

The Woods at Cedar Oaks Homeowners' Association

Minutes from Annual Homeowners' Meeting

October 13, 2008

The meeting was called to order at 7:00 pm. Duane Atchison led the group in prayer and in the Pledge of Allegiance to the Flag. The Secretary report was given recapping activity of the Board of Directors since the June meeting when the homeowners took control of the Association. The Treasurer report shows a starting balance in the bank of \$7,611.27, collections of \$3,100 and expenses of \$2,091.48, leaving a balance in the account of \$8,629.79. Copies of these reports have been posted on the website. Only one homeowner is still delinquent on payment of 2008 dues. Additionally a lien was filed on a property that has been foreclosed and on which three years dues are owed.

Josh Moore gave the Landscape committee report stating that the situation on mowing and upkeep of the entries to both sections has been resolved with the change in landscape services to Total Lawn Care (Cory Cox). The weed problem should be solved soon, as well. Water in the Cedar Oaks Estate entry will be repaired in the spring so that a "drip" form of irrigation may be utilized. Clarification of care requirements for easements was given, advising homeowners that it is, and has always been, the responsibility of the homeowners to maintain drainage, utility, and county easements on their property, keeping the easements free of weeds and debris. Owners of vacant lots have been advised that they must clean up their lots, and those who have not responded will be advised by certified mail that cleanup will be done by the HOA, and they will be billed if they do not comply within 10 days of the letter.

An issue of drainage ditches was brought up, and Duane said that he will discuss the problem with Mike Lawrence. Several ditches in the subdivision pose a danger when there is a heavy rain.

Mark Sams gave the Architectural Committee report in which he emphasized the necessity to submit plans for all structures to be added to any property. For the purpose of the Homeowners' Association, a structure has been defined as "anything that is added to the property after purchase". This includes any item that is delivered to be installed as well as anything that is built on site. There have been three requests to erect metal structures on lots, and at this time those requests have been denied. An outbuilding, shed, garage or any other building erected must be, in accordance with the Restrictions, at least 80% masonry and should match the house. All plans must be submitted for approval, and a written answer to the requests will be given in a timely manner.

Duane Atchison then took the floor. He mentioned the requirement in the Declaration of Restrictions that stated that amendments to the Restrictions require approval of at least 90% of lot owners. It is the desire of the Board of Directors to amend that requirement to require a 2/3 affirmative vote to change any of the restrictions.

A motion was made, seconded, and approved to give the board authority to send certified letters requesting a vote to change this requirement to 2/3 affirmative vote of lot owners in good standing to

change items in the Declaration of Restrictions. This motion also included the provision that failure to return the ballot would constitute an affirmative vote.

During the discussion concerning “lot owners” whose votes were needed to change restrictions, it was pointed out that owners of vacant lots have only paid dues when their lot purchase closed at the title company, and no other dues have been being collected until there was a house on the lot. A motion was made, seconded, and approved to require all vacant lot owners to pay dues annually. Invoices will be mailed to owners of vacant lots, including builders, and these annual dues payments will be payable beginning in January 2009.

A motion was made to change the Restrictions to allow nice small metal storage sheds. This motion was held pending further research on the definitions of this wording. A proposed change to the ordinance must be very specific.

Mark Sams asked for comments on the website from those with concerns about any of the architectural restrictions.

There was discussion about the speed limit in the subdivision, and Josh Moore advised the group that the speed limit is 30 mph, but is a low priority to Bell County for enforcement. If homeowners see construction vehicles speeding, we should notify the builders. A suggestion was made that homeowners should phone County Commissioners to request enforcement in the area and/or a speed limit sign.

The bylaws provide for a requirement to hold a meeting of the Homeowners’ Association annually, but provision was made to allow extra meetings as required or requested. The group requested quarterly meetings until the HOA is up and running with a “consolidated” Declaration of Restrictions for all sections of the subdivision approved and filed. There will be a monthly Board of Directors meeting on November 17, 2008, and on January 12, 2009. The next quarterly meeting of the entire Homeowners’ Association will be held on January 26, 2009.

The Declaration of Restrictions will be discussed at the upcoming quarterly meeting of the Cedar Oaks Estates Homeowners’ Association on January 26, 2009, to be held at the Moffat Community Center, 13300 Kuykendall Mountain Road, from 7:00 pm until 9:00 pm. The meeting will begin promptly at 7:00 and will end promptly at 9:00, therefore, those attending should arrive a little early prepared for the business at hand. If any property owners want to add items to the agenda, please submit them in detail. An agenda will be posted on the website prior to the meeting, and a map will be posted at the office. Light refreshments will be served.

The meeting adjourned at 9:15 pm.

Duane Atchison, President

Kit Mraz, Secretary/Treasurer