

**Rocky Creek Management Corporation
2013 Annual Membership Meeting
MARCH 9, 2013**

The Annual Membership meeting was called to order by President Art Carpenter at 10:00 a.m., Saturday, March 9, 2013, at the RCMC's clubhouse.

Sgt-at-Arms Ruth Carpenter verified quorum was present with 39 owners in attendance. Invocation was given by Bobby Cox.

Pledge of Allegiance was led by John Snook.

President Carpenter introduced himself and the current Board of Directors:
Phil Frank, Ron Elkins, Michele Working,
Bobby Cox, John Snook, Bob House,
Darin Zumwalt, Rudy Malish.

After minutes of previous annual meeting were read by Myra and by presentation on PowerPoint, Ben Andrews moved we accept minutes as presented, seconded by Kevin Fuqua, motion carried.

Myra Zumwalt presented the Treasurer's report.

Committee Reports:

Admin Committee - Chairman Michele Working stated the members of her committee are: Theda Allen, Co-Chair, Ruth Carpenter, Margie Frank, Bobby Cox, Margie Frank, Phyllis Genest, Bob House and Myra Zumwalt. Michele reported that we feel we had some very successful activities this past year. Those that attended had a good time. In September, we had an Ice Cream Social, in October was our National Night Out and in January a fun Chili Cook Off. Our goal for this next year will be to increase our homeowner participation. Our second goal is to continue monitoring these events and improving them. There's even talk of having a community picnic or BBQ this spring. She asked that, if there are any activities that the property owners would like to see happen in the community, to please let her know. She also asked that volunteers who would like to serve on her committee please sign up or let the office know.

Architectural Control – Chairman Phil Frank introduced his committee: Kevin Fuqua, Vice Chairman, Mimi Clemens, Dale Cocita, Stacey Moore and Darin Zumwalt. Phil Frank reported that his committee has been very busy this year. He stated that their biggest complaint has been barking dogs. He reported that the Board does not have any control over barking dogs, that we do live in the country where other animals do roam so dogs will bark, but that if it is bothersome owners can call the Comal County Sheriff's Department and register a complaint. He also reported that since the last Annual Meeting they have had requests for 21 new homes and 12 improvements such as fences and storage buildings in our subdivision. He stated they do expect more building this next year. He asked if anyone would like to volunteer to serve on his committee to please sign up.

Finance Committee - Chairman Ron Elkins introduced his committee; John Snook, Vice Chairman, Theda Allen, Ruth Carpenter and Margi Frank. Ron presented the 2013 budget which the BOD had approved in February and explained each item with discussion. His Committee met in July, 2012 to review records from January 1 - June 30 and again in January 2013 to go over records from July 1 - December 31, 2012. All information was taken to the CPA a few days later and our annual tax report (1120) should be received and then will be sent to the Internal Revenue Service. We are not non-profit but the IRS allows no tax on POA dues. We only include annual assessments for planning purposes in the budget, but past due assessments, fees and clubhouse rental make up more income. With approximately 435 property owners we estimate we should bring in about \$35,570.00 in assessments and the budgeted items total \$30,885 which should leave us about \$4,685 for discretionary spending. Even though we did spend more than we took in for last year there was excess money from previous years to cover that. Ron reported that fees are set by state laws on how we can re-coup those expenses. The association is taxed on the interest earned on CD's, savings, etc. and any fees we collect that are not classified as dues (transfer fees, copy fees, information fees, clubhouse rentals, etc.) He reported that our property insurance goes up depending on how many homes are in the park and with the additional homes being built we can expect an increase. We do have emergency funds that are being held in the form of CD's and since we put money aside for them we have not had to touch them. Ron stated that if you would like to volunteer on a committee that this was the one to serve on, as they only meet a few times a year.

