

Bahia Bay Property Owners Association Annual Meeting February 7, 2009

Call to Order - 4:30 p.m.

- President Don Hennigan introduced the Board members, including Maylene Moore who has replaced Sam Kenny, to the 44 homeowners present.
- Sam Kenny was recognized for her outstanding work with the Board the past four years.
- Guests at the meeting included Jack Chaney, County Commissioner; Judith Vlasek and Jim Rummage representing City by the Sea.
- Five of the thirteen new homeowners attended and were introduced and welcomed.

Consider Approval of Minutes of Annual Meeting February 2, 2008

- Don Hennigan asked for a motion to accept the minutes as presented.
- Randy Chandler indicated *Section VII. Other Business Item 1* should read "The committee never met with the board due to illness, e-mail address, and miscommunication."
- Larry Moore made a motion that the minutes be accepted as amended. Tom Berkenkotter seconded and the motion passed unanimously.

Consider Approval of Treasurer's Report

- Steve Warrick, in Mike Wulf's absence, presented the treasurer's report.
- The year ended with a deficit, primarily caused by the completion of all phases of the front entry landscaping project, increased lawn maintenance cost, and increased water usage.
- As indicated on the balance sheet provided at the meeting, funds from previous years allocated to landscaping offset most of the deficit, and the operating fund is solvent.
- After a motion from Ruben Corkill and a second by Tom Berkenkotter, the Treasurer's report passed unanimously.

Consider Approval of the Proposed 2009 Budget

- The 2009 operating expense budget is based on income from the annual assessment of 124 lots. Budgeted expenses, including utilities, maintenance and repair, and administrative cost, are estimated to equal that amount.
- The 2009 bulkhead is based on the special assessment per lot. Expenses budgeted include bulkhead maintenance and canal entrance maintenance equaling the budgeted income.
- Gary McAbee asked if more should be allocated for canal cleaning. Don Hennigan indicated that finding someone to do the work and dispose of the debris is the problem. A solution to the problem is being worked on by the Board.
- Bill Strawn made a motion to accept the budget as presented. It was seconded by Larry Moore and passed unanimously.

Annexation/Sewer

- Jack Chaney, County Commissioner, explained that most of Bahia Bay is located in the Aransas Pass ETJ and is subject to annexation. His suggestion was to work closely with City by the Sea in an effort to fight the annexation. He stressed the importance of attending Aransas Pass Council meetings in mass and being visible with opposition. He cautioned that behavior should not include arrogance, rebellion, threats, etc.
- Jim Rummage and Judith Vlasek, City by the Sea residents, gave a brief explanation of their efforts to stop the annexation and also the effects the annexation could have on Bahia Bay. Those factors include reduced police protection, fire protection, and EMS response time. A substantial tax increase

with no increase in services was another major concern. They invited BBPOA to join in their efforts and offered assistance in acquiring stickers and other materials.

- Rick Johnson outlined his findings regarding the cost of BBPOA providing their own sewer system. Approximate cost would be \$14,000 per household. Rockport is in the process of providing sewer to the proposed Isles of Rockport, providing an opportunity for sewer service for Bahia Bay.
- If annexed Aransas Pass would be required to provide sewer within 2-1/2 years of annexation, although that service would actually be provided by Rockport.
- Jack Chaney indicated that the water quality is continuously tested in canal communities, but the day is coming that houses could not be sold without some sort of off-site disposal system.
- Johnson in studying the past attempts at annexing Bahia Bay and that Hwy 188 was established as the division between the two cities. While Aransas Pass ETJ establishes where they can annex, a letter from our Board to the City of Rockport should be considered advising them we would appreciate their support in resisting annexation by Aransas Pass. That would be the first step in gaining Rockport's support. Rick Johnson agreed that we should join City by the Sea in creating a united front.
- Judy Vlasek said the Aransas Pass Council meets the first and third Monday of each month and filling the meeting room with people wearing "no annexation" stickers would be advisable.
- Harold Wind recommended that "no annexation" bumper stickers be made up. Stickers are also available from City by the Sea. Discussion followed about other ways attention could be drawn to this issue. A committee will be appointed by the Board to spearhead Bahia Bay's effort in the campaign against annexation.

Bulkhead Report

- Don Hennigan reported during 2008 that two bulkheads were raised; a corner was reinforced with cement sacks; and about 200 ft. of cap was replaced.
- In the past several years expenditures of \$130,000 has repaired approximately 80% of the bulkheads and they are in good shape but continuous maintenance is required.
- Hennigan announced that Ed McQueen will be the new chairperson of the Bulkhead Committee.

VII. Architectural Control Committee

- Merlin Hardegen reported no new houses were constructed in 2008 and only dock and boat lift repairs had been made.
- Plans for a new residence at 209 Windjammer are under review and construction is expected to begin soon.

Water Quality

- Dorothy McAbee gave the water quality report in the absence of George Kelly. Testing was done on three separate dates and the 2008 tests were much better than the previous year.
- Water samples were collected and tested for fecal coliform and enterococci bacterium. One area in the Windjammer canal was a little high but was within the Surface Water Quality Standards.
- Tests will continue in 2009 although the frequency will now be twice a year.

Landscape Committee

- Steve Warrick reported that the Bahia Bay entry landscape project including a new sprinkler system and widening of the entry roadway were completed.
- The flagpole was repaired and painted; the center median was reduced to provide for a larger turning radius for trailers and large trucks; vines were trimmed from the Bahia Bay North area; and trees were transplanted to the berms.
- Dorothy Sykes will chair the Landscape Committee in 2009. Goals include maintenance of the front area, canal signage, and possibly adding additional plants. Comments from the floor regarding

foliage obstructing your sight at the yield sign; a possible update to the entrance sign, and possible ways to address the pot holes at the entrance will be addressed by the Landscape committee.

- Comments from the floor stressed the need of “no wake” signs in the canal. It was suggested signs be posted in the canal and that owners of rental property might advise their renters of this requirement.
- A resident voiced her concern that the thirty mile-per-hour speed limit on our streets is too fast for the neighborhood. Don Hennigan reminded her that a letter had been mailed addressing this and other issues earlier in the year. The Board will send a letter to the County Commissioner addressing the issues of street parking and speeding.

Election of Director

- The Board nominated Rick Johnson for the Director’s position being vacated by Don Hennigan. There were no nominations from the floor.
- The motion was made by Tom Berkenkotter and seconded by Julita Freed to elect Rick Johnson for the 3year term. The motion carried unanimously.

Picnic

- Maylene Moore announced that Kathy Johnson and Julita Freed have agreed to chair the annual picnic.

Flower Fund

- Maylene Moore informed those in attendance that flowers, food, and cards had been sent to six of our residents since October. She also asked for contributions to defray these costs.

Other business

- Exterior lighting was addressed by Dorothy McAbee.
- Covenants do specify that exterior lighting is required from dusk to dawn and will be provided by the association at the owner’s expense if necessary.
- A letter has been drafted to send to owners not in compliance.
- Harold Wind commented that some properties are grandfathered as purchased property before this requirement was part of the covenants. Research will be conducted to determine who is affected.
- Another suggestion from the floor was that a letter sent on an attorney’s letterhead might get the attention of owners not in compliance.
- Dorothy McAbee asked that members check the information in the directory and provide her with corrections.
- Ed McQueen asked that anyone with bulkhead problems contact him.

The meeting was adjourned at 6:04 p.m.