**BARTON CREEK RANCH**

**PROPERTY OWNER’S ASSOCIATION**

November 9, 2023 Meeting Minutes

1. Opening Comments and Old Business
   1. Meeting Opened at 6:05pm
   2. Overview of meeting agenda was given by Todd
   3. Motion to approve minutes from October 25, 2022 meeting (available on BCRPOA web site) made by resident Rick Adams and seconded by Charles. Minutes approved.
2. General Update
   1. VP & ACC Announcement (Todd)
      1. Debbie’s 3 year term is up… Want to give a huge thanks to her for everything she has done to get the POA up to current Texas State Law standards amongst many other things. We could not accomplished everything we have in the last 2 years without you!
      2. Ruth Folger has moved out of the neighborhood and we will be discussing a replacement later in the meeting
   2. Thanks to Bennet Cowan & John Jankowski for the continued trimming grass up near the mailboxes!
   3. We have a number of new folks in the neighborhood. The ACC and the Board want to kindly remind all our neighbors to familiarize themselves with the BCRPOA Covenants, Conditions and Restrictions – Link on our neighborhood website – [www.bartoncreekranch.org](http://www.bartoncreekranch.org)
   4. Re-Cap of the open BOD meeting from 8/22 (Debbie)
      1. Debbie reviewed what was discussed in the BOD meeting from 8/22 for the folks attending that may not have that background. We reminded everyone that the minutes from that meeting are posted on the neighborhood website.
   5. Re-cap on what has been accomplished this year (Todd)
      1. During this past year, your Board of Directors has been very pro-active. In addition to several neighborhood issues, the Board has brought the POA documents up to State requirements, began the ACC appeals process allowed to property owners by State Law, started the process of collecting dues from the few property owners who are grossly overdue, and adopted a Directors and Officers Insurance Policy to protect all Board and ACC Members (current and future) against the threat of lawsuit during their tenure of VOLUNTEER service to our neighborhood. This will allow for easier transition as terms expire and another property owner steps up to take their turn on the Board.
3. POA Dues update – (Todd & Debbie)
   1. Shared the info on the current status of the vote that we do not have enough votes to pass the proposal or deny it – Encouraged folks to talk to their neighbors in case they haven’t gotten the information.
4. Treasurer’s Report (John)
   1. Balance as of 10/1/22 – $7015.65
   2. Total Income - $1905.10
   3. Total Expenses - $5571.98 (PEC - $708.22, PO Box - $138, Misc Expenses - $218.36, Professional/Legal Fees - $3042, Insurance - $1465)
   4. Balance as of 11/9/23 – $3568.82
5. ACC Report (Billy & Charles)
   1. Billy Morgan shared his thoughts on the primary role of the ACC. Described the cycle of how the committee terms work.
   2. Looking for new and alternate committee members
   3. We had ~12 applications since the last annual meeting; All were approved – 1 of them with modifications to the proposed site design
   4. Described the process (and briefly when and when it is not needed) of making the application
6. Presentation by Jon Thompson (consultant for the Black’s and Ron Eddie) on the properties surrounding the entrance on RR12
   1. 36 years in the area, 2 years in San Antonio
   2. Described changes that have happened in Dripping Springs and neighborhoods along 290
   3. Described what project plans are being discussed for RR12
   4. Making claim that properties along 12 should be commercial but many have good strong restrictions
   5. Talked about the idea of IF our restrictions were to change for these properties, the neighborhood could have a say in what goes in there.
   6. Question: if a subdivision voted to allow certain commercial, does the neighborhood retain the right to hold them to the plan – John: How ever the neighborhood votes, the usage needs to be very clear.
   7. Question: Along with use limitations, could they have architectural control criteria? – ANSWER is yes based on how it is written up
   8. Question: Do restrictions stay with the property if it is sold? – Answer is the same yes
7. Election of BCRPOA Vice President
   1. Todd briefly described the duties of Vice President
      1. Support the President, including standing in for them when they are not able to attend meetings.
      2. Be well-versed in the bylaws and CCRs.
      3. Stay up to date with any changes from the Texas Legislature regarding POAs.
      4. Assist in mailouts, posting signs, etc as required for different neighborhood issues
      5. Distribute information on meeting dates with appropriate (state mandated) notice
      6. Ensure all legal documents meet state requirements and deadlines.
      7. Maintain association files according to state retention requirements.
      8. Maintaining notes and minutes from meetings and posting to website (VP or President)
      9. Update the website as needed (VP or President)
