

**BIRCH CREEK FOREST PROPERTIES, INC.  
MINUTES OF REGULAR MEETING OF BOARD OF DIRECTORS  
DECEMBER 3, 2022**

THE BOARD OF DIRECTORS OF BIRCH CREEK FOREST PROPERTIES, INC. MET AT THE COMMUNITY BUILDING IN BIRCH CREEK FOREST SUBDIVISION ON SATURDAY, DECEMBER 3, 2022 AT 9:00 AM.

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

MINUTES OF THE REGULAR BOARD MEETING HELD NOVEMBER 5, 2022, WHICH WERE POSTED AND CIRCULATED, WERE APPROVED UPON MOTION BY MELVIN LEHMANN AND SECONDED BY CARRIE FERGUSON. THE MINUTES WILL BECOME PART OF THIS MEETING'S RECORDS.

THE TREASURER'S REPORT AS OF NOVEMBER 30, 2022 WAS GIVEN BY CARRIE FURGESON. UPON MOTION BY CARRIE AND SECONDED BY JOHN SCHOELLMAN THE BOARD APPROVED THE REPORT AS PAID. THIS REPORT IS TO BECOME PART OF THIS MEETING'S RECORDS.

**COMMITTEE REPORTS:**

**SWIMMING POOL:** JERRY AND STEVE DID NOT REPORT ON THE POOL BUT THEY CHECK IT TWICE WEEKLY AND REPORTED TO MELVIN THAT ALL LOOKS GOOD.

**ABATEMENT:** NONE

**ARCHITECTURAL:** TWO

1. WESLEY AND BARBARA SCHMIDT HAVE APPLIED TO BUILD TWO STORAGE BUILDINGS ( 10' x 16', 4' x 8', WOOD WITH METAL ROOF) ON THEIR PROPERTY AT 103 BRIARCREST DRIVE. A MOTION TO APPROVE BY MELVIN LEHMANN, SECONDED BY CARRIE FERGUSON, PASSED UNANIMOUSLY.

2. HAROLD AND YANKIE GRANT HAVE APPLIED TO BUILD A TWO ROOM ADDITION (500 SQ FT) TO THEIR EXISTING HOUSE ON THEIR PROPERTY AT 215 SHADOW OAK LANE. A MOTION TO APPROVE BY MELVIN LEHMANN, SECONDED BY JOHN SCHOELLMAN PASSED UNANIMOUSLY.

**GRIEVANCE:** 4 GRIEVANCES WERE RECEIVED DURING THE MONTH OF NOVEMBER

ADDITIONALLY, A PROPERTY OWNER COMPLAINED SHE WAS CHASED BY DOGS AS SHE WALKED BY A NEIGHBOR'S HOUSE. MELVIN CALLED THE OWNER AND HE IS CORRECTING THE PROBLEM. THIS OWNER ALSO MOVED TWO OLD AUTOMOBILES AND IS COMPLYING WITH DEED RESTRICTIONS.

ALSO, A PROPERTY OWNER WOULD LIKE THE DUMP TO HAVE SCREENS INSTALLED ON THE FENCE TO BLOCK THE VIEW ON THE FRONT, BACK, AND SIDE FACING THE SUBDIVISION. HE ASKS WE CONSIDER THIS AS OLD BUSINESS AS THIS WAS ONCE APPROVED, BUT NO ACTION WAS TAKEN. MELVIN AGREED AND ASKED MAUREEN RAMERIZ AND JOHN DUNKLEMAN TO MAKE RECOMMENDATIONS. BOB WARE SAID HE HAS THESE SCREEN DEVICES ON HIS FENCE AND OFFERED TO HELP.

**GRIEVANCE UPDATE: SUMMARY FOR THE DECEMBER BOARD MEETING**

- 1 - PARTIAL RESOLVED, WAITING ON ARCHITECTURAL COMMITTEE APPROVAL FOR UNRESOLVED ISSUES
- 1- PROPERTY OWNER STILL WORKING ON CLEANING UP (DUPLICATE GRIEVANCE FROM OCTOBER)
- 1 - RESOLVED (DISCUSSED ISSUE WITH PROPERTY OWNER)
- 1 - PENDING (RESEARCH REQUIRED RE: MESHING AROUND DUMP)

**BUILDING RENTAL:** ONE, ON SATURDAY DECEMBER 18, 2022

**OLD BUSINESS:**

THE MAINTENANCE FEE STATEMENTS FOR 2023 WERE MAILED OUT LAST OCTOBER. IF ANY PROPERTY OWNER HAS NOT RECEIVED THEIR STATEMENT PLEASE CALL THE HOA OFFICE AT (979) 535-8978. THE FEES ARE DUE BY JANUARY 31, 2023. A LATE CHARGE OF \$10.00 PER LOT WILL BE ASSESSED. A PAYMENT PLAN CAN BE ARRANGED BY CALLING THE HOA OFFICE.

