

**Duck Haven Homeowners Association, Inc.**  
**3608 East 29<sup>th</sup> Street, Suite 100**  
**Bryan, TX 77802**  
**Telephone: (979) 846-1273**

**Meeting Minutes**

Association:	Duck Haven Homeowners Association, Inc.
Meeting Classification	Board of Directors Meeting
Date:	December 8 <sup>th</sup> , 2015
Time:	4:15 p.m.
Location:	Wellborn Community Center 4119 Greens Prairie Road College Station, TX 77845
Attendees:	
Board Members:	Paul Clarke, President, Present Cindy Miller, Secretary, Present Tony Flores, Director, Present

The Duck Haven Homeowners Association, Inc. Meeting of the Board of Directors was called to order by Paul Clarke, President on December 8<sup>th</sup>, 2015 at 4:19 p.m. at the Location detailed above. Cindy Miller confirmed a quorum of directors was present.

Paul Clarke moved and it was seconded to adopt the Duck Haven Homeowners Association, Inc. minutes of the Board of Directors Meeting held on December 17, 2014. The motion was carried by majority.

Paul Clarke moved to approve the Duck Haven Homeowners Association, Inc. Annual Budget for 2016. Paul Clarke opens the motion for discussion: Tony Flores asked the following questions:

What is the status of lighting and pavilion in for Duck Haven Park? Travis Martinek, developer representative reported the trusses are ready to be delivered. The structure has been flagged, construction should start in next week and should be completed in a couple of weeks, weather permitting. We won't anticipate the removal of any trees but will have to do some dirt work. The lighting installation will include periodic lighting down the trail from the parking lot and in the pavilion.

What services are provided in Yard and Grounds - \$28,093? Cindy Miller covered the scope of the Maintenance budget line item and Steve Helm covered the sub budget on Yard & Ground Maintenance.

Were competing bids solicited for landscape maintenance? Cindy Miller reported four bids were solicited; two bids have been received to date. Tony Flores recommends a review of the bids once received.

Paul Clarke and Tony Flores discussed right-of-way mowing and utility easements. Paul Clarke asked Rick Barker HOA attorney if the Board of Directors could require homeowners to maintain property that they don't own. Rick Barker stated the Board of Directors can not but the governing documents could, there's not a case out there where a judge said that homeowners have to maintain property that's not theirs. Rick Barker stated the conservative view is that the HOA should maintain the right-of-way since it's granted the power specifically. The county made the HOA responsible for maintaining the right-of-way a condition of road acceptance. The HOA would have to change the declarations which would take a vote of the members to amend the declarations to have the homeowners maintain the right-of-way or the developer could change the declarations. Once the amendment is approved and recorded it becomes an enforceable item. Paul Clarke commented; let's not penalize the people that have specific issues with right-of-way mowing. Travis Martinek asked Cindy Miller what is the acreage of the right-of-way? Cindy Miller said she has the information but not with her. *Answer:* at the time of the Annual Meeting of the Members the acreage of the right-of-way was 12.31.

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Drainage Maintenance - does this include the walking trail between Retriever and channel? A contractor is in process of weed eating that drainage structure right now – the 2016 Budget has a \$2,500 developer subsidy to assist with this expense.

Paul Clarke asked if there was any further discussion on the 2016 Budget, moved and it was seconded to adopt the Duck Haven Homeowners Association, Inc. Annual Budget for 2016. The motion was carried by majority.

This concludes the purposes for which the Board of Directors was called. Paul Clarke moved to adjourn the Meeting of the Board of Directors. The motion was carried by majority vote. The Meeting was adjourned at 4:46 p.m.

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Cindy Miller  
Secretary  
Duck Haven Homeowners Association, Inc.

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12/13/2016  
Date