. Bill Flickinger had sent Keri Scott a response regarding the need to establish a HOA policy regarding roofs which was then sent to the Board members for review. Flickinger's comments were that the CC&R's were sufficient and a policy was not need regarding color or type of roofing material. This Action Item was closed out by the Board.
5. The board and Fred went over line by line the open item punch list from Real Manager. The following items were put on hold: benches for the restrooms, scoring the bathroom floor for better drainage, and slides for the playground and powder coating the seats to the Sea Saws. It was decided that we would have a committee formed that would make recommendations to the board of repairs needed and then a punch list would be created and a plan of action decided on what tasks to undertake. Beth Thorson offered to chair the committee. The board will need to set the guidelines for the committee and then ask them to go over the amenity center and surrounding property and make recommendations for consideration by the board.

6. On other open items on the list, Bill will get the bids from Bianca Painting for the Handrails at Hillside, Sutter Creek, and O'Connor along with the white posts that support the awnings at the pool. Fred will also contact his contractor to get an additional bid for the above referenced items.
7. Jody at Greater Texas Landscaping has agreed to replace the pots on O'Connor and refill them with a lighter dirt material so this item was also removed from the Real Manage punch list. Fred will need to follow-up to make sure the work is completed. It was suggested by Jody at GTL that the planted pots on the Oak Brook Bridge collapsed after only a few months because they had too much heavy material and poor drainage. Jody advised the Landscaping Committee that they will not bill Oak Brook for the replacement. Sherry Biehler and Shelly Kurgan are on the Landscape Committee and they met with Jody on Tuesday, September 8, 2009, to go over the properties landscaping concerns.
8. Sheila asked the board to consider in its budget for next year the addition of 10 new lounge chairs to replace the ones worn out at the pool. Most have rotted straps hanging. The board agreed to replace the lounge chairs. The previous chaises came from Georgetown Patio.
9. Also on the punch list were the properties that were being transferred to the Fern Bluff MUD (FBM). Ryland conveyed several properties to Oak Brook but Real Manage never completed the transfer. The FBM was willing to take over the properties and provide maintenance and the board agreed to then convey the property to the FBM. A letter was drafted giving Ryland permission to convey the property directly to the FBM instead of Oak Brook. This item was completed and will now be removed from the punch list. FBM has since transferred the property into their name and has scheduled maintenance on those properties.
10. Fred reported on the repairs for the damage caused by the [REDACTED] when he hit the light pole at the amenity center. The contractor provided a picture of a replacement light that had two lights. The board noted that it was not the correct light. Fred asked the board to look at www.affordablelighting.com and provide an item number for the correct light. He also requested that the board mark with paint the appropriate location for the light to be moved. The contractor has agreed to move the light at no additional charge. Bill said it would be marked with a painted "X". Bill will look at the website and provide a correct light fixture if possible. There was a short discussion regarding the need to move the light and how to safeguard it from poor drivers in the future. This particular light had been damaged three times in the past couple of years.
11. The board will be going over the new budget with Fred in October. Fred stated that the 2010 Budget Preliminaries need to be developed and approved prior to November 15th to permit ordering coupon booklets for 2010. After some discussion among the board regarding Coupons it was decided that residents will not be issued coupons if they opted for automatic bank drafting.
12. The decision to not have lifeguards was placed on hold at this time. It will be voted on before the budget is set. Greg wanted to be sure that residents were properly notified early and often so there was no confusion that we would not be providing lifeguards. Fred commented that there would be a slight increase in the number of behavioral incidents with this removal but also acknowledged that other communities of our size do not necessarily have lifeguards. Others under his management do not. Notification of the loss of lifeguards could be placed in the next newsletter scheduled for the beginning of December.
13. Fines and violation consequence were touched on by the board briefly. Fred will be giving the board a sample of appropriate fines and policies for violators that the board can review and vote on.

