

NORTH SHOAL CREEK NEIGHBORHOOD ASSOCIATION  
BOARD MEETING  
October 16, 2007

The North Shoal Creek Neighborhood Association board meeting was called to order by President Malcolm St Romain at 6:35 p.m. All board members were present: Malcolm St. Romain, Jeff Russell, Helen Maham, Claudell Migl, Roger Wines, Mary Jane Wier, Chris Jones, Sandy Perkins, Mary Arnett and Trey Hamilton. Guests included Dallas Maham, Jo McFerren, Jerry Horn, Ken Moyer and Jon Menegay

Minutes of the August 21st and Sept. 3<sup>rd</sup> board meetings had been circulated to board members and Jeff Russell moved that the minutes be approved, seconded by Trey Hamilton. Motion carried.

It was noted that Brian Hardeman had previously been accepted as an associate member.

Malcolm informed the Board that we were to discuss the Allandale letter and needed a motion as it relates to what happened.

Trey moved that the Board of Directors authorize a donation of \$2,000 to Allandale Neighborhood Association to be delivered immediately, seconded by Mary Arnett.

Jeff Russell raised a point of order -- "I don't see how we are running this as a valid meeting. The President is not a member of the association any more and as such needs to vacate the chair." Jeff asked what the proper motion would be to challenge validity of Malcom conducting meeting. Parliamentarian indicated that the proper point of order is whether or not Malcom is authorized to serve in his office and that is a valid point of order.

Malcolm disagreed with Jeff and the reason for disagreement is that there is nothing in the by-laws that requires one to continue to be a resident through the term of one's office -- non-profit corporation act specifically says you do not have to be.

Jeff made a motion to appeal ruling of the chair. The parliamentarian took the motion under advisement and parliamentarian advised that meeting continue.

Trey made a motion to stop recording of the meeting, seconded by Mary. Debate continued on appeal of Malcolm's decision.

Mary called for the question regarding the appeal of Malcolm's decision and then withdrew motion. After more debate, vote was taken regarding appeal. For appeal on Malcolm's decision five votes for the appeal to remove Malcolm as president (Jeff, Claudell, Chris, Helene and Sandy), and 6 (Malcolm, Mary, Mary Jane, Roger, Laura, and Trey) against appeal and Malcolm will continue to be the presiding officer. Appeal failed.

After the appeal vote was taken meeting went back to motion to discontinue recording of meeting. Discussion continued. Vote taken with 5 for stopping the recording (Trey, Malcolm, Laura, Mary, and Mary Jane) and 5 against (Jeff, Claudell, Helene, Sandy and Chris), and 1 abstention (Roger Wines). Motion failed.

Finally back to original main motion (that the Board of Directors authorize a donation of \$2,000 to Allandale Neighborhood Association to be delivered immediately). Debate continued.

Discussion was had as to chronological events leading up to bank account being frozen. Bank was furnished Articles of Incorporation, minutes of January meeting and January board meeting to accomplish this. Bank of America created a new signature card with these documents.

Jeff's point of order – to spend money in that sense is in direct conflict with by-laws. Therefore motion is out of order. Jeff made subsidiary motion to refer to special committee, number to be determined, to find neutral mediator/arbitrator to advise Board in a neutral fashion on this issue. Seconded by Chris Jones. Discussion followed. Mary called for the question. 5 for (Jeff, Claudell, Helene, Chris and Sandy) and 6 against (Malcolm, Mary, Mary Jane, Trey, Laura and Roger)- motion failed.

Again, back to original motion (that the Board of Directors authorize a donation of \$2,000 to Allandale Neighborhood Association to be delivered immediately). Vote was taken on original motion with 6 for (Malcolm, Trey, Mary, Mary Jane, Laura, and Roger) and 5 against (Jeff, Claudell, Helene, Chris and Sandy) original main Motion. Motion passed. Point of Order by Jeff that last motion was out of order because it is in conflict with by-laws. Chair ruled it is not in conflict with by-laws.

Helene asked that 3 persons take names off the bank card to let her write checks since she is treasurer and keeper of money. Malcolm indicated this could be discussed later.

Traffic Committee – Jeff suggested having 4 separate motions at the next general meeting to propose support effort to re-strip Steck.

1. Bike lanes on busy portion of Steck;
2. Re-classified from arterial street,
3. Arterial designation removed from Austin Metropolitan Area Transport plan,
4. Strip down from 2 lanes to one with center turn lane and bike lanes.

The reason for 4 motions is to give “wiggle” room for negotiations and the vote at a general membership meeting would carry more weight. Put insert in newsletter to get feedback from residents. Roger Wines reported that he has talked to several residents on Steck and there are no objections from the residents.

Malcolm had a call from a resident on Mossrock indicating that employees of Direct Buy take up parking spaces on Mossrock. Mary suggested that solution would be to build a fence to

stop employees from walking through area and she will be happy to talk to Direct Buy about putting up a fence. Dallas Maham volunteered to undertake this project.

Helene Maham presented treasurer's report and questioned as to what budget item the \$2,000 to ANA should come from.

Trey made a motion to add Helene back to signature card at Bank of America along with 3 other board members. Mary seconded motion. Discussion followed. Vote taken. 6 for adding Helene to signature card (Malcolm, Mary, Mary Jane, Trey, Laura and Roger) and 5 (Jeff, Claudell, Sandy, Jeff and Helene) against adding Helene to signature card. Motion carried.

Safety committee - Mary had a neighborhood watch meeting with the residents of Vinewood, Boxdale, Firwood and Vinewood Cove. Picked up three more block captains. Mary made a motion to increase allocation for safety budget an additional \$400 to cover cost of 10 crime watch signs and additional printing expense for future neighborhood watch meetings throughout the neighborhood. Seconded by Trey. Motion passed unanimously.

Also Mary reported that she had a letter from the North Austin Coalition of Neighborhoods that was sent to Toby Futrell regarding the Lamar-Rundberg area crime activities. Mary had a petition for board members to sign to show support of union of neighborhoods. Mary moved that we sign the petition to show support to their letter. Roger seconded. Motion passed with 10 for (Malcolm, Jeff, Claudell, Helene, Roger, Mary, Sandy, Laura, Chris, Trey) and 1 abstention (Mary Jane).

Planning and Development committee – Betsy Todd reported having a good showing at the meeting regarding the North Village re-development and meeting went well.

Newsletter - Sandy Perkins indicated that the next newsletter would be more costly since it will be longer and she is adding approximately 80 condos.

Jeff made a motion to adjourn. 5 for and 6 against. Motion failed. Meeting continued.

Beautification – Mary made a motion that we enter into an agreement with Keep Austin Beautiful to serve as a fiscal sponsor per fiscal sponsorship agreement for our sign project and further asked Board to authorize disbursement of \$210.00 collected year to date in donations from Mr. Studak, Mr. Silver, Ms. Bellah and Ms. Coleman for the sign project money to Keep Austin Beautiful to start our account and then she will be able to apply for grants from Lowes and Home Depot through Keep Austin Beautiful in the Spring. Motion seconded.

Jeff made motion to post pone to have more time to look at details and distribute materials. Motion seconded. Discussion

Mary amended motion to do consent agenda by e-mail and board members send their affirmative or negative approval of the document and arrangement and reply to Malcolm and majority of people make this go forward. Jeff did not accept amendment. Vote taken with 6 for

delaying review of application and 4 against with 1 abstention.

Jeff moved that the meeting adjourn, seconded and motion passed with 10 for and 1 against. Meeting adjourned at 9:10 p.m.

Submitted by

Claudell Migl