

**BIRCH CREEK FOREST PROPERTIES, INC.**  
**MINUTES OF REGULAR MEETING OF BOARD OF DIRECTORS**  
**JULY 11, 2020**

THE BOARD OF DIRECTORS OF BIRCH CREEK FOREST PROPERTIES, INC. MET AT THE FIRE DEPARTMENT STATION HOUSE IN BIRCH CREEK FOREST SUBDIVISION ON SATURDAY, JULY 11, 2020 AT 8:03 A.M.

PRESIDENT MELVIN LEHMANN CALLED THE MEETING TO ORDER, THERE BEING A QUORUM PRESENT.

MINUTES OF THE REGULAR BOARD MEETING HELD JUNE 6, 2020 WHICH WERE POSTED AND CIRCULATED, WERE APPROVED, UPON MOTION BY MELVIN LEHMANN AND SECONDED BY CHRIS HENNING. THE MINUTES WILL BECOME A PART OF THIS MEETING'S RECORDS.

THE TREASURER'S REPORT AS OF JUNE 30, 2020 WAS GIVEN BY MELVIN LEHMANN. UPON MOTION BY MELVIN LEHMANN AND SECONDED BY DAVE SMITH, THE BOARD APPROVED THE REPORT AS PAID. THE REPORT IS TO BECOME A PART OF THIS MEETING'S RECORDS.

**COMMITTEE REPORTS:**

**ABATEMENT:** NONE

**ARCHITECTURAL:** THREE

1. RICHARD AND LOIS BRUNNER HAVE APPLIED TO BUILD A GREENHOUSE (48 SQ FT) WITH METAL FRAME AND ON A PLATFORM ON THEIR PROPERTY AT 323 RIPPLE CREEK LN. A MOTION TO APPROVE WAS MADE BY MELVIN LEHMANN, SECONDED BY JOHN DUNKLEMAN AND PASSED UNANIMOUSLY.

2. JACKSON BOAZ HAS APPLIED TO BUILD A WOOD FRAME AND STONE HOUSE (924 SQ FT) ON HIS PROPERTY AT 306 WOODVINE LANE. A MOTION TO APPROVE WAS MADE BY CHRIS HENNING, SECONDED BY DAVE SMITH AND PASSED UNANIMOUSLY.

3. JOE MARTINEZ HAS APPLIED TO BUILD A WOOD FENCE ON HIS PROPERTY AT 101 BROKEN BOW CIRCLE. A MOTION TO APPROVE WAS MADE BY DAVE SMITH, SECONDED BY JOHN DUNKLEMAN AND PASSED UNANIMOUSLY.

**GRIEVANCE:** ONE VERBAL COMPLAINT AND ONE E-MAIL

1. A PROPERTY OWNER CALLED THE OFFICE COMPLAINING THAT HIS NEIGHBOR OPERATES A CAR REPAIR BUSINESS, CONTRARY TO DEED RESTRICTIONS. PRESIDENT LEHMANN REQUESTED THAT THE PROPERTY OWNER SUBMIT THIS COMPLAINT AS A WRITTEN GRIEVANCE.

2. ANOTHER PROPERTY OWNER E-MAILED THE BOARD COMPLAINING THAT GOLF CARTS AND MOTORIZED MULES ARE OFTEN OPERATED WITHOUT A LICENSED DRIVER ABOARD. MELVIN LEHMANN STATED THAT HE HAS SPOKEN TO DEP. SHERIFF LES LABERTEW WHO WILL TICKET OWNERS OF THESE VEHICLES. LES WILL ALSO ENFORCE SPEED LIMITS IN THE SUBDIVISION. MELVIN ENCOURAGES SLOWER VEHICLES TO YIELD TO FASTER ONES. HE SAID THAT IT IS A PRIVILEGE TO USE THESE VEHICLES IN OUR SUBDIVISION AND WE DON'T WANT TO DO ANYTHING TO JEOPARDIZE THIS PRIVILEGE.

**BUILDING RENTAL:** NONE

**SWIMMING POOL:** JERRY POTENZA REPORTED THAT THE POOL IS IN GOOD CONDITION. A SECOND CHLORINATOR IS BEING INSTALLED TO PREVENT THE ALGAE BLOOM THAT FORCED A POOL SHUTDOWN THE WEEK BEFORE LAST.

**OLD BUSINESS:**

1. THE MAINTENANCE FEE STATEMENTS FOR 2020 WERE MAILED OUT LAST OCTOBER. FEES WERE DUE ON JANUARY 31, 2020. A LATE CHARGE OF \$10.00 PER LOT HAS BEEN ASSESSED AND NEW STATEMENTS HAVE BEEN SENT OUT. A PAYMENT PLAN CAN BE ARRANGED FOR ANY PROPERTY OWNER WHO IS IN ARREARS. PLEASE CALL THE HOA OFFICE AT (979) 535 - 8978.