14. The board voted for once a week cleaning throughout the off season and for three times a week cleaning by Pro Clean for the Pool in season. This will included: trash pickup, clean up of tables, sanitizing and cleaning of bathrooms and the pickup of waste from the Doggie Poop stations which will also include refilling the waste bags for residence use. Bill signed the contract for Pro-clean. Pro-clean will continue to bill the board separately for the cost of cleaning materials and bags for the trash and dog stations.
15. Matt Gibson reported the following to the board:
 - The boards insurance was transferred from Real Insurance to William Gammon Insurance.
 - Real Manage transferred \$142,508.05 of Capital Budget funds and \$32,863.44 of Operations Funds to Goodwin Management, Inc.
 - Matt reported problems with the current pool gate system (“Sentex”). Bill inquired about upgrade options for the system and Matt reported there were newer, online, systems available. Like the current system, a new system would be able to track who comes and goes and who owns specific keys. Fred suggested that the system could also possibly be linked with the current security system. Matt advised that it appeared Real Manage did not keep the names of key holders updated in the Auto Gate system. The current Auto Gate system is old, unsupported, and slow and it is taking a great deal of time to update it. It currently takes about five minutes to update two names. The board asked for an estimate of what it will cost to update the system and agreed that they would like to add this to next year’s budget. Matt thought the cost was around a few thousand dollars, but would have to get an actual estimate. He will follow up on the cost.
 - The board was advised that their pool keys had been re- updated to include 24/7 accessibility. This is necessary in cases of emergency to allow quick access to police and emergency personnel or for after hour inspections.
 - Matt asked if everyone received the memo from Max Manor regarding the website information and password. He said that financials would be loaded by the 5th of each month for previous month’s figures. These financials would include bank statements and bank reconciliation reports. He said reports would look different to the board because Real Manage uses an accrual system and Goodwin uses a cash system. This month’s financials will be mailed to the board and online will begin next month.
 - Matt went over questions regarding guests in the current pool rules. If a resident has more than 4 guests it suggests that the homeowner must contact Goodwin Management. Since the board is opting out of having lifeguards next year it will not be necessary to contact Goodwin. This was a past safeguard to insure that lifeguards were present with guests of more than 4. The rules will reflect that homeowners are fully responsible for their invited guests.
16. Sheila asked about Greater Texas Landscaping’s contract. She was told by Keri Scott that the new contract would contain a 3% increase. The board instructed Fred to follow-up. Fred said that contracts usually automatically renew. He will see if the increase was applied after the contract renewal ran out. If a 3% increase was applied, Fred would discuss this further as 3% was not an acceptable increase in light of the problems that occurred this past year.
17. Sheila asked for a bid on what it would take to repair the steps that lead from the Oak Brook Bridge and drop down into the Fern Bluff Mud Property at Morgan Hill Trail and O’Connor. This was initiated because a

resident complained about accessibility. Greg walked the property and acknowledges that some kind of repair needs to be done. Greg didn't feel it needed to be ADA compliant but that the wood was rotted and the steps uneven and that some kind of correction needs to be made. An engineer report of either a ramp or steps would be helpful. The board instructed Fred to seek an estimate for appropriate repairs to the area.

18. The board asked Fred to request that the Reserve Study be redone with the exclusion of the Woodcrete Fences. It was stated by the Reserve Study creators that the report could be redone for free as long as it was requested within 6 months of the report being issued. Fred will follow-up. There was a lengthy discussion about the interpretations of what the study means and what impact it would have on the community if we had to increase dues as the study suggests.
19. There was also a lengthy discussion on the Woodcrete Fences. The board wanted another legal opinion on the Fence issue. Greg's vote is that the fences should be placed into deed violation and violation notices be sent out to affected homeowners. The board agreed that policies need to be adopted to standardize what compliance means. We need someone with legal experience to help us write the appropriate language to legalize those policy positions. Bill wants to go on a case by case basis to get easement and right of ways to correct the damaged fences. Sheila was concerned about the monetary impact to the community of acquiring the fences. She was o.k. with taking the damaged fences and having them repaired but was concerned about the long term consequences and monetary damages to the budget in the long term for possibly taking all the fences. Fred asked the board to prepare a list of questions that he could present to an attorney for consideration. All board members were concerned about the impact implications that the study presented. There will be further discussions on this subject at a later meeting.
20. Bill requested that we look for another attorney and get another opinion on the \$500.00 entry fee. Bill Flickinger's interpretation was that it will take 80% of the community to adopt the fee. Bill noted that other communities have adopted the fee and 80% wasn't required. He did not understand why Oak Brook was any different than any other community. Fred will seek a legal opinion from another attorney. Sheila expressed concerns regarding the entry fee. Many residents expressed to her that they were adamantly opposed to this fee. Bill asked how they knew about it and Sheila explained that it was in the packet that was distributed regarding the May Annual Meeting. The proposal was placed in the packet without explanations and on the agenda it stated that a vote would be taken regarding the proposal. The packet is where Sheila got the proxy. Sheila explained that many residents would not sign her proxy unless she agreed to vote "No" on the proposal. There was so much opposition she is opposed at this time to any \$500.00 entry fee. Out of 125 proxies only 1 person was in favor of the \$500 entry fee.
21. There was also a lengthy conversation about the implications of the Reserve Study and its suggested increases in dues.
22. The next board meeting was scheduled for Monday, October 19th, 2009 at 7:00 p.m. at the Goodwin management conference room.

The board adjourned at 10:00 pm

Minutes were prepared by Sheila Blaicher