MELVIN REMINDED EVERYONE OF THE BIRCH CREEK FOREST FUNDRAISER ON DECEMBER 10 HERE AT THE COMMUNITY BUILDING BETWEEN 11:00 AM AND 2:00 PM. GUMBO WILL BE SERVED AND SANTA WILL BE THERE FOR PHOTOS.

**NEW BUSINESS:**

A PROPERTY OWNER ASKED IF AN ACCOUNT WILL BE SET UP AT THE BANK FOR THE FUNDRAISER PROCEEDS AND HOW THE WORK ON CHANGING THE STATUS OF THE HOA TO “501 - C 3” WAS PROGRESSING. MELVIN STATED: YES, A SEPARATE ACCOUNT WILL BE SET UP FOR HOA FUNDRAISER PROCEEDS AND DONATIONS . TREASURER CARRIE FERGUSON SAID THE CHANGEOVER TO “501 C 3 “ STATUS IS IN PROGRESS. BOB WARE, THE PRESIDENT OF THE M.U.D., STATED THAT WHEN THE HOA STATUS CHANGES THE M.U.D. WILL MAKE A SUBSTANTIAL DONATION TO THE HOA. THANKS BOB!

MELVIN NOTED THAT HE WENT TO THE COUNTY TAX OFFICE BECAUSE THE TAX ASSESSOR/ COLLECTOR HAD INCORRECTLY ASSESSED OUR HELI-PAD AND ADJACENT GREENWAY. THIS HAS BEEN CORRECTED AND THE HOA PROPERTY TAX WILL BE MINIMAL.

**COMMENTS FROM THE BOARD**

MELVIN STATED THAT HE, JOHN SCHOELLMAN, MAUREEN RAMIREZ, OTHER PROPERTY OWNERS, AND OUR LAWYER WENT TO COURT TO REPRESENT THE HOA IN OUR LAWSUIT VERSUS THE PROPERTY OWNER WHO IS IN VIOLATION OF DEED RESTRICTIONS IN SECTION 7 OF THE SUBDIVISION. THE JUDGE AGREED WITH US AND ISSUED A RESTRAINING ORDER. THE PROPERTY OWNER DID NOT APPEAR TO PLEAD HIS CASE. NEXT MONTH WE WILL ASK THE JUDGE FOR A SUMMARY JUDGEMENT AGAINST HIM. THIS WILL, HOPEFULLY, MINIMIZE LEGAL EXPENSES.

MELVIN ALSO NOTED THAT THE V.F.D. WAS PREPARING FOR ITS “SANTA RIDE AROUND” STARTING AT 11:00 AM TODAY. HE CAUTIONED EVERYONE TO WATCH OUT FOR CUB SCOUTS WHO ARE CAMPING IN A NEARBY SUBDIVISION.

**COMMENTS FROM THE FLOOR:**

A PROPERTY OWNER THANKED KATHLEEN HOWARD, WHO VOLUNTEERED HER TIME AND LABOR TO DECORATE THE SUBDIVISION ENTRANCE WITH HOLIDAY WREATHES AND THE OUTSIDE OF THE COMMUNITY BUILDING. THANKS KATHLEEN AND ALL THOSE THAT HELPED! THANKS ALSO TO DAVID COKER WHO MADE THE NEW SIGN FOR OUR MONTHLY MEETINGS.

**CHANGE IN OWNERSHIP:** NONE

**ADJOURNMENT:**

A MOTION BY MELVIN LEHMANN, SECONDED BY JOHN SCHOELLMAN TO ADJOURN WAS APPROVED AT 9:23 AM.

THE NEXT MONTHLY MEETING IS ON **SATURDAY, JANUARY 7, 2023 AT 9:00 AM** IN THE COMMUNITY BUILDING.

THESE MINUTES WERE APPROVED IN THE REGULAR MONTHLY BOARD MEETING OF THE \_\_\_\_\_ DAY \_\_\_\_\_, 2023.

\_\_\_\_\_  
SECRETARY

\_\_\_\_\_  
PRESIDENT

