

**Rocky Creek Maintenance Corporation  
2016 Annual Meeting  
March 12, 2016**

President Ben Andrews, called the meeting to order at 10:00 a.m., Saturday March 12, 2016, at the RCMC Clubhouse.

The Sergeant-at-Arms, Joy Anderson, reported that a quorum was met with 41 members present.

Director Art Carpenter was present and led the members in the Invocation.

Director Kevin Craine was present and led the members in the Pledge of Allegiance.

President Ben Andrews introduced himself and then introduced the members of the Board of Directors present today: Don Anderson, Kevin Craine (Architecture Control Committee and Rules Committee Chair), Art Carpenter, Suzanne Drucker, Sandy Stratton (Finance Committee Chair), Laurel Taylor (Administrative Committee Chair), and Michele Working (Operations Committee Chair). Darin Zumwalt (Vice President) was absent. Secretary/Treasurer Myra Zumwalt was also absent.

President Andrews asked that Director Art Carpenter come forward. President Andrews stated that this was Director Carpenter's final meeting and that he had been a longtime member of the Board of Directors and President. President Andrews continued stating that the Board was greatly appreciative of all his hard work and dedication and presented him with a plaque as a symbol of these feelings. Director Carpenter thanked President Andrews and all the Board members and stated that he would never have been able to accomplish his work on the Board if it was not for the exemplary assistance of his wife, Ruth.

**Minutes of the Board of Directors Meeting of February 15, 2016**

It was decided to waive the reading of the minutes from the February meeting as the Board had received a copy.

It was moved to approve the minutes of the meeting of February 15, 2016 as submitted.

Moved: Sandy Stratton  
Second: Laurel Taylor  
Approved unanimously

**Treasurer Report**

Sandy Stratton read into the record the Treasurer Report.

## **Committee Reports:**

**Administrative Committee:** Committee Chair Laurel Taylor stated the responsibilities of the committee, which are overseeing general office functions, other than financial; notifying members of vacancies on the Board; establishing a Nomination Sub-committee and overseeing elections; keeping members informed through the use of newsletters, the website, Facebook, and NextDoor.com; coordinating all social functions such as the Chili-Cook-off, Annual Meeting, Annual Picnic, Ice Cream Social, National Night Out, and Christmas party.

The accomplishments include the Annual Picnic on Saturday, May 30, 2015 (this year's picnic will be held on May 21, 2016); the Ice Cream Social was held on August 30; National Night Out was on Tuesday October 6 where speakers included representatives from the Comal County Sheriff's Office, Canyon Lake Fire-EMS, Air-Life Guardian Angel and County Commissioner Jen Crownover. The Christmas Party/Ornament exchange was Saturday, December 5. The Chili Cook-Off was Saturday, January 30, 2016. Newsletters were mailed out in May, August, December, and February. Statements were mailed out with the December newsletters and past due statements and ballots were mailed out in February with the newsletters.

Director Taylor encouraged all members to check the website: [rockycreektexas.org](http://rockycreektexas.org) and the Facebook page: Rocky-Creek-Ranch, and to join their neighbors on NextDoor.com. She also encouraged all members to volunteer by joining committees, stating that there are sign-up sheets by the front door.

**Architecture Control Committee:** Committee Chair Kevin Craine began his presentation by stating that the ACC is directed by the Board which provides guidelines. These guidelines are either informational or enforceable. The guidelines that are meant to be enforceable must be supported by Federal, State, or local legislation, or by a specific deed restriction. The ACC reviews and approves all plans for construction in the subdivision to assure conformance to the subdivision restrictions. It assures adherence to established restrictions with respect to proper use and upkeep of subdivision properties, reporting to the Board any violation of the recorded restrictions for the subdivision together with its recommendations. It presents plans to the Board for beautification projects and it keeps up to date on local building codes and permit requirements and advises lot owners in this regard. This information can be incorporated into the newsletter. In 2015 the ACC reviewed permits for 40 new homes, 12 sheds, 8 fences, 1 deck, and 17 other structures. The turnaround time for a permit review is usually 48 hours. Director Craine stated that there were changes made in the Deed Restrictions Guidelines including adding lot numbers to the Phases, adding a Table of Contents for easier research, eliminating ACC member names of original development appointees, adding an Adjacent Use Land section, organization of the restrictions in an easier to read format, and adding a Special Driveway and Utility easement. At this point Director Craine circulated a copy of the Deed Restriction Guidelines to the members present.

