

**BIRCH CREEK FOREST PROPERTIES, INC.**  
**MINUTES OF REGULAR MEETING OF BOARD OF DIRECTORS**  
**JANUARY 3, 2026**

THE BOARD OF DIRECTORS OF BIRCH CREEK FOREST PROPERTIES, INC. MET AT THE COMMUNITY BUILDING IN BIRCH CREEK FOREST SUBDIVISION ON SATURDAY, JANUARY 3, 2026 AT 9:04 AM. AFTER A SHORT PRAYER, PRESIDENT ODSTRCIL CALLED THE MEETING TO ORDER, A QUORUM BEING PRESENT. ASST. SEC./TREAS. DENNIS SHOOK WAS ABSENT.

MINUTES OF THE REGULAR MEETING OF DECEMBER 6, 2025 WHICH WERE POSTED AND CIRCULATED WERE APPROVED UNANIMOUSLY ON MOTION BY SCOTT HOWARD AND SECONDED BY ANN MARIE GALLAGHER. THESE MINUTES WILL BECOME PART OF THIS MEETINGS RECORDS.

THE TREASURER'S REPORT FOR DECEMBER 31, 2025 WAS GIVEN BY TREASURER ANN MARIE GALLAGHER. SHE NOTED SOME ERRORS IN THIS MONTH'S PROFIT & LOSS STATEMENT AND GENERAL LEDGER AND SAID THESE WOULD BE CORRECTED AND REISSUED.

SHE THANKED ALL THOSE WHO HAVE ALREADY PAID THIS YEAR'S MAINTENANCE FEES AND REMINDED EVERYONE THAT THEY ARE DUE BY THE END OF THIS MONTH. SHE ALSO THANKED EVERYONE WHO WORKED ON THE BEST RECIPES COOK BOOK AND NOTED THAT COOK BOOKS ARE STILL AVAILABLE.

A PROPERTY OWNER ASKED IF THESE FUNDS ARE GOING TO THE ENHANCEMENT COMMITTEE AND WAS TOLD, YES. THERE WAS A SHORT DISCUSSION ON THE ALLOCATION OF ENHANCEMENT COMMITTEE FUNDS. ANN MARIE ASKED FOR FURTHER QUESTIONS AND THERE BEING NONE, MADE A MOTION, SECONDED BY SCOTT HOWARD, TO APPROVED HER AMENDED REPORT AS PAID, WHICH PASSED UNANIMOUSLY. THE AMENDED REPORT WILL BECOME PART OF THIS MEETING'S RECORDS.

**ANNOUNCEMENTS:**

**FLAG MY YARD:** RENEWAL FOR 2026 CAN BE MADE BY CHECK OR THROUGH VENMO OR CASH APP. THE FIVE HOLIDAYS ARE: PRESIDENTS DAY, FEB. 16; MEMORIAL DAY, MAY 25; INDEPENDENCE DAY, JUL. 4; LABOR DAY, SEP. 7; AND VETERN'S DAY, NOV. 11. THE COST IS \$100 FOR 1 FLAG OR \$150 FOR 2 FLAGS. THANK YOU FOR YOUR CONTINUED SUPPORT!

**COMMUNITY CHRISTMAS PARTY:** THE 2025 COMMUNITY CHRISTMAS PARTY WAS VERY SUCESSFUL, WE ARE PRE-PLANNING FOR THE 2026 PARTY AND HAVE POSTED A POLL ON THE FACEBOOK PAGE TO DETERMINE A DAY AND TIME FOR THE 2026 PARTY THAT WOULD BE BEST SERVE THE COMMUNITY.

**COMMITTEE REPORTS:**

**SWIMMING POOL:** SCOTT HOWARD REPORTS POOL REPAIRS ARE STILL UNDERWAY. THEY WERE HALTED FOR THE HOLLIDAYS BUT WILL BEGIN THIS COMMING WEEK.

