

**CRYSTAL FALLS HOA**

**Minutes of Annual Meeting**

**January 10, 2013**

The meeting was called to order at 3:00 p.m. with the following in attendance:

William R. Hinckley, President/Declarant/Developer

Mike Siefert, The Lookout Group, Inc., Vice President of Construction

Jim Plasek, The Lookout Group, Inc., Director of Development

Randy Vogel, Goodwin Mgmt

James Browder, Goodwin Mgmt

Stephen Robertson, Grand Mesa VR

David Berg, Grand Mesa VR

Jim Augustine, Grand Mesa VR.

Ed Walker, Grand Mesa VR

Russell Fletcher, Fairways VR

Paul Kubin, Boulders VR

Laurie Frederick, Boulders VR

Linda Jaeger, Boulders VR

Laura Yambrick, Highlands VR

Steven Brand, Highlands VR

Connie Heyer, HOA Legal Counsel

Barbara Smith, CF HOA Liaison

Jim Plasek made a motion to approve the minutes of the February 22, 2012 meeting. Mike Siefert seconded and the motion passed unanimously. Jim Plasek made a motion to approve the 2013 Crystal Falls HOA budget. Mike Siefert seconded and the motion passed unanimously.

**Declarant /Developer Report:**

19<sup>th</sup> Hole Pavilion: The Declarant reported that The Lookout Group has purchased Lot 2C in Grand Mesa Section 6 adjacent to the 19<sup>th</sup> Hole Pavilion for \$135,000 to provide ample parking for the pavilion, tennis court and playground. In addition to installing and landscaping the asphalt parking area, he has donated the pavilion and adjacent lot to the HOA, and they are now deeded as part of the HOA common areas.

Cap Rock Estates: Work is now complete on Cap Rock Estates, located between Crystal Falls Parkway and the current section of Cap Rock. Grand Haven Homes and Drees Homes will soon begin construction on the 80'-110' wide home sites. The estate sites across from Grand Mesa 4 fronting Crystal Falls Parkway will be 150' in width, to mirror the estates on the other side of the parkway.

Grand Mesa 7: Development is nearing completion in Grand Mesa 7, which will include 110 home sites and a 15-acre natural, creekside park. The area includes an old historic rock bridge built in the 1800's, and the new park has been designated "Cowboy Bridge Park". This will be a beautiful area for nature walks and hiking. Section 7 will include the following upgrades to the Covenants and Deed Restrictions designed to enhance quality and create upward pressure on home prices to protect property values:

	GM7	GM6
Masonry	100% masonry	75% masonry
Width of Home	min 70' slab width	min 60' slab width
Garage Doors	wooden or faux stain garage doors with hardware	production type
Size	Min 3,500 sf	Min 3,000 sf
Chimney	Must be masonry	Hardiplank allowed
2' x 2' Trash Pads	Required	Not Required
Exposed slab	Max 36"	Max 60"

Lakeline Boulevard Extension: Mike Siefert reported that Lakeline Boulevard will be extended past Crystal Falls Parkway to FM 2243, with construction expected to begin in the 2<sup>nd</sup> quarter of this year. Funding for the right-of-way is complete and was provided to the city of Leander by The Lookout Group and other stakeholders to the north. The developer added that, once the extension is complete, Randalls' construction will be expedited. He noted that negotiations are being finalized with Pinpoint Commercial for an upscale assisted living center to be called The Legacy at Crystal Falls. The center will be located on the northwest corner of Lakeline at Crystal Falls Parkway. Hunington Properties is proposing to develop the eastern sides of the intersection with retail and offices.

Social Media: The Declarant noted that while social media can be a good way to communicate, there have been occasions where rumors and false information are distributed. Superfluous innuendo and negative, derogatory remarks are not helpful to the community and cause unnecessary tension between residents. He asked the voting representatives to intervene when they are aware of misinformation and to correct it so that residents will receive facts. He also reminded the voting reps that the Board and developer are available to meet with small groups of HOA members at any time. He noted that no such requests were received in 2012.

Web Site/Landscape Manual: The Goodwin Management community web site currently allows residents to contact the management company and to obtain information and forms such as requests for pool card keys, remotes, and ACC applications. However, there are limitations to the current site that do not allow members to easily access other documents, information and current events. Barbara Smith stated that HOA members will soon have a separate HOA web

site which will include better navigation and more information at their disposal. In addition, the current version of the Landscape Design Guidelines are being updated to include Firewise information, better descriptions and examples, and information on living fences.