**Finance Committee:** Committee Chair Sandy Stratton began her presentation by stating the responsibilities of the Finance Committee which include conducting an audit of the corporate finances at least once annually and reporting this to the Board; working with all committees to develop an annual budget; assisting the Treasurer in assuring an accurate and comprehensive system of recording and maintaining records of all assessments; and arranging for tax returns and 1099 filings. At this point Director Stratton discussed the current budget of the RCMC.

**Operations Committee:** Committee Chair Michele Working began her presentation by stating the responsibilities of the Operations Committee which are to oversee the maintenance and operation of the pool, park, private roads and common areas; advise the Board as to maintenance requirements and costs; obtain bids; purchase supplies and equipment; and arrange and supervise maintenance and repair work; set up and supervise workdays; deal with Comal County regarding maintenance of roads within subdivision; and develop plans for future improvements to the park. Director Working continued stating that the park is a great asset to our community. Our annual assessment is very reasonable and when contractors and individuals own multiple lots, it does not help our income. She suggested that perhaps in the future we need to discuss changing the Deed Restrictions so that there is one assessment per lot. Last year we had three successful workdays. Thanks to the volunteers we accomplished a lot. Our next workday is scheduled for Saturday, April 16<sup>th</sup>. We appreciate our volunteers and the time they donate. We had a large dying tree that was going to fall and either destroy the bridge or the cabana next to it, so we had to remove it. Then in October we had bad rains that took out the bridge. Unfortunately, our insurance didn't cover the damage. We hope to have the pool pavilion sandblasted and stained before summer starts. We are also going to purchase new chairs and picnic tables. It has been suggested by several home owners that we improve the playground equipment. Playground equipment is very expensive and our operations budget cannot handle it at this time. We are forming a sub-committee to help with raising funds to upgrade our playground. Some events suggested include: a community yard sale, a craft sale, and selling baked goods at all events. We will also accept donations. Our first fundraiser will be our Community Yard Sale at the Park on Saturday, April 30; each booth will cost \$25.00. See our website for the flyer and vendor agreement. If you can think of something we can do to improve our community, please let any director know. This is all done by volunteers.

**Rules Committee:** Committee Chair Kevin Craine began his presentation by stating that the Rules Committee is made up of all nine members of the Board and nine members of the general membership. Currently we have seven vacancies on the general membership side. He continued by reviewing the duties and responsibilities of the Rules Committee. The Committee conducts a periodic review of dedicatory instruments to ensure continued compliance; oversees all suggestions for changes to the Deed Restrictions and Bylaws; adopts and presents to the membership at a special or regular board meeting all recommended changes to be considered; and works with the Administrative Committee to develop the ballot concerning any changes to the Bylaws or Deed Restrictions that meet the threshold for conducting a vote. Director Craine then discussed with the membership the initial schedule of policies which are, or will be, under review. He then reviewed the accomplishments since 2015; revised Bylaws to conform to 2014 legislative session, revised the alternative payment schedule, and revised the Notice, Appeal, and Mediation Policy.

