

BIRCH CREEK FOREST PROPERTIES, INC.
MINUTES OF REGULAR MEETING OF BOARD OF DIRECTORS
SEPTEMBER 2, 2023

THE BOARD OF DIRECTORS OF BIRCH CREEK FOREST PROPERTIES, INC. MET AT THE COMMUNITY BUILDING IN BIRCH CREEK FOREST SUBDIVISION ON SATURDAY, SEPTEMBER 2, 2023 AT 9:00 AM.

PRIOR TO CALLING THE MEETING TO ORDER A MOMENT OF SILENCE WAS HELD FOR JP (JOHN POWERS) WHO DIED RECENTLY IN THE SUBDIVISION.

PRESIDENT JOHN SCHOELLMAN CALLED THE MEETING TO ORDER, THERE BEING A QUORUM PRESENT.

MINUTES OF THE REGULAR BOARD MEETING HELD JULY 8, 2023, WHICH WERE POSTED AND CIRCULATED, WERE APPROVED UPON A MOTION BY JOHN SCHOELLMAN AND SECONDED BY RANDY SCHOENER. THE MINUTES WILL BECOME PART OF THIS MEETING'S RECORDS.

THE TREASURER'S REPORT AS OF AUGUST 31, 2023 WAS GIVEN BY CARRIE FERGUSON. UPON MOTION BY CARRIE AND SECONDED BY MAUREEN RAMIREZ THE BOARD APPROVED THE REPORT AS PAID. THIS REPORT IS TO BECOME PART OF THIS MEETING'S RECORDS.

COMMITTEE REPORTS:

SWIMMING POOL: JERRY POTENZA REPORTS THAT LAST TUESDAY HE FOUND THE POOL TO BE IN A MESS. POOL USERS THE PREVIOUS WEEKEND LEFT CANS, PLASTIC, AND TRASH IN THE SKIMMERS AND FILTERS. JERRY POINTED OUT, IF FLOW IS RESTRICTED THE CIRCULATION PUMP MAY NEED REPLACEMENT, WHICH WOULD BE COSTLY. HE ALSO FOUND TRASH CANS FULL AND NOTED THAT THE LACK OF A POOL MONITOR ON THESE DAYS CONTRIBUTED TO THE PROBLEM. JERRY ASKS FOR ALL POOL USERS TO HELP KEEP THE POOL AREA CLEAN.

ABATEMENT: NONE

ARCHITECTURAL: THREE

KAREN BLOMSTROM HAS APPLIED TO BUILD AN EXTENSION TO HER HOME (12' x 16') ON HER PROPERTY AT 301 OAK GLENN CIR. A MOTION WAS MADE BY JOHN SCHOELLMAN TO APPROVE, SECONDED BY MAUREEN RAMIREZ AND PASSED UNANIMOUSLY.

KAREN BLOMSTROM HAS ALSO APPLIED TO BUILD A CARPORT (24' x 30') ON HER PROPERTY AT 301 OAK GLENN CIR. A MOTION TO APPROVE WAS MADE BY MAUREEN RAMIREZ, SECONDED BY RANDY SCHOENER AND PASSED BY MAJORITY VOTE.

DAVID MOORE HAS APPLIED TO BUILD ALL METAL CARPORTS (30' x 20', 20' x 20') ON HIS PROPERTY AT 307 KNOLL CREST. SINCE THE ARCHITECTURAL COMMITTEE HAS NOT HAD A CHANCE TO CONSIDER THIS, THE APPLICATION WAS TABLED UNTIL NEXT MONTH.

GRIEVANCE: NONE

BUILDING RENTAL: NONE

OLD BUSINESS:

BURN BAN IN EFFECT – THE COUNTY HAS ISSUED A COUNTY WIDE BURN BAN. PLEASE DO NOT ADD ANY MORE MATERIAL TO THE BURN PILE AT THE DUMP UNTIL THE BAN IS LIFTED. THE BOARD IS CONSIDERING ISSUING A FINE FOR ANYONE VIOLATING THIS REQUEST.

THE BOARD DISCUSSED GUIDELINES FOR THE USE OF THE COMMUNITY BUILDING BY PROPERTY OWNERS FOR INFORMAL GATHERINGS OF FRIENDS AND NEIGHBORS FOR COMMUNITY ACTIVITIES (CARDS, DOMINOS, DISCUSSION AND ETC.). A MOTION WAS MADE TO ADOPT EXISTING GUIDELINES WRITTEN IN 2008 BY JOHN SCHOELLMAN, SECONDED BY CARRI FERGUSON AND PASSED UNANIMOUSLY.

OLD BUSINESS: (Continued)

THE BOARD NEXT CONSIDERED WHERE TO DEPOSIT MONEY RAISED BY ENHANCEMENT COMMITTEE FUNDRAISERS. JOHN SCHOELLMAN MADE A MOTION TO DEPOSIT THESE FUNDS IN OUR ACCOUNT AS A LINE ITEM:FUNDRAISERS. THE MOTION WAS SECONDED BY RANDY SCHOENER AND PASSED UNANIMOUSLY.

