

# MINUTES

## ANNUAL MEETING OF BBPOA – FEBRUARY 7, 2004

The minutes from the Annual Meeting of February 7, 2004 of the BBPOA are as follows:

Mike Miles, President, opened the meeting at 2:00p.m.

Mike said that Sheriff Mark Gilliam and Oscar Pena were present and would address our group. Sheriff Mark Gilliam will speak first. Oscar Pena will address the group later in the program because the issue he will discuss is connected to another matter to be presented to the membership.

Sheriff Mark Gilliam said that the department had shut down four meth labs in the last two and a half weeks. He felt this would impact our area by getting these criminals off the streets and make our neighborhood a safer place to live. They are still getting minor reports of crimes in Bahia Bay, however, it does not appear that the incidents are as bad as they have been in the past. If the property owners or aware of what is going on in our neighborhood and report anything that appears suspicious, it will help keep our neighborhood a safer place to live. The sheriff's department can not be everywhere at once and they need us to be their eyes and ears and let them know if we see anything that appears suspicious. Someone reported there was speeding on Windjammer. Mark said he called his officers and told them he wanted some tickets issued on Windjammer, so look out, you may get tagged. Aransas County has a web site, you may call the sheriff's office or 911 if you need assistance. If you see something that appears suspicious, get as much information as you can, a description of person, license number or any other information that will help them apprehend a suspect. Mark stressed the importance of calling immediately, this will alert them there is a potential problem. He thanked us for having him meet with us.

### **Mike Miles introduced the officers of BBPOA:**

Mike Miles- Outgoing President

Jim Remitz- Vice President

Director- Stan Kerpoe

Secretary- Diane Miles

Treasurer- Margie Davis

Mike read the minutes from the July 12, 2003 Special Meeting. A motion was made to accept the Minutes as read. The motion was seconded and carried unanimously. At this time, Coy Newberry asked if it would be possible to mail the minutes of the meetings out to the property

owners soon after the Secretary has prepared them and the Board approved them? A lot of people do not live here and are unable to attend the meeting, but would like to have this information before next year. Mike said he did not think it would be appropriate to send the minutes out because the minutes must be approved by the members at the next meeting before they become official. In the discussion, it was suggested that they send the minutes out to members with a notation that they must be approved by the members at the next general meeting. Mike also said it cost \$100 for each mail out. It was suggested that the minutes be put on the website. Mike replied that he did not like the idea of putting this kind of information on the website because it could be accessed by the general public. There was discussion regarding the flow of information. Mike said an explanation went out with the bill for the special assessment. As far as other information, everyone is informed of the meetings and the information is provided at the meetings for the members.

Mike asked if anyone wanted to make a motion. No one made a motion. Mike suggested that we move to the next subject.

Mike introduced new property owners. Warren and Juanita Michaels, Henry and Elizabeth Beken, Cynthia and David Patrick.

### **Treasurer's Report**

Margie Davis, Treasurer, gave the Treasurer's Report.

At the end of the Treasurers report, Johnny Miller said he was concerned about the amount of the electric bill. A discussion on the street lights ensued. Mike Miles said that the Board is looking into the possibility of changing electric companies. The Board is checking to see if we have other options and if there is a way to reduce the cost of electric bills. Johnny Miller also asked if the Board has gotten bids from other companies for the mowing? Mike said, yes, they have gotten bids from other companies. There was a short discussion about canal grass. A suggestion was made that we accept the Treasurer's Report and address this under new business.

Mike Miles agreed, and asked for a motion to accept the Treasurer's Report. The motion was made and seconded to accept the Treasurer's Report as read, motion carried unanimously.

### **Committee Reports.**

**Water Quality:** Jack Niederkorn is the chairman, in his absence, Mike Miles gave the report. Mike reported that the quality of our water is very good, and it does meet the standards required by law. Farrel Beck said the water should be tested at 1ft, 3ft, and 5ft, to get a good reading. He said the report shows testing on surface only. Mike said he will check with Jack Niederkorn and see what method he used to test the water.

**Bulkhead:** Joe Bernicky reported that Phase I was complete. We collected \$24,600 to do the job and we actually did it for \$19,350 so we had \$5,250 dollars left over. Joe said the contractor dug

