

**THE OASIS AT LAKE DUNLAP HOMEOWNERS ASSOCIATION**

**Board of Directors (BoD)**

**Regular Meeting**

**Wednesday, November 10, 2021, at 6:00 pm**

AGENDA

I. Call to Order: BoD President – **Kelly called to order at 6pm**

II. Roll Call for Quorum: BoD President

a. Directors present: **Kelly Salinas(399 RPD), Kelli Braune(232 RPD), Andrea Peterson(336 RPD)**

b. Directors absent: **None**

c. Quorum achieved: **[X] Yes [ ] No**

d. Committee Chairs (ARC) present: **Brandon White(352 RPD), Ryan Hoffman(240 RPD)**

e. Member (resident) guests: **Dee Collins(384 RPD), Ashley Sanchez(224 RPD), Ronnie & Julie Morrow (126 RPD), Eric Sobotik(125 RPD), Scott Braune(232 RPD)**

f. Other guests:

III. Inspirational Quote: BoD President – **What you do speaks so loudly that I can't hear what you say.**

IV. Approval of Prior Meeting Minutes: BoD President – **Andrea walked through prior meeting notes. Kelli motioned to approve, Kelly 2<sup>nd</sup> that. All agreed**

V. HOA Directors Report: BoD Secretary

**July 21 Additional \$200 for Ibarra tree removal in upper park/ approved vote 3-0**

**Aug 6 Port-a-potty for park \$200/ approved vote 3-0**

**Aug 12 BoD met with Dee to discuss CC7R's and governing documents @ Kelli's house**

**Sep 3 Purchase quality flags for entrance \$191.63 / approved vote 3-0**

**Sept 14 Management certificate filed \$31**

**Sept 17 Valve box finder purchased for park \$45 / approved vote 3-0**

**Sept 20 Two picnic tables for the park \$269 / approved vote 3-0**

**Sept 20 Port-a-potty for park \$200 / approved vote 3-0**

**Sept 23 Reimbursement for Rock, Pizza & Weedkiller for work at the park**

**Sept 23 New Landscaper – DK Landscaping LLC / approved vote 3-0**

Oct 11 Reimburse for irrigation items and park lighting / approved vote 3-0

Oct 12 Port-a-potty – to keep at the park for now / approved vote 3-0

Oct 25 Reimburse 3/\$10 gift cards for park garbage pickup / approved vote 3-0

Oct 27 Reimburse for audit paperwork -receipts total \$ 146.47 / approved vote 3-0

Nov 1 Reimburse for crepes for volunteer firefighters on NNO \$70.12 / approved vote 3-0

Nov 2 BoD met to discuss options to recast the Loan @ Kelly's house

Nov 3 Pay Guadalupe county taxes \$281.72

Nov 4 Trademarks for our neighborhood name - \$1250 for all. \$349 for legal fees / approved vote 3-0

Inspections - 14 violations, 2 fines

VI. Financial Review – BoD Vice-President

2019/2020 – Guadalupe county taxes, Comal County NBISD, Franchise Tax – All paid now.

Filed for Tax exemption (non profit) – could take up to 3 months

BoD no longer doing cash transactions. Will be paying with checks or newly acquired card to make sure everything can be tracked.

To this point we have paid \$30,327.43 interest on this loan.

Recast for our loan – we are planning on putting a lump sum of \$20k-\$25k towards the loan principal and recast to pay off early.

We do not need a minimum “reserve amount” in our bank, only need the account to be open.

GVSUD- Kelli sent voided check info to remove the \$5.00 processing charge each time.

Kelli walked through expenses for the year.

VII. Committee Reports: **Brandon walked through ARC items (List attached)**

VIII. HOA Ongoing Business - President

1. Tree removal/trimming -Ibarra removed a few additional in the park

2. Irrigation inspection and repairs – rcv'd quotes \$125/hour, still looking

3. Landscapers

a. Codeman Landscapers – **Sept 11 gave landscaping company a 30 day notice that they needed to do a better job, they didn't return after that.**

b. DK Landscaping – **Our new landscaping company**

4. Safety – Insurance coverage for alcohol, events, and other coverage on common areas – **Our legal counsel and our insurance agent have reviewed our insurance information and our underwriter has explained our rights to have alcohol present and even to be able to sell when it comes to an HOA or resident event(s). However, this Board agrees, that we have no intension of using HOA funds to purchase, distribute, and/or sell alcohol at any event. The Board’s decision not to sell alcohol was also explained to our legal counsel and insurance provider. Our coverage also extends to residents that consume alcohol on our common areas as individuals and/or groups even without the Boards knowledge.**

5. CC&R Review/ update – **Dee Collins walked through meeting with attorney (recap notes included below)**

#### IX. New Business – President and Vice-President

1. **Facebook**
  - a. October 30, 2020, Facebook proposed policy overview/revisited – **Prior board member did not relinquish Facebook admin.**
  - b. New page created and why – **Legal counsel suggested we create a new page. Legal threat to old page for data that was shared with the HOA only.**
  - c. Ongoing processes and cost - **Discussed Trademark a little more. This should have been completed when the neighborhood was setup**
2. Oasis HOA financial audit - **Audit is ongoing by an external Accountant.**
3. **Should we have an application if someone wants to have a family/friend event in the park?**
4. **Every February have HOA Directors Sign agreements regarding relinquishing rights**

