

**Draft**  
**NANTUCKET PRESERVATION ASSOCIATION**  
**BOARD OF DIRECTORS' MEETING**  
**October 15, 2003**  
**1415 Harpers Ferry, College Station, Texas**

**PRESENT:** Bill Harris , Penny Holmes, Karen Weir, Ward Wells, Gerald Atmar. Management Firm Rep: Hank McQuaide.

Meeting called to order by Bill Harris, President.

**A) Roll call and certifying proxies:** Confirmed by presence of all listed above.

**B) Proof of Notice of Meeting or Waiver of Notice:** By all present.

**C) Minutes:** Minutes of July, 2003 meeting were reviewed and approved.

**D) Report of Officers:**

President: The action taken by the Architect Control Committee on Dan and Patsy Mcmillen's request for approval of placement of a storage shed on their property was reviewed. The owners were informed that the decision was not an exception or exemption from any requirement in the NPA covenants and restrictions. The following items of agreement exist between the Board and ACC and the Mcmillans:

- A. A storage structure is to be temporarily placed and not on a concrete slab;
- B. The structure is to be placed 4 feet to 5 feet from the edge of a tree line and screened with medium to large trees and shrubs planted within 2 to 4 weeks of construction completion.
- C. The structure is to be constructed of wood or wood substitute materials with siding, shingle roof and paint colors consistent with those on the main house.
- D. The homeowner agrees to move the structure if significant complaints arise from neighbors, the City, or the County.

Vice-President: No report.

Secretary: No report.

Assistant Secretary: Karen expressed thanks to Hank McQuaide for preparation of circulars publicizing recent events. She reported that the new communication system involving block captains worked well.

Treasurer: Bill, as assistant treasurer, reported that the NPA has \$5,612.17 in money market funds earning less than 0.05%. NPA has two certificates of deposit, each in the amount of \$10,000: one earns 6.25% and matures in July, 2004; the other earns 1.7% and matures in March, 2004.

**E) Report of Committees:**

- 1) Architectural Control Committee: Bill reported on construction partially completed on the lot at the southeast corner of Harpers Ferry and Nantucket Drive. Structures surrounding the house were installed without approval of the ACC. Consultation with the owner resulted in the following actions:
  - A. Two entry points flanked with ornamental structures were approved;
  - B. A raised flower bed around the house was approved;
  - C. A proposed "landscape area," i.e., planting area, was denied pending submission of a detailed plan; trees are not to be cut, pending ACC action on the

newly submitted plan.

D. Approval of a brick-mortar address slab at the front corner of the property was denied, and the slab must be removed;

E. Approval of the owner's desire to install motor-driven gates at the entry points is withheld pending review of a design;

F. Erection of Nantucket-style fences at the street-side property lines is approved.

Bill reported that the existence of structural precedents was discussed in the ACC. Such precedents, some of which may violate NPA covenants and restrictions, that were built before organization of the Nantucket Preservation Association and its assumption of control of the neighborhood's standards, are beyond the purview of the NPA. A "proclamation" to that effect by the NPA was discussed. The ACC and NPA now uphold and enforce covenants and restrictions as written. Control of future "structures" in the form of brick and mortar mail box enclosures and other ornamentals will be accomplished through pre-construction conferences with owners.

- 2) Lake/Park Committee: Gerald reported that lake health, as far as can be determined by reports of fishing success, is good. The boat-launching driveway is too steep at the water's edge and vehicle tires have made ruts there. This appears to be a concern of a restricted group—those who launch water craft there. Without official action, a suggestion was made that those who use the launching are may pool resources and make the needed improvement after approval by the Board. There was an expression of the need to develop long range goals reflecting changing regional conditions and neighborhood priorities. Discussion of this was reserved for later in the meeting. Meanwhile, the Lake and Park Committee is requested to submit a considered report with recommendations to the Board.
- 3) Annexation/Legal Committee: Penny reported that there is currently no proposal for further annexation action from the City. Committee action this quarter has been limited to maintaining contacts with the City.
- 4) Social Committee: Karen reported on the very successful Chili Cookoff held October 4, in the Park. Four groups competed, and a fifth group showed up after judging was completed. The Mariners Cove Pirates won first place. Our next social gathering will be on Halloween at 5:30 PM until dark. All participants are encouraged to be in costume, but especially, of course, the children. This gathering features Tricks-or-Treats. The Christmas event is under consideration, with block parties being a likely choice. A door-decoration contest is being considered. For Valentine Day a group meal may be held, but this is still very much in a brain-storming stage. A discussion followed, with development of block spirit hoped for. Other concepts included coordinated fire ant control; a neighborhood waste container set up at an appointed time to receive objects gathered from the neighborhood;

coordinated wild flower planting, with the Park considered as a desirable place for planting wildflowers.

- 5) Maintenance Committee: Bill reported that Bill Mccurdy and Frank Kreckeler are co-chairmen. Membership includes Paul Leming, Pat Atmar, Gary Spence, and Zack Spence. Bill is the Board liaison member. A present concern is erosion around the side of the lake spillway and under the downstream lip of the spillway. The Committee is to examine the problem and report with recommendations.
- 6) Communication Committee: Penny will submit the approved minutes of the July meeting to the web master, Dave Reed.

