

The Villas of Babcock (Summerwind) HOA Special Member Meeting Minutes  
October 2, 2017

## I. Called to Order

Martin Salazar called to order the annual meeting of the Villas of Babcock (Summerwind) HOA Board at 709pm on October 2, 2017.

## II. Roll Call

The following directors/officers were present at the meeting: Melissa Martinez-Carrasco, Martin Salazar and Karen Mueller.

The following members were present at the meeting: Javier Gutierrez, Omar Zuniga, and Stephen Polasek. (Yolanda Garza also arrived prior to meeting adjournment.)

Martin Salazar established Quorum with 6 members present, 47 online absentee votes and 24 proxies.

Meeting Notice: Notice was posted onsite on neighborhood board on September 29, 2017, postal letters were sent to all members to the address on file with the HOA and the 140 homeowners that had email addresses on file with the HOA were sent notice via email.

## III. Review/Vote on Proposed Declaration Amendments

1. Ballots were collected for the 24 proxies and were paper ballots were distributed to the members in attendance. Discussion ensued.

## IV. Member Discussion

1. Some discussion regarding the gate occurred. It was mentioned that perhaps installation of "quick arms" would help alleviate the piggy-backing abuse, which seems to be what has caused the current problem with the gate. Karen Mueller will check with the gate company for a quote. Gate spikes were also mentioned again, but discussion about cost and potential liability tends to make these not a viable option.

2. Some discussion occurred about the number of cars that end up parked in the neighborhood due to residents that run their business from their homes. Section 6.6(o) of the Declaration was cited (see below). The challenge is knowing which vehicles are truly visitors and which are employees.

*(o) No Lot or improvement thereon shall be used for a business, professional, commercial or manufacturing purposes of any kind for any length of time. No business activity shall be conducted on the Property which is not consistent with single family residential purposes. No noxious or offensive activity shall be undertaken on the Property, nor shall anything be done which is or may become an annoyance or nuisance to the neighborhood. Nothing in this subparagraph shall prohibit a builder's temporary use of a residence as a sales/construction office for so long as such builder is actively engaged in construction on the Property. **Nothing in this subparagraph shall prohibit an Owner's use of a residence for quiet, inoffensive activities such as tutoring, giving art lessons so long as such activities do not materially increase the number of cars parked on the street or interfere with adjoining homeowners' peaceful use and enjoyment of their residences and yards***

3. Some discussion occurred about the basketball hoops that are left placed blocking the sidewalks at all times, even when not in use. BOD mentioned rules were outlined in ACC Design Guidelines (see reference below). It was agreed that during bi-weekly drive-thrus we will begin citing these violations. Members can also report noted violations at any time to sasummerwindhoa@gmail.com.

### Recreation & Play Equipment.

*Two types of recreation and play equipment are defined. The first is permanent and semi-permanent equipment, including any/all equipment that remains in place even when not in active use. The second is non-permanent equipment, including any/all equipment that remains in place during active use or for a short period of time during inactive use.*

#### *Permanent & Semi-Permanent Equipment-*

*Permanent and Semi-Permanent equipment includes (but is not limited to) the following: swings, gymnastics sets, volleyball nets, portable basketball goals/systems, jungle gyms, etc. Permanent equipment must be located in the rear of the property only. Consideration must be given to lot size, equipment size and design, amount of visual screening, etc. Permanent and semi-permanent equipment is not permitted in streets, sidewalks and/or common community areas.*

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**V. Voting and Determination of 66 2/3% required to pass vote on Declaration Amendments**

1. Voting commenced. The 66 2/3% of 143 homes was determined to be 96 votes. Total votes were only 78, with 47 online absentee ballots, 7 submitted in person at the meeting and 24 submitted by proxy.

**Declaration Amendments not passed.**

**VI. Next Steps**

BOD remained at Prue Station until 9pm when voting was scheduled to close. No additional votes were received. A discussion on next steps occurred and the following was agreed.

- We will reduce the number of items on the ballot by 4, removing the 2 that are pursuant to city code (as we are bound by those regardless) as well as 6.6(ii) and 6.6(o).
- We will attempt to streamline the verbiage on the ballot with shorter Titles and reorder the items.
- We will lengthen the amount of time given to members to vote from 20 days to 45 days with voting to commence on December 1<sup>st</sup> and close on January 15<sup>th</sup>.
- We will hold the meeting for physical voting/discussion on February 1<sup>st</sup>.
- A BOD meeting will be held to take the necessary steps to enact the results of the meeting/vote.
- Enforcement of results of meeting will begin on March 1<sup>st</sup>.

**XI. Adjournment**

Martin Salazar adjourned the meeting at 903pm.