

Rocky Creek Maintenance Corporation

Annual Membership Meeting

March 14, 2015

The Annual Membership Meeting was called to order by President Michele Working at 10:03 am, Saturday, March 14, 2015, at the RCMC Clubhouse.

The Invocation was given by Kevin Craine; followed by the Pledge of Allegiance lead by Ben Andrews.

President Michele Working introduced herself and the current Board of Directors who were present:

Don Anderson

Ben Andrews

Kevin Craine

Sandy Stratton

Laurel Taylor

Absent were Darin Zumwalt and Art Carpenter.

Michele thanked Myra Zumwalt and Bob Allen, the paid staff members of the RCMC for their assistance in making the RCMC run so smoothly.

The Sergeant-at-Arms, Joy Anderson verified that a quorum was present with 37 owners in attendance.

After an abridged set of the minutes was read by the Acting- Secretary, Carmel Andrews, **Marcella Pasetto moved we accept minutes as presented, seconded by Dan Marsh, motion carried.**

Sandy Stratton presented the Treasurer's Report.

Committee Reports:

Admin Committee – Chair Laurel Taylor reported on the responsibilities of the Admin Committee. The Admin Committee oversees the general office functions, other than financial matters, notifies members of vacancies on the Board, establishes a Nominations Sub-Committee and oversees elections. It keeps members informed through the use of four Newsletters per year, the website, and Facebook. The Admin Committee coordinates all social functions such as the Chili

Cook-off, the Annual Meeting, Annual Picnic (**this Year's Annual Picnic will be held on Saturday, May 30, 2015**), Ice Cream Social, and The National Night Out. This year's accomplishments included the Annual Picnic held on Saturday June 21st last year and was attended by approximately 60 people. RCMC provided the meat, condiments and buns. The residents were asked to provide side dishes and desserts. The National Night Out was Tuesday, October 7th last year. We had representatives from the Comal County Sheriff's Office, Canyon Lake Fire-EMS, and a guest speaker from the Tye Preston Memorial Library who spoke about native plants. The Chili Cook-off was Saturday, January 17th this year. Approximately 30 people attended. Newsletters were mailed out in August, November, and February; statements were mailed out in November with the newsletter. In February of this year, by-laws ballots and election ballots were mailed out with the newsletter. Laurel emphasized to the members to check out our website RockyCreekTexas.com, Facebook page: Rocky-Creek-Ranch and to join your neighborhood on NextDoor.com these are good resources and a great way to get to know your neighbors. Kevin Craine announced that the RCMC correct web site address is **RockyCreekTexas.org**. Laurel continued stating that there are sign-up sheets for various committees and the clean-up day which is next Saturday. She stated that we are lucky that our fees are low but we have to be willing to do a lot of the work to keep our neighborhood looking nice.

Architectural Control Committee (ACC) – Chair Ben Andrews stated that the responsibilities of the ACC are the approval of all construction in the subdivision and assuring adherence to established deed restrictions. He continued reporting that the ACC has approved 31 new homes since January 1st of last year and that the number has actually grown to 33 since this slide was prepared; as well as approving the building of 20 other structures, including garages, carports, fences, etc. At this rate Ben stated that in six years we will have doubled the amount of homes in Rocky Creek Ranch. David Turk voiced his concerns with the number of builders constructing small homes just at the deed restriction limit of 1,250 square feet. He stated his concern about the effect these houses will have on the appraisals of surrounding homes. Ben stated that the Deed Restriction is very clear a home can be 1,250 sf living space that does not include porches, driveways, etc. Skip Goodman voiced his concern of houses being built at 1,250 sf without garages.

Finance Committee – Chair Sandy Stratton stated that the Finance Committee conducts an audit of the corporate finances at least once annually reporting to the Board, actually it is done twice annually. The Finance Committee works with all committees to develop an annual budget; it also assists the Treasurer in assuring an accurate and comprehensive system of recording and maintaining records of all assessments. It arranges for tax returns and 1099 filings.

Operations Committee - Operations Committee Member Laurel Taylor gave the report of the Operations Committee. She started by stating the responsibilities of the Operations Committee overseeing the maintenance and operation of the pool, parks, private roads and common areas.

Advise the Board of Directors as to the maintenance requirements and costs. Obtain bids, purchases supplies and equipment and arranges and supervises maintenance and repair work. Sets up and supervises work days. Coordinates with Comal County regarding maintenance of roads within the subdivision. Develops plans for future improvements of the parks. Laurel then reported on the accomplishments this past year: ordered and installed new security cameras, ran water and area light to playground area, repaired picnic tables and ordered new ones, repaired damages to pool areas and bathrooms from 7/31/14 vandalism, organized three work days. Coordinated with the county the following projects: installation of new street signs; replacement of YIELD signs with STOP signs; DEAD END street signs installed; warning reflectors replaced at the curve on Desiree; road repairs – pot holes filed, cracks in road sealed and crumbling road edges stabilized, road culverts cleaned out. Laurel discussed the Adopt a Street Program at Rocky Creek where an individual or family could adopt a street or part of a street and keep it clean. The following streets have already when adopted: Kaleigh Way, Bogi Street, Cody Court, Rodney Lane, Ross's Ridge, 1044 Lasso Loop – 1508 Lasso Loop. Laurel also reminded everyone of the Clean-Up Day next Saturday, March 21, 2015 at 8:00 am.

