

OAKS AT LAKEWOOD HOA

1 Bending Branch Road
Belton, TX 76513
(254) 760-0665

January 29, 2018

ANNUAL MEETING NOTICE

2018 ANNUAL MEETING OF THE MEMBERS OF THE ASSOCIATION

AGENDA

Pursuant to the Bylaws of Oaks at Lakewood Homeowners Association, Inc., notice is hereby given that the 2018 Annual Meeting of the HOA is scheduled for:

Tuesday, February 20, 2018
Harris Community Center
401 N Alexander Street
Belton, TX 76513

DOORS OPEN AT 6:15pm

MEETING AGENDA

6:15pm	Sign-In Begins
6:30pm	Call meeting to order / roll call / establish quorum
	Approval of minutes of 2017 Annual Meeting
	Reports of Officers
	Ratification of Bylaws Amendments (see meeting packet)
	Election of Directors
	New Business
	Discussion on boat/trailer covenant interpretation
	Answer Questions from Residents
	Announce Director Election Results
7:45pm	Adjourn

Immediately following the Annual Meeting, the Board of Directors will hold a Called Meeting to elect Officers

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2018 Annual Meeting Proxy Form

KNOW ALL PERSONS BY THESE PRESENTS, that I, the undersigned, a member of the OAKS AT LAKEWOOD HOA, do hereby submit this proxy ballot to take the following action on my behalf (choose ONE option below):

CIRCLE ONE OPTION

OPTION 1: "Let somebody else going to the meeting vote for you"

I appoint _____ with full power of substitution, to act as my proxy for the purpose of being counted toward a quorum at the 2018 Annual Meeting, and to cast votes on my behalf.

OPTION 2: "Let the Board President vote for you"

I appoint the Board President, with full power of substitution, to act as my proxy for the purpose of being counted toward a quorum at the 2018 Annual Meeting, and to cast votes on my behalf.

FOUR EASY STEPS AND YOU ARE DONE

THIS PROXY SUPERSEDES AND REVOKES ALL PROXIES SIGNED BY ME AND DATED PRIOR TO THE DATE INDICATED BELOW.

IN WITNESS WHEREOF, I have hereunto set my hand

1. Sign your name here: _____
2. Print your name: _____
3. Today's date: _____ / _____ / **2018**
4. Provide the street address of the Lot you own in the HOA:
(example: "123 Madison")

You're done! Now please scan or mail this ballot to the HOA at one of the addresses below:

VIA EMAIL:

Manager@ColbyHOA.com

VIA US MAIL:

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Belton, TX 76513**

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BYLAWS AMENDMENTS BEING CONSIDERED AT THE ANNUAL MEETING

ARTICLE III: MEETINGS OF MEMBERS (TWO CHANGES BEING CONSIDERED)

CURRENT LANGUAGE:

Section 1. Annual Meetings. The first annual meeting of members will be held not later than thirty (30) days after fifty percent (50%) of the lots have been sold. Subsequent annual meetings of members will be held on the same day of the same month of each year thereafter at 7:00 p.m. If the day for the annual meeting of members is a legal holiday, the meeting will be held at the same hour on the next following day which is not a legal holiday.

REPLACEMENT LANGUAGE:

Section 1. Annual Meetings. The first annual meeting of members will be held not later than thirty (30) days after fifty percent (50%) of the lots have been sold. Annual Meetings will be held each year in February.

Basis for change:

Current language will eventually have an annual meeting fall on a Friday, Saturday or Sunday night. Changing the language to target a specific month gives the HOA the flexibility to move the date based on a given year's calendar.

CURRENT LANGUAGE:

Section 4. Quorum. The presence at the meeting, in person or by proxy, of members entitled to cast a majority of the votes of each class of the membership will constitute a quorum for authorization of any action, except as may otherwise be provided in the declaration, the articles of incorporation, or these bylaws. If a quorum is not present at any meeting, the members entitled to vote will have power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum is present.