**F) Election of Directors:** Three members go off the Board at the end of this year: Bill Harris, Penny Holmes, and Gerald Atmar. Members may be reelected upon consent. Bill presented an amendment to the NPA bylaws (attached). The amendment addresses the consistently ongoing problem of lacking a quorum at annual NPA meetings. The proposed amendment redefines "quorum" to include votes by absentee ballot. Proxy voting is already provided for in the bylaws. The text of the proposed amendment with justification will be mailed with annual dues notice and notification of the upcoming NPA meeting. A discussion of mechanisms for proxy assignment ensued. Each Board member is asked to recruit a new Board member candidate.

**G) Unfinished Business:** A long-term planning committee (LTPC) whose single purpose is to make plans for the neighborhood is a recognized need. The need grows as the City expands around Nantucket, raising the specter of Nantucket as an enclosed urban neighborhood. Retention or development of the neighborhood's character requires attention now. A LTPC consisting of 7 to 9 members representing both sexes, a representative age range, and a spectrum of interests is thought to be most desirable. A brain-storming type session developed a list of names of people Bill will contact.

The presence of residences-with-businesses in Nantucket was addressed. This is thought to be an issue within the College Station Planning and Zoning Board responsibility. The Board has been asked to investigate and enforce the code.

A proposed CS sewer line through Nantucket was discussed. The current plan aligns the line along Nantucket Drive to Midsummer, along Midsummer west to Arrington. The Board will stay in communication with the project manager, Kimberly Clark.

The Board reviewed copies of the CS ordinance controlling establishment of gated communities, led by Ward. Nantucket appears to lack required right-of-way space at entrances. The Board discussed various concepts for conforming to the ordinance's requirements, and reached no conclusion.

**H) New Business:** Hank presented the Management Firm Report, and led a discussion of the Income and Expense Statement. Mowing, Park trash management, and fence maintenance were discussed. Dues delinquents were reviewed, and the concept of a paid day porter to remove trash from the Park was discussed. Hank and Gerald agreed to arrange to examine the spillway and the boat launching area.

A discussion of the meaning of “structures” (see section **E**) 1), above) resulted in unanimous agreement that the issue is appropriately left to ACC for case-by-case consideration of newly proposed construction plans. Pre-NPA actions are not open to NPA review.

Karen called attention to standing water in culverts, and that it should be treated with mosquito larvicide. This was deemed to be a County responsibility, and we (the Maintenance Committee?) should call about it.

**I) Adjournment:** By consensus.

## **AMENDMENT TO BYLAWS**

### **Nantucket Preservation Association**

#### **Justification**

According to Section 5.07 of the Bylaws, a Quorum for voting matters is "Members holding one-half (½) of the votes entitled to be cast". Thus, to have a valid election, one-half of the lot owners of the subdivision must attend the meeting or arrange a vote by written proxy with a lot owner present. If a Quorum is not present, another meeting must be scheduled 2-4 weeks later, and at that meeting those Members present represent a Quorum.

Since it is very unlikely that there will ever be a Quorum at any Association Meeting, we will always have to have a second meeting for elections, such as for Board of Directors. Therefore, the current Board recommends that we amend the Bylaws to allow prior absentee voting by mail or email.

A motion will be made at the 2003 Association Meeting to approve the following amendment to the Bylaws. Strike through indicates wording to be deleted, and underline indicates wording to be added. The motion is presented to you prior to the 2003 Association Meeting for informational purposes.

#### **Amendment to Bylaws to Establish Absentee Voting**

5.07 Quorum. Members holding one-half (1/2) of the votes entitled to be cast, either present at the meeting or having voted by absentee ballot according to section 5.09, shall constitute a quorum for voting on matters brought before the Association at meetings of Members called by the Board. In the event a quorum is not present, then the meeting for the same purposes within two (2) to four (4) weeks shall be sent by mail, at which meeting the number of Members in Good Standing represented in person, by absentee ballot, or by proxy shall be sufficient to constitute a quorum. The members in Good Standing present at a duly organized meeting may continue to transact business until adjournment, not withstanding the withdrawal of enough Members in Good Standing to leave less than a quorum.

5.09 Voting by Absentee Ballot. The Board will mail absentee ballots for elections and other voting matters to the Members in Good Standing at least ten (10) days, but not more than thirty (30) days prior to such meetings. The absentee ballots must be returned via mail or email to the Secretary or Assistant Secretary at least three (3) calendar days before the meeting. All absentee ballots will be verified for authenticity by a phone call or email from the Secretary or Assistant Secretary to the voting Member.

6.031 Nominations and Absentee Ballots. Nominations for the Board of Directors will be solicited in the annual assessment mailing at the end of the fiscal year. All nominations must be returned to the Secretary or Assistant Secretary on or before December 31st. An absentee ballot will be prepared, which will be mailed to all Members along with the notice of the Annual Association Meeting. Members may vote by absentee ballot. Absentee ballots must be returned to the Secretary or Assistant Secretary according to section 5.09.

6.05 Notice of Meetings. It shall be the duty of the Secretary or Assistant Secretary of the Association to mail a notice of each annual or special meeting, stating the purpose thereof as well as the time and place it is to be held, to each Member entitled to vote at such meeting, at least ten (10) days, but not more than thirty (30) days prior to such meetings. Absentee ballots will be included in the mailing. The mailing notice in the manner provided in this paragraph shall be considered notice served.