### **Management Company Report:**

Randy Vogel and James Browder gave the Goodwin Management report, which included financial information as well as information on delinquencies, violations, and voting representative terms. It was reported that as of 12/31/12 Crystal Falls HOA had total assets on hand of \$888,075 and a net increase in funds for 2012 totaling \$175,655. The road fund totals included \$612,131.74 for Grand Mesa, \$171,956.10 for The Fairways, \$16,355.10 for Cap Rock, and \$4,821.97 for the Taylor Morrison gated section in the Bluffs.

There were 1,496 members with 15 of these members compiling 85% of the total delinquent amount for the organization. There were 2,338 violation letters issued during the year with 288 residents composing 69% of the total number.

Other items of discussion included the following provided by these Representatives:

#### ***THE FAIRWAYS*** (presented by Russell Fletcher)

- **Cap Rock Gate Closure:** Some residents of Cap Rock would like the gate on Cantina Sky to be closed immediately. It was discussed that the deed restrictions as well as sales and contract material from Grand Haven mandate that the gate will be kept open until 75% of homes are sold, at which time it will be closed only at night. When 100% of the homes are sold, the gate will be closed all the time.
- **New Amenities for Cap Rock:** There was a resident request for more amenities within Cap Rock. The developer indicated there are no plans for additional amenities within Cap Rock, other than the existing community park with fire pit and horseshoe pitching that is located at the corner of Cantina Sky and Harvest Dance.
- **Voting Rep for Cap Rock:** A resident of Cap Rock questioned when they will have their own voting representative. Connie Heyer noted that Cap Rock is included in The Fairways in terms of voting rep governance issues, and there will eventually be three voting representatives from The Fairways, who are elected by all residents of all sections of The Fairways (including Cap Rock and Taylor Morrison's section of The Fairways). The persons elected are determined by volunteers for the position and persons voting. At this time, the Board has concluded that one representative is sufficient for The Fairways and Cap Rock; however, the situation will be reviewed next year to determine whether another voting rep should be added at that time based on increased population.
- **Maintenance of Undeveloped Lots in The Fairways:** It was reported that residents are concerned about the condition of vacant lots, particularly those on Big Horn that are fallow. The Declarant stated that The Lookout Group no longer owns any lots in The Fairways, and asked Goodwin Management to pursue the owners of these lots and ensure they are maintained properly. He also noted that sales and construction have picked back up in The Fairways and, hopefully, there will be no vacant lots by 2014.

- **Construction Issues:** Voting reps are receiving complaints regarding contractor speeding, loud music, trash and blocking of roadways. Residents are asked to forward details such as the builder, address of the property, type of contractor (or the name, if on their vehicle), violation, license plate, etc. to their voting representative or to Mike Siefert at [Mike@mycrystalfalls.com](mailto:Mike@mycrystalfalls.com) or Barbara Smith at [Barbara@mycrystalfalls.com](mailto:Barbara@mycrystalfalls.com). This information will be forwarded in real time to the upper level personnel at the builder for immediate response. The builder will be fined and the subcontractor banned from the community for repeat or flagrant violations.
- **Reduction of Fairways Assessments:** One resident requested that their assessments be reduced. Connie Heyer indicated that members of all communities pay the same Regular Assessments. The only difference in assessments are that the gated communities also pay a road fund assessment for gate and roadway repairs.
- **Street Sweeper for The Fairways:** It was noted that it would be very helpful if the builders in The Fairways would run a street sweeper every week or so to clean up mud, nails and other debris in the streets. It was determined that Mike Siefert will contact the builders and continue to monitor the situation to ensure the roadways are kept clean.
- **Crystal Falls Master Plan Exhibit:** Members have said they would like to know more about the master plan for Crystal Falls, and the developer noted that a master plan exhibit has always been on display in the Welcome Center and is also on the community web site. There are several large areas labeled “Reserved for Future Development” which are currently undeveloped and have not been platted, and for which plans are ongoing and evolving as to how they will be developed.

