

**Circle C Homeowners Association
2003 March 26 Annual Meeting
Kiker Elementary Cafeteria
Minutes**

1. The Annual Meeting of the Circle C Homeowners Association was held on March 26, 2003 at 6:30pm at Kiker Elementary. The meeting was called to order at 6:30pm by CCHOA President, Jim O'Reilly.
2. The first item on the agenda was the approval of the 2002 Annual Meeting minutes. There was motion to approve the minutes that was seconded and the minutes were approved.
3. The amenity directors, staff and volunteers were introduced. A minute of silence was observed in recognition of all serving in the Iraq War.
4. The election of a director was stopped due to a temporary restraining order filed by resident, Bill Gammon. This was presented to the members by Patrice Arnold, attorney for the Association and questions were answered.
5. A brief summary of the past year given by Jim O'Reilly.
6. An update on current issues and improvements regarding Circle C Ranch was given. Ken Rigsbee gave a legislative update as well as an update on the voting location of precincts in Circle C. The Circle C PAC is working on having all Circle C residents vote at one location, Kiker Elementary. Jim O'Reilly gave an update on William Cannon and MoPac flyovers. They are scheduled to be completed in early 2005. Jim also gave an update on a possible Wal-Mart to be built at MoPac and Slaughter. He said that an ad hoc committee was going to be appointed to address this issue. The ad hoc committee will research this possibility and hold a future meeting to give the residents an update. Jim also gave a brief commercial update in regards to the land owned by Stratus Properties within Circle C Ranch. Steve Bartlett, Vice President, gave a residential update on new sections of growth in Circle C Ranch. These include Circle C West, Wildflower Park, the Villas of Parkwest and Vintage Place.
7. Steve Bartlett reviewed the 2002 Financial Statement and the 2003 Budget (attached).
- 8; Donald Abrams, Steering Committee Chair, introduced Dr. Forgione, Superintendent, Austin Independent School District. Dr. Forgione discussed the current budget with AISD and the upcoming bond package.
9. The meeting was adjourned at 9:30pm.

**Circle C Homeowners Association
2003 February 3 Continuation of the Annual Meeting
Kiker Elementary Cafeteria
Minutes**

1. The meeting was called to order at 6:45pm by Jim O'Reilly, President.
2. Jim gave a brief explanation regarding the proxies which were due at 5pm earlier in the day. Ballots would be accepted at any point during the meeting and could be turned into the parliamentarian hired by Bill Gammon, Lou Russell.
3. Jim introduced the CCHOA board, Steve Bartlett (Vice-President) and Ken Rigsbee (Secretary/Treasurer), the parliamentarians, Clark Jobe (hired by the CCHOA) and Lou Russell (hired by Bill Gammon), and the attorneys, Rick Gray and John Jacks (hired by the CCHOA). He noted that the meeting was being filmed for the Association and clarified that no outside press were present.
4. Jim introduced Terri Giles, bookkeeper for the Association. He stated that Terri had determined that there was a quorum based on the following numbers: Total number of possible votes = 6,282,497, 10% = 628,249. Total proxies calculated at this point was 1,118,520, therefore a quorum had been met.
5. Jim presided over the appointment of the 2004 Nominating Committee. Per the by-laws, the chair of this committee is the president of the Association, Jim O'Reilly. Other members would include Toni Guckert and Allen Young.
6. Jim introduced the chair of the Steering Committee, Donald Abrams. Donald Abrams introduced the chair of the CCHOA Committees: Parks and Infrastructure Committee (Dwayne Dow, Steve Sackmary and Mark Breland), Safety Committee (Walter Groman), Special Events Committee (Joy Miletic), Media Committee (Jim Schaffrath), Communications Committee (Ken Levine, Bob Alexander, Scott Dorf and Jon Brawn), Ad-Hoc Committee on Bylaws (Royal Masset), Ad-Hoc Committee on Wal-Mart (Jessica Flair, Belinda Wells and Jeff Neimeyer), Ad-Hoc Committee on HEB (Andi Rausch, Allen Young and Trent Rush), Education Committee (Carolyn Merritt). Carolyn spoke about the upcoming February 12, 2004 AISD Bond Meeting. Jeff Walker, Circle C Resident, will be speaking. The two schools are an elementary school located in Circle C West and a middle school site that abuts Circle C North. Critical issue regarding the middle school site (tract 101) is that if it is not purchased in five years, it will revert back to commercial property. Donald Abrams thanked Toni Guckert for her work on the recreation committee. Toni stepped down as chair and her replacements are Cindy Groves and Mary Schaffrath.

