

Ruby Ranch Homeowner's Association
Special Board Meeting with Homeowners Oversight Group (HOG)
3-29-2012
Scott Follett's Conference Center

Opening

Kevin Rodriguez brought the meeting to order at 7:05PM.

Board Members in attendance were Kevin Rodriguez-President, James Wier-Vice President, Scott Christians-Treasurer, Thomas Doebner-Director, and David Mixon-Secretary.

Hog Members in attendance were Sonny Hollub, Renee' Mauzy, Maureen O'Donnell-Hintz, Tom Hintz, Tim Dowling, Mark Rawlings, Cristi Roberts, Jonathon Cassel, and David Duncan.

Immediate Business

Kevin Rodriguez presented the evening's Agenda.

The meeting was turned over to Scott Christians to review and explain the steps the HOA Attorney stated must be done to change the Bylaws and amend the CCR's.

A special meeting must be called to change Bylaws with a Quorum of 164 lot owners to conduct the business at this special meeting.

The vote will be accomplished via Proxy. Proxies are to be turned in at the special meeting. If you cannot attend you can give your signed Proxy to someone who will attend the meeting. Proxies can also be mailed in.

To amend the CCR's we must certify the lot owner votes. It was clarified that only lot owner signatures will be valid and one signature per lot.

Tim Dowling stated that HOG was operating based on the Hays County Tax Records. Scott pointed out that they could be 6 months behind in their records. It was decided we would use a combination of the Board's Home Owner List, which is probably more up to date, and tax records.

Thomas clarified that there are 327 lots but one of those lots is the RR Park. So there are 326 voting lots. It was agreed that we would use the previously stated rule that there has to be 75% plus one of lot owners in favor of the change. HOG's Sonny Hollub was very confident that HOG would exceed that number.

The HOA Attorney would prepare the proper documents to file with Hays County. The HOA Attorney had stated that we would need to cut off the top and bottom of the signature document to eliminate what was considered to be an ad for HOG.

Kevin Rodriguez suggested (based on HOA Attorney's counsel) that we use a Unanimous Consent Form to allow for the appointing of the Wildlife Committee. A number of the HOG members including Renee' (attorney) were concerned about backdating the form.

Tom Hintz asked how long Leon has been an HOA Attorney and how much experience in HOA Law he had. The HOG felt that the current attorney for the HOA was not up to the tasks that are in process. Tom asked about the possibility of getting an attorney that was more skilled in HOA Law and doing the process over to make sure it was 100% correct. The majority of other HOG members were opposed to bringing in a new attorney and starting the process over. HOG stated they have an HOA specialist attorney that they would propose for the future after it was agreed that we should complete this process with the current HOA Attorney. The Board stated we would review any proposed HOA Attorneys presented.

The meeting was turned back to Scott to continue to review the steps to complete the process of change. He stated that the number votes required to change the Bylaws based on the quorum would be 83 lot owners. The quorum of lot owners to hold the meeting is 164.

Thomas stated the President and Secretary would have to certify the signatures before next Tuesday (April 3) so the Change Packet could be sent out to meet the requirement of announcing the Special Meeting 10 days prior the meeting date. The certification group was created as a combination of Board Members and HOG members. James Wier, David Mixon, Cristi Roberts, Mark Rawlings and Sonny Hollub. The certification meeting will take place at 101 Armstrong. Noted was the fact that multiple lot owners would give one vote that would count for the total number of lots owned.

Sonny explained proposition 2, that the Board would appoint the 3 or more members to the Wildlife Committee the first time and thereafter the members would be elected at the annual HOA Meeting.

Thomas reviewed the special meeting notice and the proxy that allows for voting. Sonny asked about the quorum of proxies and voting members present which was re-reviewed. It was agreed that the Proxy would go out in its current form.

Thomas stated if there is an issue with not enough members present to establish a quorum, the Board could temporarily adjourn the meeting to get more members present to establish the quorum and re-convene the meeting.

It was then established that the proxy would be changed based on HOG's request to revise the expiration date down from 2 months to 2 weeks after the date on the proxy.

Sonny and several HOG members wanted to change the Ballot to combine 3 propositions into one and require only one proposition to change the bylaws checked. After much discussion, based on the comments from HOG advisor Renee' Mauzy, it was determined that the ballot was more clear on what the changes were in its current form.

Page 3.

Tom Hintz noted that the ballot was missing the line for lot number that had appeared on other proxies. The proxy will be revised to include the lot number line.

A decision was made to agree on HOG's mandatory requirement that the "Congratulations" letter go out in the same packet as the proxy. It was also decided that Sonny, Tom and Kevin would all sign the letter to show unity. Christi asked that RSVP be added to the letter to help determine the number of guests at the April 14th Special Meeting. This was agreed.

The packet must be in the mail by April 4th to meet the requirements of announcing the meeting. The Official Ballot will NOT go out in the proxy packet.

Another change was added to the Congratulations Letter--last sentence was amended to say 2pm not 2-5pm.

It is noted that we need to have several people at the entrance gate to hand out ballots.

The Board appointed the Wildlife Committee. The members are Chris Scallon, Maureen O'Donnell-Hintz, Jon Cassel, Tim Dowling and Sonny Hollub. Board approved 5-0.

Christi Roberts volunteered to organize the Picnic at the special meeting. The food budget was set at \$500.00 to be increased if needed.

The Certification Meeting was set for 9am at Mark and Christi's home at 101 Armstrong. Sonny is to send the HOG spread sheet to Chrisi. Scott will send the latest homeowner list to the Board Members. Thomas will make the changes on the packet letters. Renee' will make the changes on the HOG letter. \$101.00 was collected to give to Maureen to print the Congratulation Letter in 4/color.

Scott asked the HOG for help in finding a replacement member for the ACC. Kris Kelly is moving. He requested that the proposed member be a believer in a strong application of ACC regulations.

Scott is to create a job description for ACC members that will be posted on the RR-HOA website.

Meeting Adjourned

Minutes submitted by David Mixon-Secretary RR- HOA