***THE HIGHLANDS*** (presented by Steven Brand)

- **Timing for HOA Turnover to Members:** Steven Brand asked when the members will have a position on the Board and when they will have control of the Board. Connie Heyer indicated that there are approximately 7,700 lots expected to be developed in Crystal Falls and that only about 25% have been sold to date. Transition begins to occur at 75% sell out and is complete at 100% sell out of all developer-owned lots.
- **Soliciting in The Highlands:** Steven Brand asked if a “No Solicitation” sign could be placed at the entrance to The Highlands. The developer stated that he would be happy to add the sign if residents feel it would help with the solicitor issue. It was reported that because The Highlands has public streets the signs would not legally keep solicitors out; however, the City of Leander requires all solicitors to obtain a permit from the city. This requires completing an application which includes name, address, social security number, driver’s license number, and background check. It was agreed that signage would accomplish little as a practical matter and potentially detract from aesthetics, and the best solution is for residents to ask for the permit and if the solicitor doesn’t have one then call the police.
- **HOA Landscaping of City Property:** In response to questions about the HOA paying for maintenance of city right-of-ways and medians, the developer responded that Crystal Falls HOA is picking up trash and maintaining landscapes in the medians and right-of-ways for Lakeline Blvd and Crystal Falls Parkway bisecting Crystal Falls property. He indicated that he negotiated and executed a development agreement with the City of Leander to ensure that the HOA has the right to maintain the medians of the City within

the development. It was determined by all that, due to the poor level of maintenance which would otherwise be delivered by the city, it is worth the expense to protect property values of HOA members and create a positive "sense of arrival". Connie Heyer reported that if in the future the resident-controlled board determines that they no longer desire to provide additional maintenance of the medians, the board may vote to opt out of the agreement with the City.

- **Complaints Against Goodwin Management:** A complaint was received regarding Goodwin Management being unresponsive and sending out arbitrary violations. The Board (in its opinion) feels strongly that Goodwin is the best management company in the area and that they are expected to enforce the deed restrictions, which is inherently not a popular position. After a lengthy discussion and a review of violation reports, it was determined that most residents feel a softer, less harsh courtesy letter would be helpful for first offenses. It was agreed that violation letters will be examined for clarification in wording, using a softer approach for the first letter.
- **ACC Approval Process:** One resident stated it took too long for a response to his improvement request. After reviewing data provided by Goodwin Management relative to specific approval times, it was concluded that this was an unusual incident and was not reflective of typical response times. Of the 237 applications submitted in 2012, 54% were finalized in 10 days or less, 76% in 20 days or less, and 89% in 30 days or less. Five are currently outstanding, 21 were finalized after 30 days, and 9 were denied for lack of response from the homeowner within 30 days.
- **Shade Triangles at Quarry Park Pool:** Requests continue for more shade at the Quarry Park pool. Laura Yambrick indicated the optimum location would be between the two pools so that parents could watch both pools. It was discussed that there tend to be issues with the wind, rotting and fading of the material and that other options such as pergolas should be considered. The Board indicated they are open to alternatives, and it was determined that the voting reps will meet with residents and present their requests to the Board within 3 months. The Board will then review pricing and other factors for their final decision.
- **Playground for The Highlands:** Residents of The Highlands are requesting a playground separate from the school which could be used by stay-at-home moms during the day. The developer indicated that, while The Lookout Group did not promise a separate playground and has already provided Quarry Park (an 11-acre park with pools, fishing lake and disc golf course within The Highlands), there is a possibility that playscape improvements could be included in the buffer area and green belt south of the Randalls store adjacent to Alamo Bound. He will look at this opportunity as construction progresses around this site.
- **Green Space for The Highlands:** The developer indicated that he built and delivered Quarry Park, which more than meets the city requirement for green space in the completed portion of developed lots by The Lookout Group in The Highlands. In addition, The Lookout Group just delivered a decomposed granite walking trail which connects to the adjacent property of almost 500 acres being developed by Taylor Morrison as part of Crystal Falls. The voting representatives were encouraged to contact Taylor Morrison to monitor future plans for their development, The Bluffs. While the developer indicated that he cannot speak for Taylor Morrison regarding their final green space and hiking trail plans, he stated the latest concept plans include additional green

space and pocket parks, and Taylor Morrison has specifically represented that they will extend the walking trail into their development all the way to the Veterans Memorial Park located off New Hope. This regional park includes an 8,500 sq ft outdoor aquatic facility with beach area and playscape, 5-acre dog park, basketball and tennis courts, and practice fields.