      10. Interact with other property owners, being available to answer questions, respond to concerns.
   2. Call for nominations: no nominations initially. Towards the end of the meeting during the open session, resident Charles Allen volunteered to give up his active role on the ACC and run for the VP spot.
   3. Call for votes/election: A vote was taken and almost unanimously voted to elect Charles to the VP position by those in attendance.
8. Election of ACC member and Alternate (Ruth Folger replacement & Alternate if possible)
   1. Todd briefly described the duties of ACC members
      1. Oversee any new construction/remodels within the subdivision, ensuring everything is done according to the guidelines and restrictions set in the CC&Rs.
      2. Makes decisions on applications based completely on the CC&Rs, with no regard of their personal opinion of the project. Tasked with “maintaining the natural look and feel of the subdivision” with the understanding that what gets approved for one property, then becomes allowed for ANY property within the subdivision. For example: street facing wooden fences or 8’ game fencing.
      3. Must reach out to property owners who begin projects without applications.
      4. Must agree as a committee to either approve or deny projects based solely on the CC&Rs.
      5. Initiates original letters of non-compliance for ACC matters. Must be able and willing to meet with the property owners to discuss their projects.
      6. Visit properties being sold to ensure nothing exists in violation of the covenants before the POA can sign off on a resale certificate.
   2. Bennet Nominated to ACC role
      1. Unanimous vote supporting Bennet in this role.
   3. Jeff Hodges was nominated for the Alternate ACC position.
      1. Unanimous vote supporting Jeff for in this role.
9. Open Discussion (non-agenda items)
   1. Joe Felkel update on home fire safety & safety around the neighborhood at night
      1. Member of fire dept for 30 years.
      2. New folks, we have a combination department – paid employees on duty every night and 60+ volunteers that help
      3. Fire Marshall implemented a process to get on the website for permit to burn… they got flooded and gave up on it – we don’t have to have a permit for residential controlled burns.
         1. Phone number to call in and give information - 512-894-0704 – can call weekdays or weekend.
         2. Even this morning we received 6 updates on controlled burns – with contact information.
         3. 5 other calls reported as outside fires and had to send crews when it wasn’t necessary.
      4. County website… hays county site, office of emergency management and the fire marshall’s page
         1. www.haysinformed.com also had the rules and burn-ban information.
      5. Rules
         1. Have a water supply based on the size of the fire you are going to burn.
         2. Must be extinguished by dusk.
         3. Rules state the difference between a campfire and a bonfire.
      6. Home fire safety
         1. Keep a defensible space around your house… minimize/remove grass, shrubs and ladder fuels that will lead up to your attic.
         2. Holiday season… be careful about your extension cords, pay attention to ratings.
         3. Be cautious with space heaters – location, etc
         4. Need smoke detectors – if it is over 10 years old, replace it. They come with sealed batteries that are good for 10 years.
         5. Fire extinguishers and recommend a fire blanket.
         6. Address signs
            1. County sells them for $3.25 – Firefighters, law enforcement and EMS are trained to look for these – The lights on emergency vehicles are made to really make them shine
            2. Available from Walt Smith’s office or go online and fill in the application
      7. Safety being out on our streets at night
         1. Reflective clothing and flashlights are critical
   2. John – We are still lacking votes for the annual dues increase to make a final decision – we have ballots here if you haven’t voted.
      1. Bennet asked if we decided at one point if we have called it or not – we will discuss as the board.
      2. Bennet asking what changes… nothing immediately – it is a risk, not a fact that something changes.
      3. Charles – Talked about lawyers and get you now and get you later
      4. Janet – brought up the fact that if we get into this state that it can freeze property sales
      5. Ronnie – Some examples of what happens with no money – No insurance, no light, no PO box, etc.
      6. Comment about if we don’t pass now, it costs more money to get it going again later
      7. Shanna – its not about the money, its about where its going – Specifically about the insurance – Board explained in detail what the Directors & Officers insurance was for and that it was to protect the volunteers in the position BOD and ACC positions, now and in the future as well as the neighborhood in the case of a lawsuit.
10. Meeting adjourned at 7:35pm