

**WHITEWATER SPRINGS POA, INC.**

**10900 South FM 1174**

**Bertram, TX 78605**

November 23, 2016

Owner Name

Address

CSZ

Dear Whitewater Springs POA Owner:

The Annual Meeting of the Whitewater Springs POA Inc. will be held on **Saturday, December 10, 2016 at 1:00 P.M.** at **Comfort Inn, Main Conference Room First Floor** located at 810 South Water Street, Burnet, TX 78611.

The preliminary meeting agenda is included on the back of this letter. Please note the following three (3) items that will be voted on at the Annual Meeting:

1. Amendment (attached) to the Second Amendment to Declaration of Covenants, Conditions and Restrictions of Whitewater Springs Subdivisions Section Nos. 1, 2, 3, 4, 5, and 6 pertaining Road Impact Assessment (Fee). The current Road Impact Assessment, a one-time fee charged at the time of the initial construction of a new residence, of \$1,500 is not sufficient to defray the Association cost to repair damage to streets due to construction activities.
2. Amendment (attached) to Declaration of Covenants, Conditions and Restrictions of Whitewater Springs Subdivision for Section Nos. 1, 2, 3, 4, 5, And 6 pertaining to the discharge of firearms. Currently, the discharge of firearms in the Subdivision is prohibited in the CCRs. The Subdivision has a large influx of wild hogs causing significant property damages. If this amendment passes, the Board shall adopt rules and regulations that reflect Burnet County regulations regarding the control of wild hogs.
3. Ballot (attached) for the POA Board of Directors election. A brief profile is included, as an attachment to this letter, for each candidate. If you own more than one lot in the community, please note all section/lot numbers you own on each ballot.

For those who plan to attend the meeting, ballots can be cast in person at that time. If you are unable to attend the annual meeting, you may submit your ballots via mail prior to the meeting.

**Ballots should be mailed to Goodwin Management, PO Box 203310, Austin, TX 78720.** A return envelope is enclosed for your use in returning the ballots and/or proxy. Ballots must be received by 5pm on Friday, December 9, 2016.

In closing, the Board is happy to announce (see attached FY 2017 Budget) that we can manage Property expenses so that the Membership Annual Assessments did not increase over that of calendar year 2016 level. 2017 Property assessment remains at \$236.78 per acre.

We look forward to seeing you at the meeting.

Regards,

Whitewater Springs POA Board of Directors

**AGENDA**  
**ANNUAL 2016 WHITEWATER SPRINGS PROPOERTY OWNERS**  
**ASSOCIATION MEETING**  
**1:00 O’CLOCK P. M., SATURDAY, DECEMBER 10, 2016**  
**COMFORT INN, MAIN CONFERENCE ROOM FIRST FLOOR**  
**810 SOUTH WATER STREET, BURNET, TEXAS 78611**

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- I. Call to Order—Welcome and Introductions— (D. Rauschuber)
- II. Establish Board Quorum
- III. Property Owners/Public Comments (3 minutes each) (D. Rauschuber)
- IV. Guest Presentations
  - A. Burnet County Commissioner
  - B. Burnet County Sheriff Department
  - C. Bertram Fire/EMS Department
  - D. Whitewater Springs Water Supply Corporation
- V. POA Reports
  - A. 2015 Annual Meeting Minutes (E. Welch)
  - B. 2016 Year to Date Financial Statement (Don Rauschuber)
  - C. Committee Reports/Planned Capital Projects
    1. Road Committee (David Waters)
    2. Maintenance Committee (Jerry Martinez)
    3. Pool Maintenance (Sam Lock)
    4. Pool House Repair/Replacement (Don Rauschuber)
    5. Wildlife Maintenance (Mike Austin)
    6. Fire Wise Committee (Terri Whaley)
    7. Architectural Control Committee (Cathy Frioux)
    8. Security Committee (Ron Frioux)
    9. Erosion Control Projects (Erin Welch)
    10. Whitewater Springs Dam and Reservoir (Don Rauschuber)
    11. FM 1174 Fence Replacement (Jerry Martinez)
  - D. 2017 Budget (Don Rauschuber)
- VI. CCR Amendments and Board of Director Election (Votes Tallied After Meeting) (Don Rauschuber)
  - A. Road Impact Assessment
  - B. Discharge of firearms
  - C. Cast Votes for Referendums/CCR Amendments
- VII. Nominations for 2017 PUA Board of Directors (Cheryl Sherman)
  - A. Pre-Filed Candidates
  - B. Floor Nominations
  - C. Cast votes and proxies for 2017 Board of Directors (Votes Tallied After Meeting) (Cheryl Sherman)
- VIII. Questions and Answers (Board Members)
- IX. Other Matters
- X. Adjournment