**State of the Association:** President Andrews reported that the Association is in pretty good shape. We are staying within our budget. We currently have 446 owners which is a challenge for the budget because the number of owners and assessments is stable but the number of homes and residents is rising. We need to plan for the future and put in place a Capital Improvements Program. The clubhouse now has a capacity of only 60. In his opinion the population in this subdivision will double within a few years and as Director Working stated previously, it would be more equitable if each lot was charged an assessment fee. The pool will eventually need to be expanded and this will be very expensive. Another challenge is to get members to participate in social and workday events. We would like input as to what the members would like to do.

At this time Director Laurel Taylor announced the winners of the door prizes (\$25 gift certificates to the Silver Sage Grill): Charles Forester and Paul Spilker.

Director Laurel Taylor also announced that Ben Andrews, Don Anderson, and Sandy Stratton were re-elected to the Board for two year terms and Jason Spitzer was elected to a two year term.

**Open Forum:** At this time President Ben Andrews opened the meeting up to the members to voice any concerns they may have.

Mary Rosenthal asked that everyone go around the room and say their name and where they live, which they did.

Mark Nelson stated that given the dangerous nature of the society we live in today, for example an attack on our power grid, the Board should consider a committee on emergency preparedness.

Ray Kresha stated that he agrees and stated his concern over the recent problems about stealing from mailboxes. He suggested the use of locked mailboxes which cost \$75. Discussion ensued among the members concerning different types of mailboxes. Marcella Pasetto stated that all neighbors should use due diligence. President Andrews stated that diligent neighbors are the best deterrent. Director Carpenter stated that the developer, Mr. Roper, did not set aside land for a mailbox bank.

Sam Stanphill discussed capital improvements, especially looking at developing things that more members would use such as a tennis court. Director Taylor stated that Board members were approached by young families about the playground and that money for the playground will not come from the RCMC budget but will be raised from outside sources such as fundraisers and private donations.

Mr. Pasetto stated that the Board members should send out a notice to every owner on any capital improvement project and get the opinion of the members.

Mary Rosenthal stated she would like to see a community homegrown garden in the park. Joy Anderson stated that there is one in Sattler.

Bobby Cox stated there is a big problem with speeding on Marlys and Desiree; it is 30 MPH but there are only two speed limit signs. President Andrews stated that he has spoken with the Comal County Roads Department about getting more signs, he will follow up on this. In the meantime, members should call the Sheriff's Office directly about speeding complaints. Discussion on speeding, speed limits, and speed humps among the members ensued.

Charlie McPhail inquired if the Board had any pull with the contractors in the subdivision. Director Craine stated no, that the POA cannot interfere with the builder; that is a private issue between the homeowner and the builder. President Andrews stated that in Comal County there are no required home inspections and that the only inspections required are for septic systems and driveway aprons. Joy Anderson asked if a house plan shows 1400 square feet how do we know it is 1400 square feet and not 1250 square feet? Director Craine stated that we accept what is submitted unless we have reason to believe the builder is not following the plans.

Paul Stoker asked if the Board member phone numbers could be put on the website. President Andrews stated that could be considered but it would be up to each individual board member.

At 11:50 a.m. President Andrews stated that the business part of the Annual Meeting had concluded and the Board would now convene into Executive Session to elect the officers, appoint committee chairs, and discuss a contractor. At 12:05 p.m., President Andrews reconvened the Annual Meeting and announced that the following people had been elected or appointed:

President:	Ben Andrews
Vice President:	Darin Zumwalt
Administrative Committee:	Laurel Taylor
Architecture Control Committee:	Kevin Craine
Finance Committee:	Sandy Stratton
Operations Committee:	Michele Working
Rules Committee:	Kevin Craine

He also stated that the Directors discussed matters of personnel, more particular the duties of a contractor.

It was moved that at the Executive Session of March 12, 2016 only choosing of Officers, Committee Chairs, and matters of personnel, more particular the duties of a contractor, were discussed.

Motion: Craine  
Second: Taylor  
Carried unanimously

There being no further business, President Andrews adjourned the meeting at 12:10 p.m.

Respectfully submitted,



Carmel J. Andrews  
Acting Secretary