

Fair Oaks Ranch Homeowners' Association
November 27, 2018 6:00 p.m.
Fair Oaks Ranch HOA Conference Room, 7286 Dietz Elkhorn

- I. CALL TO ORDER** – Carolyn Knopf, President, called the meeting to order at 6:00 p.m. Directors attending were Frank Chesworth, Jonathan Cluck, Debra Grandjean, Beki Hutchison (via conference line), Tom Jaster Carolyn Knopf, Ken Nichols, and Mike Saletta. Kristen Koronczok was not present. Guests attending were Charlan Beal, Marcus Garcia, Linda Graban, Ingeborg Huff, Seth Mitchell, Wes Pieper, Grace Ramsey, Al Schmidt, Debby Stephens, John Weir, and Carole Willoughby.
- II. DISCUSSION AND CONSIDERATION OF LEGAL COUNSEL FOR THE ARBORS PRESERVE** - The Braun and Gresham firm has been hired to represent FORHA on the Arbors Preserve based on an interpretation of the current Contract Administration Policy that would grant the Board President this authority. Some Board members disagreed on this interpretation of the policy. A legal opinion was sought, and the FORHA attorney, Peter Kilpatrick, recommended that the Board vote on further use of the Braun and Gresham firm since the matter is non-routine. Deadline for acceptance of the Arbors Preserve is currently November 30, 2018. Debra Grandjean expects this deadline to be extended to no later than December 22, 2019.

Motion: Debra Grandjean moved to continue using the Braun and Gresham law firm as legal counsel for the Arbors Preserve real estate transaction. Frank Chesworth seconded.

Discussion: With the deadline approaching, some Board members felt that it would be impractical to hire new legal counsel. About \$5k has been spent with the firm so far. Other Directors questioned why FORHA's current legal firm, Langley and Banack, was not utilized and why the decision to hire Braun and Gresham had not been brought to the Board sooner. Debra Grandjean explained that Cassie Gresham was chosen due to her specialty in parks/open land, relationship with the Comal Tax Authority, and experience representing six of the eight large land owners that negotiated development agreements with the City. Debra and Jonathan discussed Jonathan's involvement in the contract process. Jonathan clarified that at that time (early October) he did not wish to be involved until Cassie Gresham was approved by the Board. He had not received any further communications from Debra Grandjean or Cassie Gresham. Debra agreed to send any legal documents she receives on this matter to the Board. Mike Saletta requested that more than one candidate be presented to the Board for consideration before voting on the matter.

Status: Frank Chesworth, Debra Grandjean, Tom Jaster, and Carolyn Knopf were in favor. Mike Saletta abstained. Jonathan Cluck and Ken Nichols were opposed. Beki Hutchison was no longer on the conference line at the time of the vote. The motion passed with 4 in favor, 1 abstained, and 2 opposed.

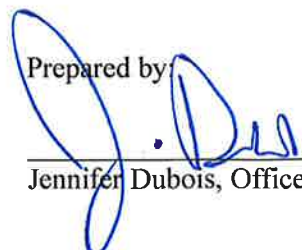
The meeting adjourned at 6:35 p.m.

Submitted by:



Frank Chesworth, Secretary

Prepared by:



Jennifer Dubois, Office Manager