WHITEWATER SPRINGS PROPERTY OWNERS ASSOCIATION  
BOARD APPROVED FY 2017 BUDGET

A	B	C	D	E	F
Item No.	GL No.	Description	FY 2016 Budget	Projected Actual As Of Dec. 31, 2016	FINAL Budget 2017
1		<b>Income</b>			
2		<b>Assessments</b>			
3	400110	Assessments	296,316	293,518	296,316
4		<b>TOTAL Assessments</b>	<b>296,316</b>	<b>293,518</b>	<b>296,316</b>
5					
6		<b>Other Income</b>			
7		Collection Fee	0	0	0
8		Delinquency Processing Fee	0	0	0
9		Interest Income	0	681	750
10		Late Fee	0	394	400
11		Legal Fee Reimb	0	1,044	0
12		Water Reimbursement	0	0	0
13		Road Impact Fee	0	15,000	15,000
14		<b>TOTAL Other Income</b>	<b>0</b>	<b>17,119</b>	<b>16,150</b>
15		<b>TOTAL INCOME</b>	<b>296,316</b>	<b>310,637</b>	<b>312,466</b>
16					
17		<b>Expenses</b>			
18		<b>Administrative Expenses</b>			
19	610120	Accounting	350	407	450
20	610320	Committee Exp	100	0	100
21	610580	Copies	975	1,001	1,001
22	610695	Educational Events	200	0	0
23	610720	Legal	3,000	5,824	7,500
24	610920	Management Fees	9,480	9,636	9,636
25	611040	Meeting Expense	453	467	467
26	611160	Misc. General Exp & Office Supplies	600	0	600
27	611280	Office Supplies	250	805	805
28	611600	Postage/Delivery	750	812	812
29	611980	Website Hosting	150	1,247	1,247
30		<b>TOTAL Administrative Expenses</b>	<b>16,308</b>	<b>20,199</b>	<b>22,618</b>
31					
32		<b>Non-Recurring Expenses</b>			
33	890450	Dam Rehab (Big & Little dams)	50,000	4,500	50,000
34	614025	Erosion Control	25,000	0	50,000
35	891850	Roads	110,445	134,375	45,000
36	890750	Fence	50,000	62,000	0
37	890650	Entry	2,895	0	3,000
38	891750	Pool	10,530	0	50,000
39	891200	Landscaping	7,500	0	0
40		<b>TOTAL Non-Recurring Expenses</b>	<b>256,370</b>	<b>200,875</b>	<b>198,000</b>
41					
42		<b>Property Expenses</b>			
43	614050	Extermination	500	0	0
44	614550	HVAC Svc/Repair	1,000	0	500
45	615100	Landscape-Enhancements	5,500	0	3,000
46	615550	Lighting Supplies	200	0	300
47	615700	Maint/Repair	2,200	175	1,008
48	615750	Maint/Repair Supplies	600	0	600
49	615850	Misc. Property Exp	2000	1,830	3,100
50	616050	Park/Greenbelt Maint	30,455	36,386	33,286
51	616250	Plumbing Maint/Repair	1,200	0	500
52	616500	Pond Maintenance	1,200	0	0
53	616600	Pool/Spa Maint/Supplies	7,259	5,638	5,638
54	616630	Pool-Chemicals	3,500	5,052	5,052
55	616750	Pool-Repairs	800	1,019	1,019
56	616950	Security/Safety/Monitoring	5,000	2,125	3,000
57	617000	Septic Service/Repair	412	0	412
58	617450	Street Cleaning	41,000	0	20,000
59		<b>TOTAL Property Expenses</b>	<b>102,826</b>	<b>52,224</b>	<b>77,414</b>
60					
61		<b>Tax/Ins/Interest Expense</b>			
62	625150	Ins-D & O	2000	2000	2000
63	625200	Ins-F&EC or Package	4,500	25	3,800
64	625400	Taxes-Federal Income	20	0	0
65	625550	Taxes-Property	3,625	0	4,000
66		<b>TOTAL Tax/Ins/Interest Exp</b>	<b>10,145</b>	<b>2,025</b>	<b>9,800</b>
67					
68		<b>Utilities Expense</b>			
69	612040	Communications/Internet	1,904	2,125	2,125
70	612080	Electric	6,000	5,417	6,000
71	612200	Tel/Cell/Pager/Internet	1,600	1,617	1,617
72	612260	Water/Sewer	1,000	929	1,000
73		<b>TOTAL Utilities Expense</b>	<b>10,504</b>	<b>10,089</b>	<b>10,743</b>
74					
75		<b>TOTAL EXPENSES</b>	<b>396,153</b>	<b>285,412</b>	<b>318,575</b>
76		<b>Fund Change From Cash On-Hand</b>			<b>-6,109</b>
77					<b>312,466</b>
<b>FY 2017 ANNUAL ASSESSMENT PER ACRE (SAME AS FY 2016)</b>				<b>\$236.78</b>	

