

Approved as corrected

DAVIS MOUNTAINS PROPERTY OWNERS ASSOCIATION, INC
ANNUAL PROPERTY OWNERS' MEETING MINUTES
JUNE 30, 2012

President Steve Barr called the meeting to order at 2:04PM. Joe Rowe led the Pledge of Allegiance. Board members Tamara Mayo, Chuck Smith, Sandra Holzheuser, Jeff Smith, Joe Rowe, Rick Draheim, Marti Fellers, Phyllis Arp, and Ken Gossett were present, as were dozens of property owners and guests. Rick Draheim read the minutes for the June 25, 2011 Annual Meeting.

Nominees for the Board of Directors were introduced: Phyllis Arp, Marti Fellers, Jeff Fisher, and Roy Scheumack, as well as the nominees not present, Terry Segura and write-in candidate Bob Newman.

Recess for voting at 2:18PM. Reconvened at 2:31PM.

Our County Commissioner Albert Miller and our attorney Richard Baker were recognized.

Treasurer's Report.

Joe Rowe read our Annual Statement, showing an ending checking account balance of \$42,405.10, income of \$157,908.42, expenses of \$157,765.57 and Equipment Fund balance of \$37,168.08, Legal Fund balance of \$3,919.76, CD balance of \$92,146.30, and a proposed Annual Budget for 7-1-12 to 6-30-13 totaling \$184,025.

The Auditor's Report by Paul Van Tine, read by Rick Draheim, showed our files and accounts in good order.

Road Committee Report.

Chairman Joe Rowe said the dry conditions severely hampered our efforts, but we continued to improve drainages, maintain roads and used the rock crusher to add materials. He thanked all those who helped.

DMPOA Right-of-Way and Road Ownership.

Steve Barr reiterated that the DMPOA owns that property between the property stakes that is near the roads. We are going to be trimming back limbs and trees between the property markers and the roads, for fire remediation and access for equipment.

Property owner Don Johnson said that a survey shows the High Meadow road encroaching his property. Lee Scarbrough requested clarification that the utility easements are in addition to the right-of-ways. Joe Rowe added that we are digging more ditches, so we are using more of our right-of-way for the roads.

DMR Volunteer Fire Department Report.

Fire Chief Darell Fellers said we will continue to improve our equipment and training of firefighters. In the past year, we responded to 6 fires and 12 EMS assists.

Corrections made for internet purposes are underlined.

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The evacuation of the DMR for the Livermore Complex Fire was tough to have to do. The Adopt-a-Tank Program is an ongoing success. We are continuing fuel mitigation, asking for volunteers, every third Saturday from 9AM to Noon. The Chief thanked all the volunteers.

A property owner said she had a 5% reduction in insurance costs because of the efficiency of our fire-fighting efforts.

Loren Spencer suggested all property owners put their street numbers on a rock or tree, or reflective sign post, so we can find the right place for emergency medical calls.

Evacuation Committee Report.

Marti Fellers said we now have nine sections for a phone tree for emergency calling. Grand Companions will help with evacuated pets. Sandy Irish thanked the Humane Society for taking in her cats and dogs, at no charge.

Firewise Committee Report.

Patrick Allen, of the Texas Forest Service, is our Firewise Liason, and presented the Firewise Community Award to the Davis Mountains Resort, because of our advances toward fire safety. Firewise Recognition Awards, read by Jeff Smith.

The Best Effort Award went to Sam and Barbara House, and to Sandy Irish.

The Best Property Award went to the VFD for mitigation efforts around the Fire Department and Community Center, creating safety zone, etc.

The Above and Beyond Award for cutting fire trails and benefiting the community went to Gary Freeman and Toby Barker.

The DMR Hall of Fame Award went to Chuck and Shirley Fellers, the DMR's first Fire Chief. Honorable Mentions went to Jerry and Pam Baker, Bryan DeLesdiener, Lee and Dee Goggins, Don Hott, Lee and Sue Scarbrough, and Jim and Shauna Smoke.

New Business.

A letter dated June 25, 2012, complained of vandals on ATV's.

Chuck Sanders said that a lot on Stagecoach Pass is a mess, with broken glass, and asked if the Board could do anything. Steve Barr said our restrictive covenants address this, and that written complaints can be filed so that the Board can follow through at its next general meeting.

Bill Flanders made a motion to drill another community well, preferably in a different recharge zone than the current well is in, and equip the well for community service.

Seconded by Cindy Davis.

Joe Rowe and Attorney Richard Baker said that this is not a decision that the property owners as a whole can make, but is something that the Board can decide at its monthly meetings.

Bill Flanders amended his motion to: "It is recommended to the Board that we drill another community well, preferably in a different recharge zone than the current well is in, and equip the well for community service." The amended motion was seconded by Willis LeJeune.

The meeting recessed at 4:13PM, so Board members could confer with legal counsel. Resumed at 4:18PM.

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Ron Davis said over a hundred people rely on our one well, and our equipment fund could be used for the second well.

The amended resolution carried by a show of hands. The original motion did not carry.

Kirk Meade, an attorney from Alpine, was here on behalf of Larry Bailey, the owner of Lot 11, Block 11, on Cochise Canyon Trail. Mr. Bailey built a cabin and part of his utilities in the DMPOA right-of-way.

They proposed to pay \$6000, plus our attorneys fees and the cost of a replat and survey (which may amount to approximately \$2500) to purchase .1863 acres from the DMPOA. (The proposal would eliminate the entire width of the DMPOA right-of-way near the cabin, allowing no room for a road.)

Line struck from approved minutes

DMPOA attorney Richard Baker explained that we filed suit to stop Bailey's possible adverse possession claims, and believed that we would likely prevail in court, including achieving ownership of Bailey's cabin.

Joe Rowe made a motion "...that the Property Owners authorize the Board of Directors to negotiate an agreement with the Baileys concerning Block 11, Lot 11, including the possible sale of a portion of the adjacent Cochise Canyon Trail r.o.w."

Ken Gossett seconded.

Recess at 5:07PM. Resumed at 5:15PM.

The above motion carried strongly, with only Rick Draheim raising his hand in opposition.

Lee Scarbrough wanted to know the reasons behind the votes when a Board member votes against the majority.

Open Comments.

Office Manager Debra Lagarde said she has complaint forms in the office.

Chuck Smith thanked Joe Rowe for years of service on the Road Committee.

Larry Sims thanked the entire Board, to very weak applause.

Joe Rowe thanked Darell Fellers and the Fire Department for setting up for the meeting.

Steve Barr invited more community volunteers.

Marti Fellers said the DMPOA monthly meetings are open to everyone.

The VFD Raffle was conducted by Rick Draheim and Nicky Mercer.

Those elected to the Board were announced: Terry Segura, Joe Rowe, Jeff Fisher, Marti Fellers, and Phyllis Arp.

Jeff Smith moved to adjourn. Seconded by Cindy Davis. Unanimous at 5:55PM.

Rick Draheim
Secretary

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