REPLACEMENT LANGUAGE:

Section 4. Quorum. The presence at the meeting, in person or by proxy, of members entitled to cast at least 25% of the votes of each class of the membership will constitute a quorum for authorization of any action, except as may otherwise be provided in the declaration, the articles of incorporation, or these bylaws. If a quorum is not present at any meeting, the members entitled to vote will have power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum is present.

Basis for change:

Current language means you need HALF of ownership present in person or by proxy. That's a very large and difficult number to get to, especially when times are good and people see no reason to go to an Annual Meeting. Changing the percentage to 25% means you still need at least TEN homes represented, which is a respectable number, and somewhat easier to obtain.

Put this another way, not making quorum at your first annual meeting attempt is a waste of the homeowners' time that DO come to the first meeting. Out of respect for everybody, let's try to set quorum to an obtainable number.

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BYLAWS AMENDMENTS BEING CONSIDERED AT THE ANNUAL MEETING

ARTICLE IV: BOARD OF DIRECTORS (TWO CHANGES BEING CONSIDERED)

CURRENT LANGUAGE:

Section 3. Election. Election to the board of directors will be by secret written ballot. At such election the members or their proxies may cast, in respect to each vacancy, as many votes as they are entitled to exercise under the provisions of the declaration. Persons receiving the largest number of votes will be elected. Cumulative voting is permitted in favor of candidates for fewer than all the vacancies, provided that any member who intends to cumulate his or her votes must give written notice of such intention to the secretary of the association on or before the day preceding the election at which such member intends to cumulate his or her votes.

REPLACEMENT LANGUAGE:

Section 3. Election. Election to the board of directors will be by secret written ballot. At such election the members or their proxies may cast, in respect to each vacancy, as many votes as they are entitled to exercise under the provisions of the declaration. Persons receiving the largest number of votes will be elected. Cumulative voting is not permitted.

Texas Business Organization Code §22.161(b) If the Articles of Incorporation of a Nonprofit Corporation HOA do not expressly authorize cumulative voting, then cumulative voting is disallowed.

The Oaks at Lakewood HOA Articles of Incorporation do not authorize this, therefore it is not allowed.

CURRENT LANGUAGE:

Section 7. Term of Office. At the first annual meeting, the members will elect three (3) directors for a term of one year, and at each annual meeting thereafter, the members will elect directors for a term of three years.

REPLACEMENT LANGUAGE:

Section 7. Term of Office. At the annual meeting where this Bylaws amendment is adopted, the members of the Association shall elect the Board of Directors as follows: the candidate receiving the third-highest number of votes shall be elected for a term of one (1) year, the candidate receiving the second-highest number of votes shall be elected for a term of two (2) years, and the candidate receiving the highest number of votes shall be elected to a term of three (3) years. At the expiration of the Initial Term of office of each respective Director, his successor shall be elected to serve a term of three (3) years. The Directors shall hold office until their successors have been elected and hold their first meeting, except as is otherwise provided herein.

The current Bylaws completely mess up the process of electing directors to a three year cycle, and then staggering the terms so that one director is up for election each year. The new language clearly creates an Initial Election where terms are staggered, then all subsequent terms are for three years each.

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BYLAWS AMENDMENTS BEING CONSIDERED AT THE ANNUAL MEETING

ARTICLE V: OFFICERS (ONE CHANGE BEING CONSIDERED)

CURRENT LANGUAGE:

Section 7(a): President. The president will preside at all meetings of the board of directors, will see that orders and resolutions of the board are carried out, will sign all leases, mortgages, deeds, and other instruments, and will cosign all checks and promissory notes.

REPLACEMENT LANGUAGE:

Section 7(a): President. The president will preside at all meetings of the board of directors, will see that orders and resolutions of the board are carried out, will sign all leases, mortgages, deeds, and other instruments, and will cosign all promissory notes.

The check signing requirement is removed. Additionally, some disbursements are performed electronically, which require no signature.