Operations Committee - Chairman John Snook introduced his committee: Bob Allen, Vice Chairman, Ben Andrews, Art Carpenter, David Clemens and Rudy Malish. John reported on the improvements done over the past year to include the additional covered deck for the pool area and removal of old shade cover, installation of two picnic pavilions with concrete pad and steel shade cover, upgrade of the Children's play area to include a concrete border/walkway and mulch, installation of the security system cameras for the pool area, parking lot and large pavilion, repair of the gate opener, the park survey which included pins to identify boundaries of the park, and repaired the pool pump. John also stated that there were three successful workdays in which a group of volunteers cleaned out brush along the north side of the creek and along entry drive, repaired walking bridge, repaired wood picnic tables, painted and repaired the storage shed, cleaned up parking area and volleyball courts, washed all the windows in the clubhouse, hauled off trash and used building materials. John also reported that the POA acquired the water well and fenced compound from CLWSC. On the last clean up day they cleaned up that area as well. John stated that the well is not operable that all the equipment had been taken out. Eddie Palm asked about the possibility of getting it operable again to be able to use the water to fill the pool as needed. Also the suggestion that if it is operable again we could have a community garden and use the water for that as well.

State of the Association - President Art Carpenter related how he came to be President many years ago and would hope that someone else would volunteer to step up and take over for the next year. He stated that when he first became President records were not well kept, there was no clubhouse, no computer, no system to track the funds, etc. He stated that it has not been a smooth road but we have gotten things done **because** we had people who got involved. He stated that we are where we are because we had good volunteers. We want to promote the idea that we are neighbors and we are doing this for each other.

Art discussed the new laws that the legislature has passed this last year. Because of horror stories they have gotten involved in what POA's/HOA's can and can't do.

HB 1228- Payment and Collection of Assessments. Establishes priority of payments for back HOA/POA assessments and fees. We must also offer an alternative payment plan.

HB 1821- Notices to Buyer and Resale Certificates. Seller must now provide written notice of mandatory membership in POA/HOA, which must be signed and dated by the Buyer. A resale certificate which contains much pertinent information pertaining to the POA/HOA can be obtained for a fee. All Dedicatory and Governing Directives for the POA/HOA must be filed at the County Courthouse, as well as being posted on their website. Additional information on the Alternative Payment Plan.

HB 2761- Meetings, Elections and Records. Open Records, any owner can look at our records, and copies will be provided for a fee. Records retention guidelines, we must hold most records for seven years. Board meetings must be open and adequate notice given. Establishment of Appeals Procedure. Voting Rights, these cannot be taken away because of non-payment. Privileges can be withheld. Membership elections and ballots, must be signed, dated and have lot number on them.

Art reported on other pertinent laws and trends such as; rain barrel rules, solar panel rules, storm shingles, displaying of flag and religious displays. The legislature is taking up xeriscaping and lawns this year, among other things, with the intent of controlling the powers of POA's/HOA's. We welcome these actions.

Art stressed again how we need volunteers for committees. While these new laws are good, they do impose a great workload and we need help. His hope for the future is for Rocky Creek to become a viable community who looks out for each other.

New Business - Bob House discussed CERT (Citizen Emergency Response Team) training. This training would cover homeland security, fire fighting, CPR, first aid, emergency response, etc., everyone should be able to sustain themselves for 10 days in the event of an emergency. It's a 24 hour course broken down over several days if anyone is interested there is a sign-up sheet on the back table. Bob also reported that up until last weekend that our subdivision had no break-ins or burglaries. There was an incident reported over the weekend of someone trying to break-in a side door of a property in the subdivision. Bob said to be careful and aware to close and lock up. Don't leave anything out that you don't want to find missing and to please call about suspicious vehicles in the area. Don't wait until something happens to report a suspicious car.

Open Forum -Mimi Clemens stated that she likes the new signage being used on the activity signs along the two entrances, more visible. Also would like to see us add the website in case there were visitors in the area who might want more information about our community. She also asked if there was a way to talk to builders about offering rainwater catchment system to their clients.

Phyllis Genest reported that a neighbor has trash in yard and was not sure if it was occupied and what could be done to clean it up. It was announced that a letter will be drafted by the ACC and will be sent out to owner.

Tom Damrow thanked the Board for their volunteer service which was followed by a round of applause.

Election of Directors - Ruth Carpenter, Sgt-at-Arms, stated that each Director serves for two years. The following have been nominated by the Nominations Committee for Directors: Darin Zumwalt to finish up one-year term from a vacancy. Stacey Moore and Bob Allen were nominated for new two year terms. Art introduced the nominees. After tabulating the vote, Ruth stated there were no write-ins submitted and that it was unanimous to elect the slate presented by the Nominations Committee.

Meeting adjourned at 11:10 a.m.

Respectfully submitted,

Myra Zumwalt
Secretary-Treasurer