**WHITEWATER SPRINGS PROPERTY OWNER ASSOCIATION, INC.  
2017 BOARD OF DIRECTORS BALLOT**

Instructions: Select up to three (3) candidates by placing a mark next to your preferred candidate(s). Any ballot returned with more than three (3) candidates selected will not be considered a legitimate vote.

\_\_\_\_\_ William Burns

\_\_\_\_\_ Frank Owens

\_\_\_\_\_ Don Rauschuber (Incumbent)

\_\_\_\_\_ Van Henry (Incumbent)

Write-in candidate \_\_\_\_\_

Write-in candidate \_\_\_\_\_

\_\_\_\_\_  
Member Signature

\_\_\_\_\_  
Whitewater Springs Lot Number(s)

\_\_\_\_\_  
Date

**NOTICE REQUIRED BY SECTION 209.0059 OF THE TEXAS PROPERTY CODE**

By casting your vote via absentee ballot, you will forgo the opportunity to consider and vote on any action from the floor on these proposals, if a meeting is held. This means that if there are amendments to these proposals, your votes will not be counted on the final vote on these measures. If you desire to retain this ability, please attend any meeting in person. You may submit an absentee ballot and later choose to attend any meeting in person, in which case any in-person vote will prevail.

See Reverse Side for Candidate Profiles

# WHITEWATER SPRINGS POA – BOARD CANDIDATE PROFILES

## **WILLIAM BURNS - PROFILE**

I'm a military veteran who has lived in the central Texas area for 18 years. My wife and I have two grown boys and three Grandchildren. I've been in Operations Management for 25 years and really enjoy what I do for a living. I have been a resident of WWS since May 2015. One of the big attractions to living here is the community and natural environment that surrounds us. I'm big on conservation and protection of our natural resources. I firm believer in collaborative environments and working as a team. Please consider my Board candidacy for WWS.

## **FRANK OWENS - PROFILE**

### **Frank Owens, Director of Compliance, July 2012, Cross Texas Transmission LLC.**

Mr. Owens joined Cross Texas Transmission in 2012 and has over 35 years of experience in the utility industry. At Cross Texas Transmission, Mr. Owens is responsible for providing leadership and direction ensuring compliance with NERC/FERC Standards/Regulations as well as ERCOT Nodal Protocols and Operating Guides and PUCT rules. Prior to joining Cross Texas in 2012, he worked for Texas Municipal Power Agency from June 2007 to July 2012 as their Compliance Officer responsibly for Transmission and Generation compliance, prior to that he worked for Garland Power & Light for 27 years in various positions including Journeyman Lineman, Chief System Operator and Transmission Operations Manager. In addition, he has served on and chaired numerous ERCOT working groups and task forces and Texas RE Reliability Standards Committee. Mr. Owens has recently been voted in as an alternate for the ERCOT Region on the NERC CIPC.

As Cross Texas Transmissions Director of Compliance, I am responsible for ensuring compliance with Federal Energy Regulatory Commission (FERC), North American Electric Reliability Corporation (NERC), and Texas Reliability Entity Standards as well as the ERCOT Protocols and Operating Guides. As a native Texan, I am happy to be a part of the WWSPOA and when elected to the Board I will do my best to represent the WWSPOA members and our best interests in the community.