**OLD BUSINESS: (continued)**

2. THE NEW KEY CARDS FOR ACCESS TO BOTH THE DUMP AND THE POOL ARE NOW AVAILABLE. PROPERTY OWNERS ARE ASKED TO STOP BY THE HOA OFFICE AND PICK UP THEIR NEW CARD.

**NEW BUSINESS:**

1. SOME PROPERTY OWNERS HAVE ASKED FOR AN ADDITIONAL NEW KEY CARD FOR ACCESS TO THE DUMP / POOL. THE BOARD DISCUSSED THE POSSIBILITIES OF ADDITIONAL CARDS BUT DECIDED TO LIMIT ONE PER PROPERTY OWNER. THE BOARD IS OPEN TO PROPERTY OWNERS HAVING ONE CARD FOR THE DUMP AND ANOTHER CARD FOR THE POOL. THE BOARD WILL DECIDE ON THE ISSUE OF MULTIPLE CARDS NEXT MONTH AND WILL ALSO DECIDE HOW MUCH TO CHARGE FOR ADDITIONAL CARDS AND ALSO WHAT TO CHARGE FOR CARDS THAT ARE LOST AND NEED TO BE REPLACED.

2. THE BOARD ALSO DISCUSSED A POLICY FOR RETURNED CHECKS FOR NON SUFFICIENT FUNDS (NSF). THE BOARD WILL DECIDE HOW MUCH TO CHARGE NEXT MONTH.

**SEPTEMBER ELECTIONS:** THE TERMS OF SERVICE FOR TWO DIRECTORS (MELVIN LEHMANN AND CHRIS HENNING) WILL EXPIRE AT THE END OF AUGUST. EACH HAS EXPRESSED A WILLINGNESS TO SERVE AN ADDITIONAL TERM.

ACCORDING TO BY-LAWS (ARTICLE IV, SECTION I) :

1. THE NOMINATING COMMITTEE APPOINTED AT JUNE’S MEETING (BOB WARE, JOHN SCHOELLMAN, DON SHOCKEY) SHALL SUBMIT NOMINATIONS FOR THE TWO DIRECTORS AT A REGULAR MONTHLY MEETING AT LEAST 30 DAYS PRIOR TO THE ANNUAL MEETING ( SEPTEMBER 5). IN ADDITION, NOMINATIONS MAY ALSO BE MADE BY ANY PROPERTY OWNER AT THE REGULAR MEETINGS.

2. ACCORDING TO THE BY-LAWS AND LAWS OF THE STATE OF TEXAS WRITTEN / SIGNED BALLOTS ARE NOT REQUIRED FOR UNCONTESTED RACES.

**COMMENTS FROM THE BOARD:**

PRESIDENT LEHMANN THANKS EVERYONE FOR MAKING THIS YEAR’S VOLUNTEER FIRE DEPARTMENT BAR-B-Q FUND RAISER THE BEST EVER. THE GROSS AMOUNT WAS OVER \$40,000 WITH \$34,000 IN NET PROCEEDS. THE BAR-B-Q MEALS WERE SO POPULAR THAT THEY SOLD OUT . THE AUCTION NETTED OVER \$19,000. MELVIN THANKED ALL THE PEOPLE WHO MADE GENEROUS BIDS DURING THE AUCTION.

2. PRESIDENT LEHMANN ENCOURAGES EVERYONE TO JOIN THE LOCAL FACEBOOK PAGE **“birchcreekforestpropertyowners”** IT IS LIMITED TO PROPERTY OWNERS WHO ARE CURRENT ON THEIR HOA FEES AND WILL CONTAIN NEWS AND ANNOUNCEMENTS.

**COMMENTS FROM THE FLOOR:**

A PROPERTY OWNER ASKED THE BOARD ABOUT A LETTER SHE RECEIVED FROM A NEIGHBOR THAT IMPLIES OUR HOMEOWNERS ASSOCIATION CAN NOT ENFORCE DEED RESTRICTIONS. PRESIDENT LEHMANN STATES THAT THIS IS NOT TRUE. THE BOARD REGULARLY CONSULTS OUR ATTORNEY WHO ADVISES US ON THE LAW AND STATES THAT OUR DEED RESTRICTIONS ARE FULLY ENFORCEABLE UNDER CURRENT TEXAS LAW.

**CHANGE IN OWNERSHIP:** NONE

THERE BEING NO FURTHER BUSINESS, A MOTION BY MELVIN LEHMANN, SECONDED BY CHRIS HENNING, TO ADJOURN THE MEETING WAS APPROVED AT 8:45 AM.

THE BIRCH CREEK FOREST PROPERTIES, INC. NEXT MONTHLY MEETING IS SCHEDULED FOR **SATURDAY, AUGUST 1, 2020 AT 8:00 AM** IN THE COMMUNITY BUILDING.

THESE MINUTES WERE APPROVED BY THE BOARD OF DIRECTORS IN THE REGULAR MONTHLY BOARD MEETING OF THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
SECRETARY

\_\_\_\_\_  
PRESIDENT