By-Laws Committee - Chair Kevin Craine passed out copies of the By-Law changes proposed by the Board of Directors and stated they are also on the web site. He continued stating that many changes in the By-Laws are needed in order to bring them up to date with the Texas Legislature; additional material from the current legislation has been added to the document thus making the document an improved source document. Definitions are now part of the document so confusion or misunderstandings of meanings has been eliminated in large part. For example an improved definition of a member quorum has been inserted with a provision to maintain this number over time, that number being 15. Other changes to the By-Laws includes a detailed job descriptions for the Board of Directors, improved procedures for notifying members of vacancies, improves tabulating of votes, improves procedures for retaining cast votes, improves procedures for recounts and challenges to votes, establishes an improved method and policy for members to begin deed restriction initiatives, improvements on control and notification reference to transfers of monies from capital projects/buildings monies and emergency monies.

An unnamed speaker asked how the board accommodates for emergencies. Kevin responded that the Board will have the ability to spend for emergencies.

Kevin continued with the changes to the By-Laws recommended by the Board: establishment of a Rules Committee in order to review the By-Laws and suggest changes when needed, moving election of Directors out of the Annual Meeting so that in the event there is no quorum the election can still takes place.

An unnamed speaker then asked is it one vote per resident or one vote per owner. Kevin responded one vote per owner. Speaker asked how many lots are there, Kevin responded 465, Laurel responded 133 houses.

Kevin continued with the changes to the By-Laws as recommended by The Board of Directors: standardization of the various references to assessments to the proper term "regular assessment," inserting that the Board of Directors can make future changes to the By-Laws without voting of the members on only material that needs to be changed due to Legislative changes or typo's, increased emphasis on keeping the membership informed and engaged in the affairs of the Association, inserting a foreclosure section, inserting a contract section, consolidating and improving the meetings, sessions and workshops section, improving methodology to continue the process of evaluating, proposing changes and maintaining a strong By-Law document, and improving notification process in reference to capital projects/buildings.

Kevin explained that the Association Members have until March 23, 2015 to vote on these changes. The vote will be tallied on March 28, 2015 and that a 2/3 majority vote is needed for passage.

An unnamed speaker asked what happens if these changes are not passed? Kevin stated that we have to go back to the drawing board; many of these changes are mandated by the State Legislature so we must make our By-Laws comply. The speaker asked if we are passing the entire document. Kevin answered yes.

An unnamed speaker asked have we considered standing rules versus passing a large change in the By-Laws. Kevin responded the changes need to be in the By-Laws for enforcement purposes.

Memorial Area Project Kevin Craine explained that two years ago someone from the Association came to him with an idea of building a memorial for fallen service members and first responders. With the go ahead from the Board of Directors it has been decided to place the memorial between the clubhouse and the bathroom of the pool. Stone would be laid and an MIA flag, a Texas flag and an American flag would be erected. The same Association member who had this idea also thought that maybe some of the builders in the subdivision would be willing to donate stone to the project and thus far, Turk Homes and Steve Jernigan have donated stone. The project will be accomplished in nine phases, cost approximately \$1500 - \$2000, and be finished Memorial Day 2016. He also stated we will need physical help with this project for example, laying stone.

State of the Association President Michele Working stated that the state of the Association is great; it has been a pleasure working with members of the Board. There are some issues that need to be addressed for example the gate to the park which should be rectified within two months. Our amenities need work. The Pool, Clubhouse, and Park add to the values of our property that is why the clean-up day next Saturday is so important. The vandalism of the pool area is being worked on by the Sherriff's Office and new cameras and keypad entry system will be put in place.

Open Forum Dan Marsh of Lasso Loop stated he lived in this community for eight years and he is quite concerned over the blatant violation of the Deed Restriction by owners who have goats on their property. Michele Working stated that the Board is in the process of handling this situation and there is a deadline in place which takes place tomorrow. Doris Lock stated that we need to draw a line; we need to respect our community. Ben Andrews stated that our only recourse if they don't comply is to take them to court; we do not have fining authority under our By-Laws. Kevin Craine stated putting fining authority in the Deed Restrictions would be an administrative nightmare and litigation would be costly. Byron Working stated if we go to court this is the best case for it. Ron Elkins stated that this comes down to money; maybe we should set aside a portion of funds to budget as a litigation war chest. Kevin Craine stated the attorney told us that litigation could be \$40,000 - \$50,000. At this point Ben Andrews asked the members present who supports getting rid of the goats, note for the record that a large majority of the members raised their hands.

Bob Moore stated that members should not feed feral cats. If you feed a cat it becomes your cat he stated. Also he stated he would like to see more driveways built so people won't park on their lawns.

Doris Lock asked if we are in the Edwards Aquifer Recharge area. Note for the record no one knew.

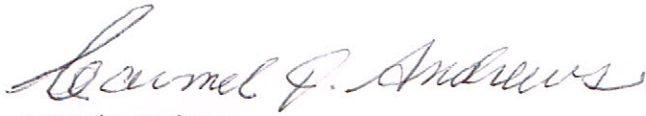
Charles McVale asked about noisy dogs. Laurel Taylor stated that there is a Comal County law against noisy dogs after 11:00 pm and before 6:00 am. Kevin Craine stated that when dealing with noisy or odorous dogs a violation letter from the ACC can be sent to the offending member which can be used in court if one member sues the other member civilly.

Charles asked why we need 51% of the property owners to make changes to the rules. Kevin Craine responded because it is in the Deed Restrictions.

Susan Fuqua asked if there is any mention of renters in the Deed Restrictions. Kevin Craine responded no, everything goes with the property owner.

President Michele Working adjourned the meeting at 11:45 am

Respectfully submitted,

A handwritten signature in cursive script that reads "Carmel J. Andrews". The signature is written in black ink and is positioned above the printed name.

Carmel J. Andrews

Acting Secretary