## **DON RAUSCHUBER– PROFILE**

### **Donald G. Rauschuber – *Representative of Montvale Properties (owner of multiple lots)***

President of Donald G. Rauschuber and Associates, Inc. from 1981 to present. Chisholm Trail Special Utility District Board General Manager and District Engineer from 2001 to 2009 and West Travis County Public Utility Agency General Manager 2012 to 2016. Previous affiliations also include: Henningson, Durham and Richardson, Inc., as Director of Water Resources Programs, Manager of the Austin office, Texas Water Development Board, as Assistant Director of the Environmental Division, as well as Engineer II, Hydrologist I, and Engineering Assistant, and; Research Assistant at Texas Tech University. Mr. Rauschuber attended Texas Tech University and holds a B.S. in Civil Engineering in 1970 and a M.S. in Civil Engineering in 1972. In addition to the above affiliations, Mr. Rauschuber's professional career includes, but is not limited to, work on the following water resources and environmental projects: Barton Springs/Edwards Aquifer Conservation District; Sharyland Water Supply Corporation (Mission, Texas); Rio Grande Valley Municipal Water Authority; City of Corpus Christi – Evaluation of Lake Corpus Christi and Lake Choke Canyon Reservoir; High Plains Underground Water Conservation District No. 1 (Lubbock, Texas), and; Regional Raw Water Supply Evaluation – Palo Pinto County Municipal Water District Number One (Mineral Wells, Texas). Additionally, Mr. Rauschuber has published many

articles and technical reports associated with his professional work. Mr. Rauschuber has been municipal engineer for numerous Texas cities and political subdivisions. In that capacity, Mr. Rauschuber has extensive experience in the writing, review and assessments of municipal ordinances pertaining to subdivision developments and platting matters. In addition, Mr. Rauschuber in his career has worked with many property association boards and has been involved in the preparation and interpretation POA by-laws and rules and regulations. Mr. Rauschuber served as director and president of the Geola Estates POA, Llano County, Texas, for 4 years, and council member and mayor of San Leanna, Texas for 8 years. Mr. Rauschuber has been a Whitewater Springs Property Owners Association Board member since 2011 and Board President for the last 3 years.

### **VAN HENRY - PROFILE**

Van and his wife Jan have been property owners and residents of Whitewater Springs since 2012.

In 2012 he retired from his position, Director of Bands for the College Station Independent School District. As Director of Bands he managed a program of over 250 students and ten staff members and budget of over \$300,000.

Van is currently serving the community in the position of board Vice President. Additionally, he serves as a member of the ACC committee. His spouse of 33 years, Jan, is currently employed by the Travis County Sheriff's department. Van is a deacon at Christ Presbyterian Church and an avid model railroader.

**WHITEWATER SPRINGS PROPERTY OWNERS ASSOCIATION, INC.,  
BALLOT PERTAINING TO ROAD IMPACT ASSESSMENT (FEE)**

Pursuant to the Whitewater Springs Property Owners Association, Inc. Bylaws, the Board had directed a vote of the Membership of the Association to determine Membership preference concerning the following Proposal:

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**ITEM NO. 1 – ROAD IMPACT ASSESSMENT DECLARATIONS AMENDMENT**

General Description: The Association currently assesses a \$1,500.00 one-time Road Impact Assessment to Whitewater Springs Subdivision Property Owners who submit an application to the Architectural Control Committee to construct a new single-family residence within the Subdivision. **This one-time fee only applies to the construction of a new home within the Subdivision and does not apply to Property owners who have an existing home.** The Association has found that the assessment of a \$1,500 Road Impact Assessment does not cover the Association’s cost to repair road damage associated with the construction of a new single-family residence. Under this Referendum, the Association is requesting the Membership to approve an amendment to the deed restrictions (Declaration of Covenants Conditions and Restrictions) to allow greater flexibility in the assessment amount, so that we can adjust the Road Impact Assessment from time to time as necessary to more closely reflect the actual costs.

