**Frio Canyon Estates**

**Annual Owner’s Meeting Minutes**

**6/15/24**

The 2024 Annual Meeting of the Frio Canyon Estates Property Owner’s Association (POA) was held on 6/15/24 at the Frio Canyon Estates River Park Pavilion. The agenda for the meeting was as follows:

1. Confirmation of a Quorum and Call to Order.
2. Reading of the 2023 Annual Meeting Minutes.
3. Treasurer’s Report.
4. 2024 Annual Budget Proposal.
5. Architectural Control Committee Report.
6. Discuss Park Rules and Review Suggestions for Changes as Needed
7. Update on Special Assessment, including budget and actual costs– Road Repair, Park Fence, Subdivision Fence
8. Unit 2 Park Access – Background and Recent Discussions, including a decision to modernize the historical park access agreement for Unit 2 owners
9. Deed Restriction History Recap Followed by Discussion on Short Term Rentals
10. Park Host Update (We are still in search of one as of the date this was sent)
11. Confirmation That There is No Unfinished Business.
12. New Business – Open Floor to the Membership
13. Board Member Elections – Roland Hobbs spot is up for election (3-year term).
14. Closing Comments/Adjourn.

***Confirmation of a Quorum and Call to Order***

Roll was called and a quorum was confirmed. The meeting was called to order at 8:30 am by Bryan Barrington with the following board members present:

* Bryan Barrington – President
* Kenneth McGarrahan – Board Member
* Victor Vinton – Vice-President
* Roland Hobbs – Secretary

Kim Freund – Treasurer did not attend due to a personal conflict. She had notified the board in advance and provided relevant information to the them for use during the meeting.

***Reading of the 2023 Annual Meeting Minutes***

Dr. Northcutt moved that the reading of the 2023 Annual Meeting minutes be skipped. The motion was seconded. All approved.

***Treasurer’s Report***

Bryan Barrington presented the Treasurer’s Report on behalf of Kim Freund.

* Bank balance with most dues collected is $37359.44.
* Camping fees were down this year – most likely due to no park host and low river levels.
* RV storage should remain the same for the next 4 years. We currently have 11 RVs stored.

There was some limited discussion, but the report was accepted as is.

***2024 Annual Budget Proposal***

Bryan Barrington presented the 2024 Annual Budget on behalf of Kim Freund. The proposal was accepted as is.

***Architectural Control Committee Report***

Tom Ussery presented the annual report of the Architectural Control Committee on behalf of the committee. There had been one submittal over the past year. That submittal was reviewed and approved.

***Discuss Park Rules and Review Suggestions for Changes as Needed***

The park rules were discussed. There were no changes discussed or made.

***Update on Special Assessment, including budget and actual costs– Road Repair, Park Fence, Subdivision Fence***

All of the special assessment projects were completed. All members paid the special assessment, with a total of $29475 being collected. The total project cost was $32500 with the difference being the cost of a survey for the subdivision fence and having to rebid the subdivision fence due to the selected contractor not supporting their bid. The rebid resulted in a slightly higher price. The assessment shortfall was made up utilizing unallocated funds in the POA account.

***Unit 2 Park Access – Background and Recent Discussions, including a decision to modernize the historical park access agreement for Unit 2 owners***

Last year a property owner inquired about Unit 2’s access to the park and whether the Unit 2 property could be divided more than once as that property owner was interested in purchasing a Unit 2 lot that was for sale. The Board researched that particular lot to determine how many times it had been divided, finding that it had never been divided but also finding that the filed documentation did not allow access to the park for that lot. In continuing to research the Board found that there was a second Unit 2 property with similar paperwork (no access); that 4 of the original pieces of property had ambiguous information related to the access to the park and the final piece of property in Unit 2 had clear legal language granting them access to the park (one error on this piece of property is that the park deed does not list this provisional access). Due to the rather unclear information related to the Unit 2 property access to the park as well as there being one piece of property that had been divided into more than 2 pieces without proper agreement, the Board recommends that we modernize the agreement, removing the ambiguity of the access and the requirements that must be met to retain access. Stan Demboske moved that the Board proceed. The motion was seconded and all members in attendance or represented by proxy agreed.

***Deed Restriction History Recap Followed by Discussion on Short Term Rentals***

Bryan provided a brief overview of the Deed Restriction history which is summarized here. In the 2016 timeframe, an inquiry was made by a property owner to the Board regarding whether the deed restrictions we were using were a valid set (that set being a 2010 version that was an update to the 2004 version that was submitted when the POA was formed). Ultimately the question was posed to the lawyer the POA was using at that time (Travis Kitchens), and Travis provided a formal, detailed response. That response indicated that the deed restrictions from 1981 did not provide for a means of amending the deed restrictions and as such the restrictions that should be utilized were the ones from 1981 until such time the membership voted, following the Texas State Property Code 211, for the ability to amend. That vote was taken in 2017 and the vote failed, thus requiring the property owners to follow the 1981 deed restrictions. Those restrictions allow property owners to rent their property (but do not allow them to allow the renters access to the park).

Recently a property owner listed their house on AirBNB. This listing raised questions related to the ability of an owner to rent their property which lead to questions around the deed restrictions. This summary and situation was covered at this annual meeting so that property owners were aware that property can be rented and that the means for changing that, should the ownership wish to change it, starts with being able to amend the deed restrictions.

Discussion ensued at the annual meeting and the membership asked that the Board facilitate a vote for the ability to amend the deed restrictions.

***Park Host Update (We are still in search of one as of the date this was sent)***

The POA is still in search of a Park Host. Multiple postings have been made on various internet platforms with limited interest/response. The search will continue.

***Confirmation That There is No Unfinished Business***

It was confirmed that there was no unfinished business.

***New Business – Open Floor to the Membership***

There was no new business.

***Board Member Elections – Roland Hobbs spot is up for election***

Stan Demboske was nominated. Roland Hobbs seconded the nomination and Stan accepted. Roland notified the membership that he did not plan on running again, therefore there was only one candidate. Stan was elected for the 3 year term.

***Closing Comments/Adjourn***

The meeting was adjourned at approximately 10:45 am.