**BCR POA Board Meeting Minutes**

Tuesday, August 22, 2023 5:30-6:30pm

920 Barton Creek Dr. (shop entrance)

This is a **Board** Meeting ONLY. Texas Law requires that Board Meetings be open to all property owners. Only Board Members are allowed to participate in the meeting, but questions and comments will be allowed at the end of the meeting.

The only voting taking place at this meeting is the first item below regarding Bylaws. The Board has the authority to adopt those without a neighborhood vote.

Information meetings on the other items, and actual voting, will take place at later dates.

If you wish to attend this Board Meeting, please bring a folding chair or be prepared to stand.

Any questions, please call Debbie Wright, 512-413-8528.

Topics for THIS Board Meeting are:

* In order to remain a viable, legal POA, we must come into compliance with many laws that have been adopted by the state legislature since the forming of the POA. Therefore, the Board will be reviewing and adopting Bylaws and an Enforcement Policy with a Fine Schedule (both drawn up by the POA Attorney), per HB 614, sec 209.0061.
* The Board has been gathering financial data for the vote to increase annual dues. The Board will review this data, agree on a dollar amount, and schedule an information meeting for all property owners. Voting on this issue will NOT be done at this meeting!
* Discussion on new requirements for filing liens on property owners who are behind on dues and steps to proceed.
* Discussion on current issues with property owners and next steps moving forward.
  + Pot-bellied pigs
  + RR12 lots

Meeting Minutes:

* Meeting Called to order at 5:35pm
* Todd discussed the need to put in place a set of by-laws for the POA. The board members confirmed that they have reviewed the By-laws and Enforcement policy with fine schedule that was drafted by our POA attorney. A vote was called with a unanimous vote to approve both items. The Board will follow up with the procedures needed to get these notarized and filed in addition to posting on the neighborhood website once they are officially filed.
* John reviewed a proposal pertaining to the increase in POA annual dues. He gave a summary of our current income and expenses as well as expenses that need to be added in the future. Ultimately the recommendation from the discussion is to call a special meeting with the neighborhood, targeting mid-September, where the details of this discussion will be shared more directly. In addition, the board will recommend a final POA dues increase in that meeting not to exceed $90/lot per year based on the details provided by John. Following this special meeting, an official vote by all property owners will need to be conducted with 67% required to approve the new annual dues.
* Based on a follow-up discussion from last year’s annual meeting, Debbie shared the details of what House Bill 886 states around the process of recovering delinquent annual dues. She described the notification process as well as the next step of filing a lien if dues are still not able to be recovered. She explained that this is not a mechanism to seize property but did prevent the property owner from various activities like selling the property/home, refinancing, or acquiring home equity type loans. The board had further discussion and aligned that we will start with those property owners that are significantly past due currently and, in the future, we would likely not start this formal process until the point that a property owner is overdue by 3+ years.
* Board discussed the request by the owners of Lot 33 to have a vote to add pot-bellied pigs to the approved animals in the BCR CC&Rs. Debbie described that a special meeting would have been required with a majority of those in attendance needing to agree on a vote and >67% of the neighborhood voting to amend the CC&Rs. While in the process of investigating this an informal canvassing of the neighborhood was conducted and with those polled, 47 were not in favor of proceeding with only 1 in favor. Based on that feedback, the board aligned that we will not proceed with a special meeting as there is not enough support to vote this amendment in.
* Todd discussed the request that was brought to the board by two property owners (Stephen & Brea Black & Ronald Eddie) represented by a consultant (Jon Thompson). Their proposal is to either allow these properties to be released from the POA and sold for commercial purposes OR to remain in the POA but have the commercial restrictions lifted. Todd reminded that the neighborhood recently had the same request in 2016 for lot 54, currently owned by the Blacks. At that time the neighborhood went through the formal voting process and the proposal to allow that variance was voted down. Because this vote was recent, in October 2016, it was not recommended to proceed with another special meeting and vote at this time. After further discussion, the board aligned that we would find a time to meet directly with the property owners to discuss in detail the request. At that point the board will make a recommendation on if we have the owners do a presentation at the annual meeting or if we call a separate meeting specific to this topic.
* Meeting was adjourned at 6:09pm

Comments/Questions/Suggestions from Residents that were present:

1. One resident asked for clarification on the lien process, wanting to understand how the title company would be informed of the delinquent dues. That process was explained.
2. One resident asked what the restrictions were regarding the emotional support animals. They were informed that the property owners were allowed 2 pigs only and couldn't add more or replace them. Also, the pigs are required to be kept behind the wooden privacy fence at all times. Another member asked how the board intended to enforce that, since they are seen in the front yard frequently. The board explained that "we are not going to be walking the neighborhood with a clipboard inspecting everyone, so if any property owner sees that something is not in compliance, they are asked to either contact that property owner themselves or inform the POA board." The board also explained that the Fine and Enforcement Policy adopted at the meeting will help the board enforce this issue.
3. One resident commented that the ACC can grant a variance regarding structures, but questioned whether they can grant a variance against a restriction in our DCC&Rs. The board replied that we would have to consult our attorney on that. However, the variance has been granted, so it stands as of now.
4. One resident asked if there is a timeline on collecting dues. There is not.
5. One resident suggested creating a schedule so each neighbor could take turns mowing the front, allowing us to remove that line item from our future expenses.
6. Several residents had questions about the RR12 properties. The board stated that there will be a meeting for all neighbors to ask questions and voice their concerns at that time.