7. Donald also introduced the members of the Counting Committee, Clark Jobe and Lou Russell (parliamentarians), Terri Giles and Kathryn Rouse (financial bookkeeper for the Association), Annegret Pfeifer and Ed Scruggs (appointed by Mr. Gammon), Matt Can and George Benevides (appointed by Donald Abrams). Donald explained that the Counting Committee would retire to the Child Development Center for the official counting and the results would be posted outside the glass at the main postal center at 5919 La Crosse.
8. Jim O'Reilly took a show of hands in regards to how long people had lived in the neighborhood. He gave a brief history of Circle C covering the bankruptcy, settlement agreements with both the City of Austin and Stratus Properties.
9. Jim gave the floor to Clark Jobe for the voting procedure. Clark introduced himself and said he would preside over the election of a director and the discussion and vote of seven proposed by-law amendments. He said the meeting would be run under newly revised Roberts Rules of Order to the extent that they are applicable and to the extent that they are not modified by your governing documents or the agreement reached in settlement of the lawsuit.
10. Clark presided over the election of a director. There was one seat open for a term of 3 years and the Nominating Committee submitted two names, Steve Bartlett and Jeff Neimeyer. Nominations were taken from the floor. Clark asked for individuals to identify themselves at the microphone and the person's name that they wished to nominate. Clark opened the floor for nominations. Resident, Ed Silha, nominated Quentin Fennessy. There were no other nominations from the floor. Each candidate was given 5 minutes to speak and address the audience.
11. Clark Jobe explained that each proposed amendment discussion would last 12 minutes, alternating 2 minutes per side (con and pro). Each side had a separate microphone and managers were Steve Urban for the Pro side and Donald Abrams for the Con side. More than one speaker was allowed to speak during the two minute period. Lou and Bill Russell acted as time keepers.
12. The first proposed amendment up for discussion stated that the presiding officer at such meetings will be selected by the members from the floor among the attendees by a majority vote of those in attendance. Speakers on the pro side included: Ernie Schroeder, Ed Silha, and Bill Gammon. Speakers on the con side included Ken Rigsbee and Jim Schaffrath. This amendment failed.
13. The second proposed amendment up for discussion was presented in two parts, with the first part being the number of directors of the Association (either 3, 5, 7, 9 or a fill-in number). The second part of the amendment was the corresponding terms of each seat. Clark explained that this amendment would be calculated by totaling the number of votes for 9 board members and if a majority was not reached, adding this number to the number of votes for 7 board members etc. until a majority was reached. Speakers for the pro side included Charlie Cutting,

- Cynthia Harris, Marcia Silha and Ed Scruggs. Speakers on the con side were Royal Masset, Diane Carminati, Joyee Goodall and Toni Guckert. The amendment passed for seven board members with corresponding terms.
14. The third proposed amendment up for discussion stated that nomination to the Board of Directors may be made only from the floor at the Annual Meeting. Speakers for the pro side included Ed Scruggs, Steve Urban, Ed Silha and Bill Gammon. Speakers on the con side were Andi Rausch, Carolyn Merritt, Jessica Flair and Donald Abrams. This amendment failed.
 15. The fourth proposed amendment up for discussion stated that no official Proxy form may be required by the Association. Speakers on the pro side were Quentin Fennessy, Bill Gammon, Pam Voss and Steve Urban. Speakers on the con side were Dwayne Dow, Grady Bible and Royal Masset. This amendment failed.
 16. The fifth proposed amendment up for discussion called for the allowance of cumulative voting. Speakers for the pro side included Bill Gammon, Quentin Fennessy and Steve Urban. Speakers for the con side were Ken Rigsbee, Royal Masset, Jessica Flair, Donald Abrams and Jim Schaffrath. This amendment failed.
 17. The sixth proposed amendment up for discussion called for all meetings of the Association to be conducted under the current edition of Robert's Rules of Order. Speakers for the pro side were Ed Scruggs, Ernie Schroeder, Charles Cutting, Annegret Pfeifer and Cindy Callis. Speakers for the con side were Brian Walsh, Ken Levine and Richard Relph. This amendment passed.
 18. The seventh proposed amendment up for discussion stated that special meetings of the members may be called at any time by the president or by the Board of Directors, or upon written request of the members who are entitled to one-tenth (1/10) of all of the eligible votes. Speakers for the pro side were Bill Gammon, Ernie Schroeder, Carol de Solla and Steve Urban. Speakers for the con side were Donald Abrams and Jim O'Reilly. This amendment passed.
 19. Clark Jobe concluded this portion of the meeting and instructed members to cast their vote using the ballot provided and to drop off at the table of Lou Russell prior to leaving the meeting.
 20. Jim O'Reilly let the members know that as soon as the deadline for the next round of nominations had been set, the information would be posted on the website and put in the February newsletter.
 22. Bill Gammon asked whether the financial audit for 2003 had been completed. Jim answered that the audit was completed and filed with the open records of the Association.

23. Annegret Pfeifer asked whether the rules and procedures regarding the Nominating Committee would be posted on the website and Jim answered yes.
24. A resident asked whether motions could be made from the floor. Jim answered that this meeting was specific to the agreement between Bill Gammon and the Homeowners Association. The next step was to publish the results of the bylaws committee work along with the attorney's comments and hold a meeting for residents to discuss.
25. A resident asked when the results of the election and seven proposed bylaws would be completed. Jim answered that the Counting Committee was at the Child Development Center and when they were done counting the results would be posted on the website and on the glass at the CCHOA offices at 5919 La Crosse Avenue.
26. A resident asked whether his ballot would be matched to his previously turned in proxy. Jim answered yes.
27. Jim reminded the members of the AISD Bond Committee meeting on February 12th at 7pm at Kiker Elementary.
28. A resident asked what would happen to the proxies and ballots after the Counting Committee was finished counting. Jim answered that they would be filed with the bookkeeper for the Association at her office.
29. A resident asked whether residents would be informed of the next homeowner meeting. Jim confirmed that yes, everyone would receive notification in the mail.
30. The meeting was adjourned at 10:00pm.