**ARCHITECTURAL:** PRESIDENT ODSTRCIL REPORTS THAT DURING THE HOLIDAYS THE ACC COMMITTEE DID NOT HAVE TIME TO REVIEW THE TWO ARCHITECTURAL FORMS FOR THIS MONTH:

1. DONALD EMERSON HAS APPLIED TO TO BUILD A METAL STORAGE BUILDING.
2. AMADO RODEA HAS APPLIED TO INSTALL A TEMPORARY STORAGE BUILDING.

THESE WILL BE DEFERRED UNTIL NEXT MONTH.

**OTHER COMMITTIES:**

**ENHANCEMENT/SOCIAL COMMITTEE:** PRESIDENT ODSTRCIL REPORTS "BIRCH CREEK FOREST BEST RECIPES COOKBOOKS" HAVE ARRIVED FROM THE PUBLISHER. SUZANNE HOOD WILL DELIVER THE COOKBOOKS ALREADY PAID FOR. COOKBOOKS ARE ALSO AVAILABLE AT THE OFFICE FOR \$20 EACH.

**MAINTENANCE: DUMP, BURNING, GROUNDSKEEPING, AND MOWING.** SCOTT HOWARD REPORTS THE DUMP IS FUNCTIONING WELL. TRASH PICK UP IS DEFERRED UNTIL TODAY, THIS WEEK, BECAUSE OF THE NEW YEAR. SCOTT REPORTS THAT THE DUMP TRACTOR NEEDS A NEW FRONT TIRE WHICH COSTS \$250.

**GRIEVANCE:** NONE THIS MONTH, BUT THE BOARD IS WORKING ON 2 PREVIOUS ONES.

**BUILDING RENTALS:** NONE THIS MONTH.

**OLD (ONGOING) BUSINESS:**

PRESIDENT ODSTRCIL SAID THAT MAINTENANCE FEE STATEMENTS FOR 2026 WERE MAILED IN NOVEMBER. IF ANY PROPERTY OWNER HAS NOT RECEIVED THEIR STATENMENT CALL THE HOA OFFICE AT (979) 535-8978. THE FEES ARE DUE ON JANUARY 31, 2026. A LATE CHARGE OF \$10 PER LOT/PER MONTH WILL BE ASSESSED BEGINNING FEBRUARY 1ST. A PAYMENT PLAN CAN BE ARRANGED BY CALLING HOA OFFICE.

**OLD (ONGOING) BUSINESS: (Continued)**

PRESIDENT ODSTRCIL REPORTS NO NEW DEVELOPMENTS FROM THE COURT REGARDING THE PENDING LAWSUIT. THE BOARD HAS RECEIVED THE TRANSCRIPT COPY OF THE TEMPORARY RESTRAINING ORDER HEARING.

PRESIDENT ODSTRCIL ALSO REPORTS AS MENTIONED AT DECEMBER'S MEETING:

1. CERTIFIED REQUESTS RECEIVED REGARDING RECOUNT AND INSPECTION OF ELECTION RECORDS WERE SENT TO LEGAL COUNSEL FOR REVIEW
2. LEGAL COUNSEL CONFIRMED THAT TINA BOLTEN'S CONCESSION TO DENNIS SHOOK FINALIZES THE ELECTION AND THEREFORE A RECOUNT WOULD NOT ALTER THE OUTCOME.

PRESIDENT ODSTRCIL CONFIRMED BCFPI'S D&O INSURANCE WAS RENEWED FOR 2026 WITH STATE FARM INSURANCE CO..

PRESIDENT ODSTRCIL ALSO NOTED THE PROCESS FOR CONVERTING THE ENHANCEMENT SAVINGS ACCOUNT TO A CHECKING ACCOUNT HAS STARTED AND WHEN CITIZENS HAS THE SIGNATURE CARDS PREPARED ALL BOARD MEMBERS WILL BE ABLE TO SIGN.

