



# Canyon Lake Hills

## Property Owners Association

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Current News and Important Information

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This newsletter has both good and bad news.

The good news is that we had a tremendous turnout of property owners to vote on the election of officers and proposed changes to several POA by-laws. I would like to thank those of you present at our very well attended Annual Meeting on July 11, 2009. It was gratifying to see such a large turnout compared to previous years. It would appear that there is nothing like controversy to bring out the neighbors. As you know from the previous newsletter, we proposed changes to computations for mileage allowance for Directors, fees for certain building permits, prohibitions of tent-like boat/car covers, and increased fines for violations of subdivision covenants.

The bad news concerning the annual meeting is that the Board, on the advice of our legal counsel, has had to nullify the results of all election matters and proceedings at the meeting. To keep this brief, we have had to nullify all voting results because one property owner attempted to introduce numerous proxy votes immediately prior to the start of the meeting. Proxy votes were not accepted at the annual meeting for the following reasons: Proxy voting procedures have never been established by the POA; the wording of our by-laws appeared to indicate presence was required at the meeting to render a vote; we have never allowed proxy votes at POA annual or Board meetings; the meeting was conducted per Roberts Rules of Order which prohibits proxy voting. Furthermore, other property owners had been informed prior to the meeting that proxy votes would not be accepted based on the above information that we had at the time. It would not have been fair or ethical to allow one property owner to submit proxy votes unless we had a procedure to allow all property owners the opportunity to vote by proxy. Following discussions with our attorney after the meeting, it appears that the Texas Business Organizations Code, which governs non-profit corporations such as the POA, requires us to allow proxy voting. Therefore, the Board has determined that another annual meeting of members will be called for the election of a new Board of Directors, proposed bylaw changes and such other matters that require the vote of the members. Until there is another meeting of the members, the Board that was constituted prior to the annual meeting will remain in place. The Board elected Winnie Benson as Secretary and Jerry Stacy as Insurance/Parliamentarian to fill previously resigned positions. The Board is conducting research to determine what type of proxy voting system will be the best for us, and then establish a proxy voting system that must be cost effective, transparent and fraud resistant. When those procedures are in place, we will schedule a new annual meeting, and no doubt revisit those same and perhaps additional issues. We apologize to those of you that attended the annual meeting and now find that your votes were negated, but we must comply with the law. Ultimately the new procedures, when instituted, will provide a greater opportunity to let your views be known, but we will still require a quorum to have the meeting, and your attendance and support is needed.

You should also be aware that we have initiated legal action against several property owners for violations of our deed restrictions pertaining to use of residential lots for commercial use by vacation rentals. These legal procedures, which may be costly, are necessary to protect and defend our subdivision covenants. We will keep you posted as to the progress of these court proceedings.

Reminder: It is against subdivision covenants to place any sign in CLH without approval from the POA Board. This includes placing signs on county property such as street corners and telephone poles. While it may seem like a good idea to you to put up signs such as directions to your house for a party or realty open house, those signs are prohibited and will be removed by Board Members or individual property owners that are affected by the signs. Property owners, especially those living on corner lots, do not want their front lawn cluttered by the myriad of "direction signs" that seem to pop up like weeds at intersections. Bottom line: Don't get mad when someone takes down the sign you made or purchased giving directions to your party or event.

**DUMPSTER DAYS-OCTOBER 24<sup>TH</sup> @ 8:00AM**

Finally, we would like to remind CLH residents that we will have our **annual fall cleanup day** at the POA park and pool grounds on October 24<sup>th</sup>, **starting at 8:00 AM** and continuing until the two dumpsters are filled, which is normally well before noon. This is your opportunity to get rid of junk (but not hazardous materials) that is making your property or garage an eyesore. You will be required to show proper identification verifying that you are a resident of CLH prior to dumping your junk in the dumpsters. Use of the dumpsters is prohibited unless POA Board members are in attendance.