

RIVER MOUNTAIN RANCH – WIMBERLEY

PROPERTY OWNERS ASSOCIATION

Subject: Minutes for October 2011

Final: October 13, 2011

Attendance: John Tanzillo, Wellborn Gregg, Al Ohm, Fred Carney, Margaret Baker and Walter Schleyer were present. Ron Nielsen was absent.

General: The meeting was called to order on October 13, 2011 at 6:00 p.m. by John Tanzillo who conducted the meeting. A copy of the agenda is attached as Exhibit A. Upon motion by Margaret and seconded by Fred, the Board unanimously approved the minutes from the regular meeting of the Board on September 8, 2011.

President's Report: John stated that the RMR POA water tank has been filled.

With respect to the Hermosa Paloma (HP) conveyance of the road and the right-of-way, John further stated that he and Ron walked the road with the plat that Mike Stevens provided and found no problems with the road or the right-of-way on either side of the road. However, the dead tree that one resident wants removed is within the property that we would be receiving. Fred questioned whether the Board should accept the property until the present owner removes a large pile of garbage on one of the unsold lots in HP. Margaret questioned whether removal of the tree is covered by Section B of the Covenants and Restrictions that states the easement area of each tract to be maintained by the owner of the tract. John estimated that a commercial tree service, such as Bartlett Tree Service in San Marcos or the Doug Sanders Company in Wimberley, would charge approximately \$900 per day to remove trees. The exact cost of removing the tree in question would be a prorated share of that total cost to be determined when we got an estimate for all of the trees to be taken down along the RMR roads that Ron Nielsen has identified. Upon motion by Al and seconded by Fred, the Board unanimously declined to accept the property until the present owner removes the tree. John said he would contact Mike Stevens and request that he so inform the present owner.

Vice-President & Architectural Control Report: Margaret stated that she has received three new requests for architectural approval with deposits.

Communications Report: Wellborn has the 2011 POA directories from the printer. They will be mailed along with the nomination forms for the next Board election.

Treasurer's Report: Fred stated that the present account balance is \$24,979.40 which includes \$11,500 of construction deposits, leaving a net balance of \$13,479.40.

Secretary's Report: Nothing new to report.

Park Report: Nothing new to report.

Roads Report: Fred stated that Ron obtained the new Exit signs and they are ready to be installed.

New Business:

Discussion of Draft Changes to Bylaws required by New Texas Laws – John circulated several draft voting proxy forms for review.

Discussion of Draft Changes to Covenants & Restrictions required by new Texas Laws – Margaret pointed out the difficulty of reconciling the current Covenants & Restrictions (C & R) with the new POA laws because the current C & R do not mention many of the items referenced in the new POA laws. For example, religious displays are not mentioned in the C & R. In addition, the C & R are in many instances vague and there are questions as to whether or not the new Texas laws impact specific provisions in the current C & E. Al suggested that it may be more productive to apply the new Texas laws on a case by case basis so that people will be dealing with a specific set of facts.

Adjournment: The meeting adjourned at 7:36 p.m. The next regularly scheduled Board meeting: 6:00 p.m., Thursday, November 10, 2011 in the Cypress Room at the Wimberley Community Center.

Al Ohm

Secretary

Attachments: Exhibit A (Agenda for October meeting)