

**Minutes from the Blue Heron Bay POA**

**Open Meeting**

**August 29, 2019**

An open meeting of the BHB Board was held at 18001 Hwy 105 West, Suite 102, Montgomery, Tx 77356 on August 29<sup>th</sup>, 2019. The meeting was called to order by Lee Burson at 7:03pm. Other than the board members, there were approximately thirty members of the POA in attendance.

**Call to Order**

Lee Burson called the meeting to order at 7:03pm after a Board quorum was established by the current board members. At the beginning of the meeting, there were two official board members on the board, Jeremy Dozier and Lee Burson. Jeremy Dozier, Vice President, was unable to attend due to medical reasons but gave his proxy vote to Lee Burson. The email providing the proxy vote is attached. There were five vacant positions at the start of the meeting.

Lee first addressed the concern as to whether Mary Howard was or was not officially on the board. To eliminate any concern over this, he officially nominated her to the board. This nomination was confirmed with Lee and Jeremy voting her in to make her appointment legal.

Due to the four vacancies on the board, the next item on the agenda was appointing interim board members. These four will fill the vacancies until the next general election in February 2020. At this time, anyone can run for a Board position and will have to be voted in by the members of the POA.

The following were voted into the interim positions by Mary Howard and Lee Burson along with Jeremy Dozier's proxy vote: Tony Cook-President; Kathy Joslyn-Director; Scott Bergin-Director; Dee Williams-Secretary. Scott Bergin was unable to attend due to a previously scheduled engagement. Lee Burson was then nominated by Tony Cook to be the Treasurer due to his tenure as treasurer as well as extensive knowledge of the financials and to be able to balance the books from 2018-2019. The board agreed and voted Lee Burson as the Treasurer

**Board Members Attending:**

Tony Cook-President

Lee Burson-Treasurer

Dee Williams-Secretary

Mary Howard-Director

Kathy Joslyn-Director

**Agenda Items**

Call to order.....Tony Cook, President

### **Ongoing Business discussed at last board meeting but no decisions were made**

- a. Review the use of golf carts in the neighborhood.
- b. Review of fines
- c. Parking and obstructed street concerns
- d. Status of by-laws and making them consistent with current state laws
- e. Status of security cameras at front gate

### **New Business**

- a. Financials
- b. ACC

### **Second Call to Order**

After all vacant board positions were filled; President Tony Cook once again called the meeting to order. He indicated there were five open items from the last meeting that needed to be discussed. He wanted to have more open discussion and feedback from the POA members and opened the meeting up to the attending POA members. Each had three minutes to give comments on each topic.

### **Golf Carts**

The first topic of discussion was whether or not golf carts should be allowed in the neighborhood. The members in attendance were divided about allowing golf carts. Those for allowing carts felt it helped in carrying decorations and flowers through the neighborhood; felt it should be restricted to electric carts; felt the restrictions were made 20 years ago and needed to be revisited. Those against them were concerned they would be a nuisance; any restrictions placed on their use would be unenforceable; why are they needed in a smaller neighborhood like BHB; and if allowed would escalate to people using other types of carts. It was also asked why we would change existing restrictions to please a few people. If we approve this, where do we stop? These restrictions were also the reason many moved into BHB. There was also concern the POA would be liable if someone got hurt on them if approved.

If allowed, the restrictions suggested were electric carts only and adult only drivers.

### **Review of Fines**

Board member Lee Burson does not feel the fees need changed. They are set to deter people from violating those particular restrictions. The biggest concern discussed was the wording of the fines not necessarily the fine amount. For example, "working on projects without ACC approval." "Working" needs to be better defined. Tony Cook also reminded the members there were two notices provided for any member violating these restrictions prior to a fee being assessed. Copies of the fine schedule were available to the attending members and it is also available on the BHB POA website.

### **Parking Safety Concerns**

This is a topic the board takes seriously to help maintain a safe neighborhood for all. We will discuss this issue and determine the best course of action for the community.

### **Status of assessing by-laws**

The current by-laws are in the process of being reviewed. Preliminary work has begun on updating the current by-laws to be consistent with state laws.

### **Front Gate Security Cameras**

The current cameras for capturing images in the evening are not working. Lee Burson had a meeting set with a vendor who did not show so other vendors will be called. The current concern about getting new cameras is the deficit in the financials. Greg Cow is to submit previous quotes he received to Lee.

### **New Business**

#### **Financials**

A current review of the financials shows a \$4000-8000 deficit. Further review of this deficit needs to be done by the current board in an effort to avoid a special assessment to the POA members. Once we have been able to look further into this concern, more details will be provided.

As far as saving money, members thanked Mary Howard for storing decorations to save money. Other members offered to store decorations as well. Members also thanked Doug and Kathy Joslyn for providing a meeting space free of charge.

Concerns were voiced about spending money to maintain outside the gate and we should put in something that won't take much upkeep (ie pavers or stones). Tony Cook reminded everyone we needed to be concerned about preserving property values as well maintaining financial integrity. There were concerns voiced about BHB not owning outside the gate and what might happen long term if that property was sold. There were issues by some members about maintaining all the way to 105. There were suggestions we could purchase easement rights and just maintain from the stone bridge to the gates.

Another factor that needs to be considered is maintaining the integrity of the concrete roadways. If the ground around the concrete is allowed to dry up and remain dry, this will compromise the concrete and cause it to crack. The cost to fix cracked curbs and streets would be a significant cost.

A copy of the BHB balance sheet as well as the Profit & Loss Statement through August 28, 2019 were provided.

#### **ACC Business**

Kathy Joslyn provided an update on the ACC business. There was one new house plan that was submitted and then rescinded. There were two applications for generators, a pool, and a back porch addition that were all approved.

## **Open Discussion**

Due to the entire meeting being an open discussion, those open comments were listed under each section. Towards the end of the meeting, a member asked if the voting of the new members was legal. The members were informed that all new members were appointed into position in complete adherence with the BHB by-laws.

It was also asked if it was ever voted on to have seven members on the board. There was some discussion if this was ever voted on by the board. There needs to be a ten day notice to have an item added to the agenda for a vote. This has been added to the next board meeting agenda.

## **Adjournment**

After all members had the chance to voice their opinions, Tony Cook informed everyone the board wanted to meet to discuss all issues prior to voting on them. We want to ensure we consider all the facts before making any decisions. We also wanted to discuss the opinions voiced by the community regarding these issues.

At 8:09pm, Tony Cook voted to adjourn the meeting. Kathy Joslyn seconded that motion and the meeting was adjourned.

**Respectfully,**

**Dee Williams**

**BHB POA Secretary**

**Attachment:** Email from Jeremy Dozier giving his proxy vote to Lee Burson.