

Lake HollyHills HOA Annual Members' Meeting 05/17/2026
Come to order at 5:10pm

Officers attending:

Brian O'Neill
Helen Kirsch
David Piercey

Nomination committee:

Tracy Herrod
Scott Menard
Karen Evans

Members:

Chad Tietje
Sherri Tietje
Donald Gardner
Lauren Collins
Charles Sparr
Raymond Charles
Elmer Gutierrez
Benjamin Snipes
Ashley Snipes

Old Business

- Opening Statement - Report on the State of the HOA - Brian O'Neill, President (full text can be found at lakehollyhillhoa.com/documents)
 - Financial Statement - Balance Sheet
 - Just over \$10k in the bank
 - Land Assets: estimated at \$460k owned by the landowners
 - Landowners are also liable if something were to happen - no liability insurance (because we can't afford it) means the landowners accept the risk
 - Income and Expense
 - Cash and in-kind donations netted \$7,890
 - These covered expenses such as mowing, dam repairs, maintenance on fences, bookkeeping, D&O insurance for the Board
 - Real income from Dues includes \$5,150 of 2026 dues and \$5,500 in overdue dues and associated fees
 - Total of 103 accounts are current out of 184, or about 56%; 34 accounts in arrears were paid off
 - 16 accounts that paid last year might still pay this year
 - Assuming we get to 120 paying accounts, net annual income will be \$6,000
 - Non-negotiable expenses include postage and delivery, website, utilities and property taxes (approx. \$2000).

- Discretionary out-of-pocket expenses were the collection agency for 50 accounts and renting a trash bin for members' use (\$2500)
 - Main variable expense is going to be legal fees (\$3,250 this past year) for enforcing deed restrictions
 - Total annual expenses, if we get proper insurance and wean off our reliance on donations, is around \$15,000
 - We need to raise dues to at least \$75 to close the gap - O'Neill will seek to get a vote on this issue if re-elected
- Deed Restriction enforcement
 - All parties seem to agree that the original 1966 Deed restrictions can only be enforced through the court system, expensive though that may be
 - We are trying to maintain a residential neighborhood - that is what all of us paid for when we bought
 - The HOA has a lawsuit pending against Elmer Gutierrez to have his mobile home and truck business removed because it does not appear to be residential use
 - Gutierrez denies his operation is a business
 - In order to avoid issues with whether Lake Hollyhill Owners Association is a legitimate entity, several members have joined in the suit against Gutierrez
- Lawsuit against the Association
 - A lawsuit was filed by Raymond Charles, Vickie Balestrine, Elmer Gutierrez and Victor Altamirano against the Association alleging that it ceased to exist in 2018 and no longer has or never had the right to enforce deed restrictions or collect dues
 - O'Neill describes this as removing all incentive to maintain the lake and parks and leaving members to defend themselves if a commercial or business operation is set up on a neighboring property
 - Charles described this as fear-mongering and divisive
 - O'Neill insists the Board has a duty to defend the Association, and therefore dues will have to be spent to fight this lawsuit
- Election Procedures
 - O'Neill defended the election procedures by citing the Bylaws and Texas Code Section 209
 - The Bylaws stipulate a hidden ballot, but allows for mail-in ballots. The Voter ID number system is a way to do that - signature verification is ideal, but impractical
 - The Bylaws stipulate that members who have not paid their dues cannot vote or hold office, but Texas Code voids all clauses that do not allow members to vote or run for office
 - The Board therefore recognizes that those not in good standing can vote and run, but does will not allow them to take office as that would be a clear conflict of interest

- Charles stated that this is a made-up rule and that all members should be allowed to hold office
- O'Neill stated that if someone took office with the clear intention of not following the Bylaws, the dues paying members would sue to have such a person removed
- Open Discussion
 - Several members raised concerns regarding the issue of liability - if someone trespasses or ignores signage, does that absolve us of liability? If they sign a waiver, will that cover us? Shouldn't members also be asked to sign a waiver?
 - Various Board members (and others present) responded that lawyers can find a way around all of these precautions. They might help us look better in front of a courtroom, but they are not a guarantee, and the only sure protection is liability insurance.

Election - ballot envelopes were collected by the acting Secretary, Helen Kirsch, until polls closed at 7pm. Ballots were then handed to the nominating committee, who double checked them against the list of valid voter ID numbers. The ballot box was publicly inspected to ensure it was empty, then all valid envelopes were opened and ballots placed in the box. The box was shaken and the ballots drawn one by one and tallied by the nomination committee.

The results below were announced by 7:30pm.

Results:

President: 43/43 votes for Brian O'Neill

Vice-President: 43/43 votes for David Piercey

Treasurer: 43/43 votes for Chad Tietje

Secretary: 43/43 votes for Zulema Garcia

Director 1: 43/43 votes for Pamela Campbell

Director 3: 43/43 votes for Sarah Beltran

Proposition A: 22 votes in favor; 18 votes against