

Windermere Homeowners Association

Minutes of the Meeting of the Board of Directors

March 12, 2007

Approved April 9, 2007

Quorum

The meeting was called to order at 7:03 p.m. by President, Earl Wellborn. Also present were Vice President Anne Trevino, Secretary Guenevere Ceraldi Cueva, Directors Monnie DeUnger, James Crabtree, and Property Manager Angela Drabik. Directors Glen Engelke and Treasurer Patrick Sullivan were not present.

Previous Minutes

Vice President Trevino moved for the approval of the February minutes. Director DeUnger seconded and the motion passed unanimously.

Homeowner Concerns

Homeowner Chelsea McMurtrie made inquiry regarding volunteering to head the Easter Egg committee. President Wellborn advised that the Board would make a decision on that later. Ms. McMurtrie made further inquiry. President Wellborn read the proposed resolution to Ms. McMurtrie.

Homeowner Daniel Rogers (16403 Malden Drive) stated homeowner at 16401 Malden Drive has two large dogs, backyard is unkempt, fence is not in proper order, no lawn maintenance, Christmas lights are still up. VP Trevino asked if Rogers had called Animal Control. Mr. Rogers has not contacted Animal Control. Believes there is a violation of CCR Section 3.16 – blinds are ripped and the house looks abandoned. Has a/c units hanging out window. Drabik advises letters have been sent and the Homeowners are receiving fines. Would like for HOA to write letter letting them know that he would help them with those issues. President Wellborn said the HOA would not write such a letter, but suggested that Mr. Rogers contact the homeowner directly.

Homeowner Allegra Azulay (17521 Strontian Pass) was concerned regarding pool, specifically the North Pool. She states that last pool season, the pool attendants would hide in the pool house and it looked like no one was there. One time there was one lifeguard who told her that he couldn't open the pool because the other attendant was not there yet. Why do we have lifeguards? Heatherwilde does not have lifeguards and has the same signage as we do. Drabik responds that we do have liability. The law requires that there be two lifeguards on duty or one pool monitor. Ms. Drabik also informed Ms. Azulay that the HOA is looking into a new lifeguard company because of the problems we had last year. Ms. Azulay further requests that the lifeguards need to announce when they are doing something. They don't announce "adult swim" just blow the whistle and walk away. Kids in the lap lane and the guards do nothing.

Deck around pool is really slick. Clark Thompson explains that the deck immediately surrounding the pool has a rough surface but the concrete in the "dog run" and the area

under the ceiling fans is slick. Ms. Drabik says that Cool Deck will take care of that. President Wellborn instructed Ms. Drabik to get bids.

Clark Thompson gave update on TCEQ hearing. Water rate hearing abated until March 19, 2007.

Board entered executive session at 7:40 p.m.
[Discussion of legal issues.]

Board discussion regarding proposal for lifeguards from Lifeguard4Hire, LLC.
Director Crabtree made motion to approve contract, Vice President Trevino seconded and the motion passed unanimously.

Board discussion regarding the following proposed resolution:

Whereas it is a fiduciary responsibility of the Board of Directors to manage the affairs of the Association in a manner in the best interests of the Association,

Whereas the Association indemnifies volunteers for their actions on behalf of the Association,

Whereas it creates a conflict of interest for a member or other person in litigation with the Association, or an agent of a member or other person in litigation with the Association, to serve on a Committee of the Association or in any other volunteer capacity,

Resolved, Any member or person, or the representative of any member or person, engaged in litigation with the Association is ineligible to serve on any Committee of the Association and is ineligible to serve in any volunteer capacity with respect to the Association.

Director Crabtree moves to approve resolution, Director DeUnger seconded and the motion passed unanimously.

Board discussion regarding memorandum from Homeowner Steve and Diana Bratton (802 Malden Cove) regarding request to amend CCR 3.14 and/or 3.15.

Director Crabtree moves to deny the request. Director DeUnger seconded and the motion passed unanimously.

Adjournment

Director Cueva motioned to adjourn at 8:51 p.m. Director Crabtree seconded and the motion passed unanimously.