**The proposed changes to the current Declaration language for all sections are shown in redline form below. Underlined language would be added and struck-through language would be removed:**

“The initial Road Impact Assessment for calendar year ~~2005~~ 2017 will be ~~\$1,500~~ \$2,500. ~~From January 1, 2006 to January 1 of For~~ each succeeding year, the Association’s Board may decrease or increase the Road Impact Assessment. In the event the Road Impact Assessment is increased, the amount of such increase will not exceed a 15% increase over the prior year’s Road Impact Assessment unless authorized by a majority of Members of the Association casting votes. (The meaning of the term “Members” shall be as defined in the Bylaws.) However, this amendment will not take effect unless/until passed by the required voting percentage of all respective sections within the subdivision; so as to not create a situation of disparate provisions applying to various sections in Whitewater Springs.”

**I VOTE (CIRCLE ONE):**

**YES - FOR THIS REFERENDUM**

*A vote “Yes” is a vote in favor of increasing the Road Impact Assessment (assessed only at the time of initial application for single-family home construction) from \$1,500 to \$2,500, and otherwise adopting the redline changes shown above.*

**OR**

**NO - AGAINST THIS REFERENDUM**

*A vote “No” is a vote opposing the assessment or fee increase and changes shown above.*

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All ballots must be signed to be counted. Please fill out all information below:

Owner’s Printed name: \_\_\_\_\_ Owner’s signature: \_\_\_\_\_

Whitewater Springs Address: \_\_\_\_\_

If known, section and lot number: \_\_\_\_\_ Date: \_\_\_\_\_

**Notice required by statute:** By casting your vote via absentee ballot you will forgo the opportunity to consider and vote on an action from the floor on these proposals, if a meeting is held. This means that if there are amendments to these proposals your votes will not be counted on the final vote on these measures. If you desire to retain this ability, please attend any meeting in person. You may submit an absentee ballot and later choose to attend any meeting in person, in which case any in-person vote will prevail. *Please note that this language is required by statute. It is not entirely appropriate to this situation because a meeting need not and will not be held in order to cast votes on the declaration amendment.*

**WHITEWATER SPRINGS PROPERTY OWNERS ASSOCIATION, INC.  
BALLOT PERTAINING TO THE DISCHARGE OF FIREARMS FOR WILD HOG CONTROL**

Pursuant to the Whitewater Springs Property Owners Association, Inc. Bylaws, the Board had directed a vote of the Membership of the Association to determine Membership preference concerning the following Proposal:

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**ITEM NO. 2– Amendment to the Declarations to allow more flexibility in discharge of firearms for the purpose of wild hog control.**

General Description: This amendment would allow use of shotguns for the sole purpose of wild hog control. Rules would be adopted by the board after consultation with county authorities to outline the allowed process for firearms use for hogs.

**The proposed changes to the current Declaration language for all sections are shown in redline form below. Underlined language would be added (the non-underlined language is already in the Declarations):**

**Section 26:** No firearms of any caliber and no pellet guns or other guns using any type of propellant including gas or powder may be fired upon any lot, commons or street within this subdivision. However, hand pumped air guns shooting BB shot may be used within any regulations, if any, issued by the P.O.A. Notwithstanding the foregoing, the Whitewater Springs Board of Directors, after adopting formal rules and regulations, that follow Burnet County guidelines, may authorize the discharge of firearms, limited to shotguns and archery equipment, within the Whitewater Springs Subdivision for the sole purpose of controlling wild hog populations within the Subdivision.

**I VOTE (CIRCLE ONE):**

**YES - FOR THIS REFERENDUM**

*A vote “Yes” is a vote in favor of allowing firearm use for wild hog control, in accordance with rules to be adopted by the board.*

**OR**

**NO - AGAINST THIS REFERENDUM**

*A vote “No” is a vote opposing any change to the restrictions.*

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All ballots must be signed to be counted. Please fill out all information below:

Owner’s Printed name: \_\_\_\_\_ Owner’s signature: \_\_\_\_\_

Whitewater Springs Address: \_\_\_\_\_

If known, section and lot number: \_\_\_\_\_ Date: \_\_\_\_\_

**Notice required by statute:** By casting your vote via absentee ballot you will forgo the opportunity to consider and vote on an action from the floor on these proposals, if a meeting is held. This means that if there are amendments to these proposals your votes will not be counted on the final vote on these measures. If you desire to retain this ability, please attend any meeting in person. You may submit an absentee ballot and later choose to attend any meeting in person, in which case any in-person vote will prevail. *Please note that this language is required by statute. It is not entirely appropriate to this situation because a meeting need not and will not be held in order to cast votes on the declaration amendment.*