

**Blue Heron Bay POA
Executive Session Minutes
December 14th, 2019**

An executive meeting of the BHB Board was held at 18001 Hwy 105 West, Suite 102, Montgomery, Tx 77356 on December 14th, 2019. At 10:06am, Tony Cook called the meeting to order and a quorum was established. All board members were in attendance except for Jeremy Dozier. Also in attendance were Doug Joslyn and Mike Howard.

Board Members Attending

Tony Cook	President
Lee Burson	Treasurer
Dee Williams	Secretary
Mary Howard	Director
Kathy Joslyn	Director
Scott Bergin	Director

Agenda Item

1. Sprinkler Line- The sprinkler line from the first curve inside the gates to the gates has been completed. We are still waiting on the invoice but it should be between \$1700-2000. This line was necessary since the lines outside the gate were cut. We will make sure to water minimally during the fall and winter season.
2. Gate cameras- This is still an issue and two more cameras no longer work in the evening. Mary Howard will call Dwayne to see what we need to do to fix these and get a cost estimate.

New Board Items

1. **Process for violations:** Letters were sent to residents with violations. Since none of the residents corrected the violations, a second letter will be sent to all except one of them. Members of the board and ACC agreed to contact this resident and get approval to take care of the issue themselves. Tony asked for help tracking when violation letters were sent and when the follow letter would need to be sent. Dee agreed to help with this. Tony will send the necessary second notices.
2. **Review CCR potential violations:** Violations of the current CCR's were discussed and are listed below. Kathy discussed two denied applications. One was for the construction of an 1100 square foot garage in the resident's backyard. The second was for a pool application due to needing more information from the pool builder. The violations are as follows:
 - a. Resident A with a boat violation will receive the first notice.
 - b. Resident B has an unaddressed curb violation so they will receive a second letter. They will also receive the first notice for multiple other violations.
 - c. Resident C will receive a first notice regarding a tree growing into the streets.
 - d. Resident D will receive the current Boards first notice regarding a trampoline that per restrictions is affecting the aesthetic views of the neighborhood.
 - e. Resident E has a boat slip that is in disrepair.

We also discussed the process for members who have complaints regarding potential violations. These complaints must be submitted in writing as well as pictures and which regulation they feel is not being adhered to. An email will not suffice, it must be a letter.

We discussed the concern regarding parking on the streets. There has been precedent set in the past regarding using the street as a permanent parking area which is what the current resident who has had complaints leveled against them is doing. Tony will get copies of these other letters from the attorney and we will decide how to proceed.

The new fine schedule needs to be posted onto the website since it was approved in the last meeting by a Board majority vote.

- 3. Financial information and communication/newsletter:** A letter is going to be sent out to the BHB POA membership explaining the state of the financials. Lee will help get this sent out once the final letter is agreed to by the Board. This will go out by itself. There was a lengthy discussion about the financials and the overspending by the previous board. There were concerns over the tone of the newsletter and we want to send a letter out that does not cause more upheaval in the community but does share the information that the community has the right to know. The letter will be rewritten and sent to us for approval by Tony.

Tony made a motion to send out a quarterly newsletter to all members of the association and Kathy seconded that motion. It was voted 6-0 in favor of sending out the newsletter. Jeremy was not in attendance to vote.

- 4. Establish 2020 budget:** We discussed the budget for 2020. The numbers Lee projected have us breaking even but should be able to build the contingency fund back up from money for late fees, building fees, etc. We also discussed trying to recoup money the previous board spent on issues that were not to benefit the entire POA membership. We also discussed if a vote was taken by the previous board to hire outside legal counsel.

Tony made a motion to review the previous boards' actions and all legal expenses pertaining to all attorneys hired by the previous board. We also need to know if the reasons to hire outside counsel were legitimate and voted on the board to approve these actions. Kathy seconded the motion. The board voted in favor of this motion 6-0. Jeremy was not in attendance to vote.

Kathy made a motion to put the budget we discussed into place. Dee seconded the motion. The board voted in favor of this motion 6-0 with Jeremy being absent for the vote.

The estimated budget will be posted with the meeting notes.

- 5. Election communication and nominations:** The by-laws state the election is to be held on the first Monday in February at 10:00am or as otherwise set by the board. All nominations need to be in by the end of the month. We will use a ballot similar to the one used last year. Members can vote by mail but there are many steps that need followed to do this. The board felt the first Monday of the month at 10am was not a good time for members to be able to make it to vote.

Tony made a motion to change the voting day to 7:00pm on Wednesday, February 12th, 2020. The vote is to be held at 180001 Hwy 105 West, Suite 102, Montgomery, Tx 77356. Kathy seconded the motion and the board voted in favor of this motion 6-0. Jeremy was not in attendance to vote.

Any nominations need to be received by the board at least 30 days in advance of the vote. The board will send out information regarding these nominations to the entire POA membership by December 31, 2019 and all nominations need to be returned by January 13, 2020 so we can send the necessary information out timely. Information regarding the nominations will be sent out with the assessments.

- 6. Outstanding assessment:** There are two accounts that are overdue. One property owner has paid part of what is owed and the rest is owed by the December 15th. If not paid, this will be turned back over to the attorney.

The other resident is overdue by two years plus late fees. A letter has already been sent and the next step is taking legal action.

Tony made a motion to move forward with legal action. The board approved the motion 6-0 with Jeremy not being present.

Other items needing discussed:

1. Lee suggested that we write to the county to fix the pothole outside the entry gates. Tony has already initiated contact with the County to discuss the repair.
2. Lee said there are a few repairs that still need completed on the gate railing and track. These repairs were supposed to be done with the previous repairs but were not.
3. Lee suggested that we change the gate code since it has been years since the last change. We communicate this change when the assessments and nominations are sent out. The new code will go into effect January 1st, 2020 while the old code will remain active until February 1st and then removed.

Tony made a motion for the board to send a letter to the county regarding the pothole and Kathy seconded this motion. The board voted in favor of sending the letter 6-0.

Adjournment

At 12:21pm, Tony made a motion to adjourn the meeting and this was seconded by Scott. The board voted 6-0 to adjourn the meeting.

**Respectfully,
Dee Williams
BHB POA Secretary**