- **Neighborhood Watch:** In response to requests for a Neighborhood Watch program in The Highlands, Laura Yambrick indicated that she has met with Leander police, and the next step is to get volunteer block captains and meet with residents to initiate the program. This involves volunteers from the community, and is separate from the HOA. Interested parties are asked to contact Laura at [yamsbah@yahoo.com](mailto:yamsbah@yahoo.com).
- **Approved Vendor List:** A resident requested a copy of an "Approved Vendor List" for Crystal Falls HOA. It was stated that the HOA does not have an approved vendor list.
- **HOA Transparency:** A resident has asked for more transparency of HOA financial records. Randy Vogel stated that the HOA recently had an audit, the financial records are available to every member of the HOA upon request, and that financials are on the community web site for viewing at any time.
- **Zoning Issue on Commercial Reserves:** A rezoning application for the property at the corner of Osage and Highland Trail was recently declined by the City of Leander Planning & Zoning commission due to an outcry of Highland residents. The property was on the approved final plat as commercial, and the developer intended it to be used by a daycare, tutors, or small office such as a lawyer, pediatrician or doctor. As a result of the decision, the developer has asked The Highlands voting reps to meet with residents to obtain their input for what they feel is an appropriate neighborhood-scaled commercial use for the site. They will return to discuss resident suggestions with the developer within the next few months.

#### **GRAND MESA** (presented by Stephen Robertson)

- **Grand Mesa 7 Entrance:** Residents have been asking when the alternate entrance for Grand Mesa will be complete. Work on Section 7 of Grand Mesa is nearing completion, and this will open up a much needed secondary entrance/exit to the north via CR 290 off of FM 2243. Construction traffic in the new section will be directed to use this entrance instead of the GM 2 gate as soon as the new section is open. While some construction is still ongoing in Sections 5 and 6, the goal is that most contractor traffic will use the new entrance.
- **Maintenance of Developer Lots:** A resident complaint was received regarding maintenance of developer lots in Grand Mesa. The developer stated he only owns 7 lots in Sections 1-6 of Grand Mesa, and they are either still natural or in the process of home sites being prepared. David Berg indicated that there was a pile of dead brush on 3505 High Horse, and the developer stated it will be removed. This has been completed.
- **Reduction of 19<sup>th</sup> Hole Pavilion Cost:** Residents have asked for a further reduction in the member cost of renting the pavilion. The developer said he would set it at whatever the voting reps wanted and was also concerned that it was being underutilized. It was decided that a 90% reduction for members would be appropriate, and this will be effective immediately. Prices are based on half-day or full day usage during the week or on the weekend, plus a cleaning fee.

	<u>Members</u>	<u>Non-Members</u>
M-Thurs	\$75/half day; \$150 full day	\$750/half day; \$1500 full day
Friday	\$125/half day; \$200 full day	\$1250/half day; \$2000 full day
Sat & Sun	\$150/half day; \$300 full day	\$1500/half day; \$3000 full day

- **Quarry Park Pool Hours:** Residents have asked that Quarry Park hours be extended for more resident use. It was reported that usage in the past had not justified the increased cost of chemicals, water, electricity, pool service, etc. as only 10-15 residents used the pool after school started and before school ended in May. All agreed that this year the pool will be open from May 15 to September 15 in an effort to determine whether increased membership will affect usage and justify the cost.
- **Construction Speeding:** Residents noted problems with speeding construction traffic on High Lonesome and other streets in the community. Residents are asked to secure specific information, including the address/builder, license plate, subcontractor, and description of the vehicle. This information should then be forwarded to their voting rep so it can be sent directly to the builder's upper level management for immediate action. There are plans to hand out flyers at the Grand Mesa 2 entrance to all subcontractors informing them of the speed limit within the community and the consequence of speeding through the community. Repeat violators risk being banned from the community.

***THE BOULDERS*** (presented by Linda Jaeger and Laurie Frederick)

- **Garage Sales:** Linda Jaeger asked that the restrictions be amended to allow for garage sales. The general discussion was that garage sales were not in the best interest of the community due to increased traffic and visitors to the community. Most importantly, they are against the deed restrictions, which owners agreed would be the standard when they purchased in Crystal Falls and would not be feasible to amend. It was suggested that the residents work with a local church to conduct a garage sale outside of Crystal Falls using the sale as a win/win to get rid of unwanted items while potentially raising money for a good cause.
- **Rental Property Issues:** Due to recent enforcement issues involving excessive noise and nuisance-type situations affecting the peaceable enjoyment of property of the neighbors, Connie Heyer suggested implementing new rules which will give the HOA increased ability to enforce disturbance issues such as excessive noise and speeding. All agreed to have Connie complete a draft of revised rules.

Goodwin Management encourages residents to use the community web site at <http://crf.goodwintx.com> as it is the fastest way to get your request to the right department for service. Owners can request pool keys, remotes and car decals, get accounting information and report problems online at this site.

The meeting was adjourned at 6:15 p.m.