X. Owners’ Forum (This is a time for Oasis Owners to volunteer items not listed on the agenda for BoD consideration).

XI. Next BoD Meeting Date: (BOD meetings shall be held every other month

unless the BOD designates otherwise) **Next meeting will be our annual meeting, January 20, 2022**

XI. Executive Session: (This will be closed session to homeowners except for those appealing violation notices. Subjects to be considered in Executive Session include subjects such as Collection Accounts, Deed Restriction Violations, Employment Matters and Potential Legal Matters) **Kelly asked if anyone needed to meet with the BoD. - None**

XII. Reconvene to Open Session: Summary of Executive Session Action Items. **N/A**

XIII. Adjournment: [Kelly adjourned the meeting at 6:56pm](#)

### ARC committee notes



From Connie  
Turner turner\_conni

Notes below from Dee Collins:

#### SUMMARY OF MEETING WITH ATTORNEY PORTER

SUBJ: Oasis HOA Restriction Review/Update

November 9, 2021

1. Attended by Kelli Braun, HOA Vice President, and Deanna Collins, Chairman of Restrictions and Rules Review
2. Recommended BOD read Texas Property Code Chapters 202, 207, 209 for compliance since the Oasis Restrictions have not been updated since 2011. Laws supersede any CC&R, by-law, rule that is outdated.
3. Recommended keeping revision products to a minimum to decrease attorney fees.
4. Explained Declaration of Covenants, Conditions and Restrictions (CC&R) govern how property can be used; By-laws govern how the Association operations, not how the property is used; and Rules are procedures that further explain the CC&Rs in specific detail. Example: CC&R states houses can be of neutral color; Rules explain what neutral colors are authorized.
5. Combining Current CC&Rs/Amendments:
  - a. HOA can combine current restrictions and amendments into one document.
  - b. The term to combine them is RESTATED not REINSTATED;
    - RESTATED means a new document is typed implementing all changes and filed with the county. Restated should include an introduction para explaining the document incorporates the original and all amendments. See CCR Amend 5.
    - REINSTATED means the restrictions have lapsed and are being brought back for enforcement, which is hardly ever passed.

- c. Owners should VOTE to update the restated restrictions to current law/all typos before a restated document is prepared. This is important since the Oasis have not been updated since 2011 and avoids several amendments.
- d. A restated document DOES NOT require a vote of the Owners because there are no changes.
- e. A restated document SHOULD NOT be accomplished if there is a possibility of any Amendments being proposed/voted on.

6. Updating Current CC&Rs/Amendments/By-laws:

- a. No requirement for atty to review revised products before vote; however, atty recommends CC&R and by-laws be reviewed
- b. She had no samples since each HOA is different; however, since ours originated from South Bank, they are a good example to follow. She did provide sample rules/policies for community park
- c. By-law Amendments: Recommended majority vote be decreased as authorized per laws. Current By-law, para 4.07 states BOD may amend from time to time OR they may be amended at a Regular/Special Meeting of Owners by a 67% of the total votes allocated to Owners. Atty mentioned validate CC&R permission and majority of HOA by-laws are approved/disapproved only by BOD vote not owner.

7. Recommended Steps to Update Current CC&Rs:

- a. Review Owner submissions to see which restrictions they refer to and determine if a change is warranted or should be voted on.
- b. Draft CC&R Amendment for Owner review.
- c. Obtain Owner approval/disapproval vote for each item on the Amendment. Incorporate only the approved items in the new drafted Amendment for attorney review. If Owners disapprove it is a waste of her time and our \$\$.
- d. Provide attorney excel sheet with every article number indicating if it is current or being changed. This will limit her review and cost to Owners.
- e. Once any Amendments are approved, file them with County.
- f. After filed, then a RESTATED CCR can be drafted. If a RESTATED was accomplished before any new changes are incorporated, the HOA would have multiple products again which defeats the purpose.

8. Updates to Current Rules:

- a. Enforcement/Fine Policy: BOD can update/approve rule to comply with 2015 legislation for curable/noncurable/hazardous to health provisions IMMEDIATELY. (See SouthBank Handbook for examples of new timeframe standards for compliance)
- b. Park rules should be more inclusive (see example) and a NEW Park Reservation Form should be created/uploaded to website. Request should include a release of liability— Owner who rents is responsible for all individuals who are not owners.
- c. Recommending Changing Oasis Rules to *Oasis Rules and Community Manual*.
  - All products must be filed with Guadalupe County Clerk to be enforceable, to include Rules/Handbooks

- To limit enforceable restrictions, make one document which can also incorporate the ARC Rules that have been established by the ARC Committee IAW CC&R Article 7.06. Examples: Fence height, small shed specifications, etc.

9. Questions that still need to be asked: Should CC&Rs eliminate all language that refers to DECLARANT or developer since they turned over the Property to the Owners.