

**BARTON CREEK NORTH PROPERTY OWNERS ASSOCIATION
BOARD OF DIRECTORS REGULAR MEETING MINUTES**

DATE: May 26, 2010

LOCATION: Oak Hill Fire Department
4111 Barton Creek Boulevard
Austin, Texas 78735

PRESENT: Directors Dale Mischynski, Greg Strmiska, Karl Stewart, Jack Edrington, Matt Moore, Roger Goettsch, Pres Sheppard, and Steve Paulson

ABSENT: Norman Schumaker

BY INVITATION: David Cooksey and Sara Huff of RealManage and Bill Flickinger of Willatt and Flickinger.

CALL TO ORDER: 2:58 P.M.

MINUTES:

1. Review and Approve Minutes from April 28, 2010
Karl Stewart moved to approve the minutes as presented; Matt Moore seconded and the motion was approved unanimously.

EXECUTIVE SESSSION:

1. Delinquent Assessments
Mr. Flickinger and Ms. Huff reviewed delinquent accounts with the Board.
2. Architectural Control Committee
Mr. Flickinger and Ms. Huff briefed the Board on current architectural control issues including a recently adopted amendment to the Tree Cutting Guidelines and letter to be sent to Chief Lacey regarding the Association's restrictions for brush burning and open fires.
3. Other Confidential Matters
The Board discussed other confidential matters including a Right of First Refusal that remains in effect for one lot in The Foothills.

Executive Session adjourned and Open Session began at 3:25 p.m.

Upon entering into Regular Session, Karl Stewart moved to approve the waiver of the Right of First Refusal for 3105 Point O'Woods in conjunction with the Developer's waiver with cost of preparation and filing being the responsibility of the owner; Jack Edrington seconded and the motion was approved unanimously.

MANAGEMENT REPORT:

1. Review Statement of Cash Receipts and Disbursements for April 2010
Ms. Huff provided a review of the April financials in the Board meeting packet. In summary, the Association was \$1,321 under budget in expenses at the end of April.

2. Construction Deposit Status Report

Ms. Huff provided a review of current outstanding Construction Deposits. Ms. Huff is working to locate the contractor for two of the deposits that are outstanding. The Master Architectural Control Committee will be working with Mr. Flickinger to revise the Compliance Deposit Agreement to include a provision that the deposit be refunded to the current owner and run with the land.

3. RealManage Report on Posting Errors

Ms. Huff provided the Master / Sub account balance report. The number of master / sub account issues remains under control due to daily monitoring by RealManage Dallas and monthly review by Ms. Huff. RealManage will be drafting a letter to send to owners who continue to pay both the Master and Sub Associations via one check and others who do not have bill pay correctly set up with the proper Master and Sub Association legal names thru their banking institutions.

NEW BUSINESS:

1. Insurance

Ms. Huff provided the Board with Crime and Workman's Compensation coverage quotes from Watkins Insurance. Karl Stewart moved to approve the Crime Coverage quote of \$750 for a coverage limit of \$500,000; Greg Strmiska seconded and the motion was approved unanimously.

The Board discussed the possible implications of obtaining Workman's Compensation coverage with Mr. Flickinger as the Travis County Sheriff Officers are not employees of Barton Creek North, but rather contracted thru the Travis County Sheriff's Office. Mr. Flickinger will review the services agreement between Travis County Sheriff's Office and Barton Creek North Property Owners Association and provide a letter of opinion.

2. Water Feature Maintenance Contract

The water feature maintenance contract with Capital Landcare expires on June 1st. Matt Moore presented a revised proposal for the general operations and maintenance of the water feature which included a slight increase from the previous contract. Karl Stewart moved to approve the proposal as presented; Jack Edrington seconded and the motion was approved unanimously. A new contract will be drafted that includes the increase for signature by the Board.

3. Landscape Renovation Plan – Phase I (Spring 2010)

Matt Moore reported that the Landscape Committee had reviewed and voted on the bids received for the Spring 2010 Landscape Renovations. Due to the previously disclosed potential conflict of interest, the Committee Chairman Matt Moore abstained from the vote. The Landscape Committee's recommendation was to award the bid to Austin Eagle. In addition, Lee & Associates prepared an independent assessment of the bids. This assessment letter is attached as Exhibit A.

After review of the bids, the draft contract and discussion by the Board, Karl Stewart moved to approve the Landscape Committee's recommendation and award the bid to Austin Eagle; Pres Sheppard seconded and the motion was approved. Matt Moore abstained from the vote.

4. CD Investment Expiration 06/04/10

The Board reviewed the handout prepared by Norman Schumaker regarding CD investment planning and a letter from Treaty Oak Bank addressing the recent FDIC consent order that was filed. Greg Strmiska moved to renew the CDs thru the current CDARs program at RBC Bank for another three months while additional information on area banking institutions and CD rates is explored; Matt Moore seconded the motion and the motion was unanimously approved.