all the way back to the anchor rods and points where the rods were attached to the bulkhead and that they are in perfect condition. He then pointed out that this work is not completely cosmetic, there is a safety factor involved. Some contractors have been reluctant to do work until the caps were repaired. Joe had some photos of the caps before the repair was done. Joe also explained that the association paid for the cap repair only. The sidewalk, and anything that was done behind the caps, was the homeowners responsibility. He said any money that was not spent, would be placed in the Emergency Bulkhead Fund. The money that is collected for bulkhead repairs cannot be used for anything except bulkhead repair and maintenance. At the end of 3 years all repairs will be complete and we will have a nice reserve in the Bulkhead Fund. Jerry Simmons asked, why not give the money back? Mike Miles said no, we need to keep a nice reserve for future bulkhead maintenance and repair. The question was asked, what is a nice reserve? Mike said in excess of \$100,000. Mike then asked, suppose we have to dredge the canal? At this point, Mike said he wanted to make a slight correction to what Joe Bernicky said. This fund is a Bulkhead Canal Fund. This money is dedicated to bulkhead and canal work. If we have to do any dredging, the money will come out of this fund. The question was asked, does this include the fence at the Intercostal Canal Entrance? Mike said no, that comes out of the General Fund. Randy Davis said that this issue was discussed and voted on at the July meeting and it passed. He said there is some resentment and anger because this passed. He said, "It passed, it's a done deal, there are no hanging chads. So get over it." Joe then summarized the bulkhead report for the work to be done in 2004, 2005 and 2006. A question was asked about the money being collected. Mike explained that \$430 will go into the Canal Fund for three years. Annual regular dues will be \$170. Each property owner will pay \$600 annually, per lot, for the initial 3 year period. After 3 years \$300 will be collected from each property owner per lot. \$170 will be the annual dues and \$130 will continue to be paid into the Bulkhead Fund until such time that we decide to make a change.

**Architectural Control:** Merlin Hartdegen reported that there were 17 requests for structural changes, four of which were new construction. He was happy to report that all of them were approved. Mike asked that the property owners please police the contractor and see that the trash is picked up around the construction sites. He said this Committee is one of the most difficult and thanked Merlin for his dedication and hard work.

**Security & Website:** Randy Davis gave his report regarding security, encouraging all to be sure their house numbers are visible at night. This will help an emergency service find your house in case of an emergency. We have a new website [www.bbpoa.com](http://www.bbpoa.com). Randy encouraged all to go into the site and look at it, he has added some new and interesting information. Mike thanked Randy for his hard work and the good job he has done on keeping our website updated.

Mike thanked Diane Miles-Outgoing Secretary and introduced Juanda Hartwell as the new Secretary.

**Entrance:** Jim Remitz briefly explained that the Board wanted to widen the entrance road and make some changes in the appearance. Jim introduced Oscar Pena-County Commissioner, to explain what we will need to do to get the front entrance road widened. Oscar said the County will not approve a project such as this for beautification. It will need to be presented to them as a

safety issue. He is willing to do this for us, however, it will be necessary for Bahia Bay to dedicate 10 feet of land on both sides of our entrance to the County. Oscar also said it will take from 12 to 18 months, maybe longer, to get this approved. Jerry Sauls made a motion to dedicate 10 feet on each side of our entrance road to the county, if they agreed to widen our entrance. The motion was seconded and it carried overwhelmingly.

Harrilyn said there are some drains in the front entrance but they are probably stopped up, however, maybe they can be cleaned out and used. Mile said he was not aware that there were any drains, but he had heard that they are there. There was discussion regarding the drains. Harrilyn said that if the State and County are getting involved, why do we need to do anything now? There was more discussion regarding the drains, fill dirt, oleanders.

Ray Herrod made a motion to table the discussion regarding the Beautification on the Entrance until after the road had been widened. It was seconded. There was a call for discussion. Bill Strawn said he worked for DOT and stated that anytime the State or County is involved, it is best to wait till they complete their work before any other work is done. There are things they will have to approve such as drains. More discussion ensued, Mike finally said there was a motion on the floor that needs to be addressed. The vote was taken and passed overwhelmingly.

**Proposed Operating Budget:** Margie Davis read the Proposed Operating Budget for 2004. A motion was made to accept the Proposed Operation Budget as read. The motion was seconded and carried unanimously .

Mike Miles thanked Margie Davis for all of her hard work, she has done a great job as Treasurer.

### **Annual Picnic:**

Diane Miles asked for a volunteer to host the picnic this year. Barbara Reed volunteered to host the picnic.

### **New Business:**

Farrel Beck asked for consideration of the following changes in our By-Laws:

1. Officers to be elected by the Association Members.
2. Increase Board members from 3 to 5.
3. Have term limits for the Architectural Control Committee.
4. Architectural Control Committee Members to be elected by the Association Members.

In reference to Farrel's suggestion regarding the way officers are selected, Mike stated that presently the Association Members elect the Directors/Board Members. At the end of the General Meeting the new Board meets and they elect the new officers. He also said, all of these

matters can be addressed by the new Board. He stated he did not feel it is a good idea to make frequent changes in the By Law's.

There was discussion regarding the land on the south side of Lands End. There were some legal questions raised. If developed, will it fall under the covenants of Bahia Bay since this was to be Phase II of Bahia Bay? The issue was left without resolution.

Mike announced that two Directors will continue to serve, Stan Kerpoe and Jim Remitz. He introduced Ray Herrod, who has agreed to serve as Director. A motion was made and seconded to accept Ray Herrod as the third Director. Motion carried unanimously.

There was a motion made to adjourn, the motion was seconded and carried unanimously.

Juanda Hartwell

Secretary