THE BOARD DISCUSSED ESTIMENTS FOR POOL MAINTENANCE AND DECIDED TO CONTINUE SEARCHING FOR LESS EXPENSIVE ALTERNATIVES. A PROPERTY OWNER ASKED IF THE POOL HOURS COULD BE EXTENDED FROM 7:00 AM TO 9:00 PM. ANOTHER PROPERTY OWNER ASKED IF THE CAMERS AT THE POOL WILL TELL ANYTHING ABOUT HOW THE POOL AREA WAS LEFT IN SUCH A MESS. THE BOARD PROMISED TO TAKE ACTION ON BOTH OF THESE ITEMS

NEW BUSINESS:

BCFPI'S ANNUAL MEETING WILL BE HELD IN THE COMMUNITY BUILDING TODAY, SEPT. 2, AT 10:00 AM.

COMMENTS FROM THE BOARD: NONE

COMMENTS FROM THE FLOOR:

A PROPERTY OWNER VOLUNTEERED TO PAINT A SIGN FOR THE POOL WITH HOURS OF OPERATION AND A REMINDER THAT THE POOL IS CLOSED EVERY TUESDAY FOR MAINTENANCE. JOHN SCHOELLMAN MADE A MOTION THAT THE BOARD ACCEPT, SECONDED BY RANDY SCHOENER AND PASSED UNANIMOUSLY. THANK YOU. WE WILL BE IN TOUCH.

ANOTHER PROPERTY OWNER RAISED QUESTIONS ABOUT HOW VOTES WERE TO BE COUNTED IN TODAY'S ELECTION ESPECIALLY FOR PROPERTY OWNERS LIVING IN SECTIONS 5 AND 6 OF THE SUBDIVISION. HE MAINTAINED THAT EVERY PROPERTY OWNER IN THOSE SECTIONS SHOULD HAVE RECEIVED A BALLOT AND THAT EVERYONE IN THOSE SECTIONS BE ALLOWED TO VOTE.

IT WAS POINTED OUT TO HIM , BY ANOTHER PROPERTY OWNER, THAT ACCORDING TO BY-LAWS, THE ELECTION IS FOR PROPERTY OWNERS WHO ARE ALSO MEMBERS OF THE CORPORATION, THAT IS, THOSE OWNERS WHO ARE MEMBERS OF THE DEED RESTRICTION COVENANT.

IN 2012 THE SUBDIVISION WAS INFORMED THAT THE COVENENT FOR SECTIONS 5 AND 6 LAPSED AND ALL PROPERTY OWNERS NO LONGER WERE SUBJECT TO DEED RESTRICTIONS IN THOSE SECTIONS. PROPERTY OWNERS COULD, IF THEY DESIRED, JOIN THE CORPORATION AND BE SUBJECT TO THE DEED RESTRICTIONS. THEY ARE NOT REQUIRED TO DO SO. IF THEY DO NOT, HOWEVER, THEY CAN NOT PARTICIPATE IN THE ANNUAL ELECTIONS, SERVE ON HOA COMMITTEES OR SERVE ON THE BOARD. THIS INTERPRETATION OF THE BY-LAWS HAS BEEN IN EFFECT SINCE 2012.

THE ABOVE REASONS DID NOT CONVINCCE A FEW PROPERTY OWNERS. THEY STILL MAINTAINED THAT IT IS NOT FAIR IF ALL PROPERTY OWNERS DON'T GET TO VOTE. THEY PROPOSED THAT TODAY'S ELECTION BE POSTPONED THREE WEEKS; ALL PRROPERTY OWNERS IN SECTIONS 5 AND 6 WHO ARE NOT MEMBERS OF THE CORPORATION BE SENT BALLOTS AND ANY BALLOTS RETURNED BE COUNTED.

MEMBERS OF THE BOARD URGED PRESIDENT SCHOELLMAN TO PAUSE THE MEETING TO MEET IN EXECTIVE SESSION TO CONSIDER THIS PROPOSAL. THE BOARD ADJOURNED TO THE PARK, CONFERRED AND RETURNED TO THE COMMUNITY BUILDING. PRESIDENT SCHOELLMAN MADE A MOTION TO ACCEPT THE LONG STANDING INTERPRETATION OF THE BY-LAWS, ACCEPTED SINCE 2012; NOT TO DELAY TODAY'S ELECTIONS; NOT TO SEND BALLOTS TO ANYONE NOT A MEMBER OF THE CORPORATION AND TO HAVE THE ELECTION TODAY. RANDY SCHOENER SECONDED THE MOTION WHICH PASSED UNANIMOUSLY. TODAY'S ELECTIONS WILL PROCEED AS PER BY-LAWS.

CHANGE IN OWNERSHIP: NONE

ADJOURNMENT;

A MOTION TO ADJOURN BY JOHN SCHOELLMAN, SECONDED BY RANDY SCHOENER WAS APPROVED AT 10:15 AM. THE NEXT MONTHLY MEETING IS **SATURDAY, OCTOBER 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