5. June Calendar Items
The Board reviewed upcoming items on the June calendar.

BUSINESS:

1. Committee Reports:
- a. Committee of Community Presidents – There was nothing new to report.
 - b. Landscape Committee – Matt Moore reported that TruGreen agreed to reduce mulch cost in renewal bid from \$44 to \$42 per cubic yard. The revised contract will be presented at the June Board Meeting for review and signature. Summer color install has been completed as well as weed spraying and sod fertilization. The annual water feature clean out has also taken place.
 - c. Governance Committee – There was nothing new to report.
 - d. Architectural Control Committee – Jack Edrington reported that the Committee will be reviewing the Compliance Deposit Agreement and is currently working to update the Design Review documents. The Committee also recently reviewed and revised the draft Record Retention Guidelines for architectural documents.
 - e. Safety and Security Awareness Committee – Matt Moore reported that the manhole at Lost Creek has been repaired and is now level with the street.
 - f. Finance Committee – There was nothing new to report in addition to what had already been discussed.
 - g. Community Information Committee – Steve Paulson deferred report to next meeting.

2. Newsletter/Website
Ms. Huff reported that the 2nd quarter newsletter had been mailed. She also discussed a newsletter article request with the Board.

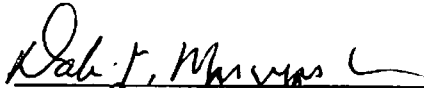
3. Development Update
A brief summary of area development was included in the meeting packet.

4. Review Meeting Schedule
The next Regular Board Meeting is scheduled for June 23rd.

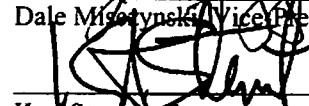
Roger Goettsch presented a brief overview of new water saving irrigation system program with the Board. The Board agreed that the Landscape Committee should meet with him to review information on the system.

ADJOURNMENT: The meeting adjourned at 4:38 p.m.

Exhibit A: Letter from Lee & Associates



Dale Misotynski, Vice President



Karl Stewart, Secretary

6/23/10

Date

6/23/10

Date



May 12, 2010

Barton Creek North Property Owners Association
Landscape Committee
7035 Bee Caves Road, Suite 108
Austin, TX 78746

Re: Formal Review of Landscape Bids
Spring, 2010 Entry Renovation Project

Dear Committee Members:

As requested by the Committee, I have reviewed the four bids for the Spring, 2010 Entry Renovation Project and offer the following observations and recommendations.

1. The four bidders were TruGreen LandCare, Austin Eagle Management Services, Ltd., Native Land Design and Greater Texas Landscape Services. For my recommendation I disqualified Native Land Design's bid due to non-conformance with the bid specifications. For example, proof of insurance, a list of references and a detailed irrigation bid were not provided.

2. Of the three remaining bidders I called their references that were provided. For each of the references that I was able to speak with, I asked about the quality of the work, quality of the plant materials, their impression of each company's ability to perform on a project this size and if they finished projects in a timely manner. All of the references answered each question with a positive response and most were enthusiastically supportive of the corresponding bidder. For each of the bidders, I spoke with at least one reference that represented a project of a similar scope and size of this bid.

3. I compared the price per unit for plants, mulch, soil amendments, etc. and found each bidder's prices to be similar.

4. For items such as mulch, I compared the take-off quantities that each bidder calculated. I found some discrepancies but overall they were relatively consistent. As I was considering my recommendation I was not too concerned about these discrepancies since the winning bidder will be responsible for meeting the standards specified in the bid specification regardless of what was included in their bid. For example if the winning bidder determined that a specific area needed 6 cubic yards of mulch to achieve 3" of cover but 12 cubic yards are required, the contractor will be required to provide the additional mulch at no cost. A simple field inspection will be able to determine if the contractor has complied with the minimum standards.

5. Personally I am aware of the work and the reputation of all three bidders and believe that each are capable of performing the work to the Committee's satisfaction. As the Committee is aware, TruGreen and Austin Eagle have worked directly for the property owner's association and are very familiar with the existing landscaping and irrigation systems. I believe Austin Eagle has installed the majority of the original landscaping in these common areas many years ago.

6. Each of the bidders has developed a specific plan to address existing irrigation problems and ensure adequate coverage.

8127 Mesa Drive
B206-350

Austin, Texas 78759
512.345.6477

site planning •

landscape planning •

development consulting •

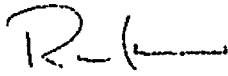
presentation graphics •

landscape architecture •

7. Of the three bidders, Austin Eagle had the lowest bid of approximately \$30,500. TruGreen was second lowest with \$36,800 followed by Greater Texas with \$44,750.

Weighing all of the factors, I found each of the three qualified bidders to be capable of executing this project in a satisfactory manner. I believe that the local knowledge of the existing landscaping and irrigation systems tips the scales in favor of TruGreen and Austin Eagle. The 16% difference in price between these two bidders made Austin Eagle's bid rise to the top. Therefore I would recommend that the Landscape Committee accept Austin Eagle's bid and enter into a formal contract for the landscape and irrigation installation. I would also recommend that the contract be written to ensure that the contractor is responsible for meeting the standards established in the landscape plans and the bid specifications.

Sincerely,



Richard Lee, RLA
Landscape Architect