

**Sky Harbour Homeowners' Association
2707 Galaxy Street, Granbury, Texas 76049
June 10th, 2023, Special Meeting Minutes**

Call to Order/Establish Quorum- Price Ross called the board meeting to order at 2:03PM with 6 Board Members present.

Board Members present: Price Ross, Tiffany Sprong, Lisa Waterbury, Nathaniel Sonntag, Lorell Staats, Marla Mayo.

Board Members absent: Debbie McGowen, Deborah Edmunds, Anne Riddle.

Pat McLemore opened the special meeting with a blessing/prayer.

New Business- Proposal to amend changes to Sky Harbour Homeowners' Association Inc. By-Laws Article X: Section 1-

ARTICLE X. MAINTENANCE CHARGES

Section 1: The Board of Trustees of Sky Harbour Homeowners Association, Inc. shall have the right and power to subject the Property situated in Sky Harbour Addition, except streets, ways, and parks to an annual maintenance charge. The annual charge may be established, adjusted, or reduced from year to year by the Board of Trustees as the needs of the Property in its judgment may require.

(a) Dues of the established rate of \$174.00 will be paid annually in March or September, according to the guidelines set below. (Individuals needing to pay semi-annually should notify the Board) Dues will be paid on lots as follows:

- (1) Single Lot- vacant or developed- 1 dues
- (2) Two or more lots adjacent to one another- 1 dues per dwelling
- (3) Rental units- 1 dues per rental unit
- (4) Duplex lot with two or more residences- 1 due per residence
- (5) Dues will be paid in multiple categories, if applicable

After the board meeting was called to order and the new business was announced, the Board of Directors opened the floor up to any questions from the homeowners:

Homeowner: does this change in the by-laws give the Board of Directors the authority to change the maintenance charges? Price Ross: (short answer) No.

Homeowner: does anyone have the original by-laws? Nathaniel Sonntag: Yes. After much discussion about the by-laws and how they are written we moved on to the next question.

Homeowner: how do we change the by-laws? Price Ross: the community has to vote, the Board of directors does not have the authority to change anything in the by-laws. After much discussion, the board of directors moved on to the next question.

Homeowner: do people with multiple lots or adjoining lots get charged more? Price Ross: No, that is misinformation.

After much discussion from the homeowners in attendance, Nathaniel Sonntag took 3 volunteers into the office to count votes.

Tally Count of VOTE to change By-Laws-

Out of 138 votes cast, 64 of the votes were NO, 74 of the votes were YES.

Price Ross announced the new changes to the by-laws have passed due to majority vote and will take effect in September or at the next billing cycle.

Open Floor-

Adjourn- Taylor Brown made a motion to adjourn the meeting, Lisa Waterbury seconded the motion and the motion carried. Board meeting adjourned at 3:38PM

Nathaniel Sonntag (Secretary)

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After the board meeting was over, it was brought to the attention of the Board of Directors that we needed 2/3rds of a vote instead of a majority vote. After much thought, the Board of Directors decided to seek legal counsel and published the following statement:

"Dear Homeowners,

In our continued effort to be completely transparent, we are informing you of a concern of the Board of Trustees.

As discussed at the Special meeting on June 10th, the Sky Harbour HOA bylaws are confusing. In some areas they seem to contradict each other. After adjournment of our Special Meeting, the Board determined it be best to consult our legal counsel regarding the number of votes required to change the dues. We don't want to make any assumptions that may cause problems in the future for our community.

Once we have an answer from legal counsel on the validity of today's vote, we will advise the community of the outcome. "

After the Board of Directors got a reply from legal counsel, the Board of Directors published the following statement:

"The Board has received a response from our attorney regarding the required votes to pass a change to HOA dues. She has confirmed that a change of dues is an amendment to the bylaws and therefore requires a 2/3 majority of votes cast to pass.

This means that unfortunately, the dues increase did NOT pass.

In response, the Board will review current budget line items as well as begin on next year's budget to determine what costs can be reduced or eliminated. We don't have many line items to choose from so will be a challenging task for sure.

We're not able to speculate on where those cuts will happen. If anyone has suggestions/recommendations as to where to cut costs, we'd welcome feedback. Please keep in mind that our budget is put together by a Committee of Board and Community members and then presented at the Annual Meeting for adoption. The Treasurer's Report including a summary of account balances is shared at every monthly Board meeting. The Board follows the budget as written and spending is managed and monitored closely.

We wish we had better news for the community, but unfortunately that's where we are today."