**NEW BUSINESS:**

UPON COUNSEL'S ADVICE, THE BOARD SCHEDULED A DECEMBER 17TH, 2025 2:00 PM APPOINTMENT WITH MEMBERS REQUESTING AN INSPECTION OF ELECTION RECORDS. THE REQUESTERS DID NOT SHOW UP AND DID NOT COMMUNICATE BEFORE THE APPOINTMENT: BUT, SENT THE BOARD AN EMAIL ON DECEMBER 18TH GIVING NO EXPLANATION FOR THE MISSED APPOINTMENT.

UPON COUNSEL'S ADVICE, THE BOARD SENT AN EMAIL, FOLLOWED BY A CERTIFIED LETTER TO THE FIRST SIGNERS OF THE "PETITION" THAT REQUESTED AN ELECTION RECOUNT. THE LETTER INCLUDED AN ESTIMATED RECOUNT INVOICE AS REQUIRED BY STATE LAW. NO RESPONSE TO THE EMAIL OR LETTER HAS BEEN RECEIVED TO DATE.

THE BOARD PLANS TO UPDATE THE RECORDS PRODUCTION POLICY AND THE ELECTION AND VOTING POLICY TO RESOLVE ELECTIONS WITH TIED VOTES.

THE REFRIGATOR WENT OUT IN THE COMMUNITY BUILDING AND NEEDS REPLACEMENT. WE ARE CURRENTLY USING A LOANER. SCOTT HOWARD MADE A MOTION TO REPLACE THE REFRIGATOR AND ALSO TO PURCHASE A NEW TIRE FOR THE MAINTENANCE TRACTOR AS MENTIONED ABOVE. JOHN DUNKLEMAN SECONDED. AND THE MOTION PASSED UNANIMOUSLY.

**COMMENTS FROM THE BOARD:**

RENITA PASSED AROUND A SIGN UP SHEET FOR MEMBERS TO IDENTIFY THEIR BIRTHDAY MONTH SO THEY MAY BE AKNOWLEDGED AT MONTHLY MEETINGS. PARTICIPATION IS STRICTLY VOLUNTARY.

A PROPERTY OWNER THANKED THE MEMBER WHO OFFERED TO BUY PAINT AND VOLUNTEERED THEIR LABOR TO FIX AND UPGRADE THE INTERIOR OF THE COMMUNITY BUILDING. ANN MARIE VOLUNTEERED TO HEAD UP AND ORGANIZE THE PROJECT AS RENOVATIONS ARE PART OF HER DAY JOB. RENITA SUGGESTED FORMING A RENOVATION SUBCOMMITTEE FOR WHICH SEVERAL PEOPLE HAVE VOLUNTEERED. THANKS TO ALL.

**COMMENTS FROM THE FLOOR:**

A PROPERTY OWNER HAS SEVERAL QUESTIONS ABOUT DEED RESTRICTIONS IN SECTIONS 1, 3, AND 7. HE WANTS TO KNOW WHAT THE CURRENT POLICIES AND TEXAS LAWS ARE FOR SHORT TERM RENTALS AND AIR B&B'S. HE SUGGESTED AN OPEN MEETING TO DISCUSS THESE TOPICS. OTHER PROPERTY OWNERS SUGGESTED HAVING A TOWN HALL MEETING TO HAVE A THOROUGH DISCUSSION OF THESE TOPICS. PRESIDENT ODSTRCIL PROMISED TO TAKE THIS INTO CONSIDERATION.

THE PROPERTY OWNER WHO HAD REQUESTED AN INSPECTION OF ELECTION RECORDS COMPLAINED THAT THE BOARD DID NOT CORRECTLY FOLLOW PROVISIONS OF THE TEXAS PROPERTY CODE IN COMMUNICATING WITH HER. SHE SAID SHE IS CONSULTING LEGAL ADVICE. SHE CHALLENGES THE BOARD TO SHOW CORRECT PROCEDURES WERE FOLLOWED AND SHE WILL ATTEMPT TO DOCUMENT HER CONTRARY POSITION. PRESIDENT ODSTRCIL, SAID SHE TOO, WILL CONSULT LEGAL OPINION AND WILL DOCUMENT THE BOARD'S ACTIONS.

<u>CHANGE IN OWNERSHIP:</u>	<u>NEW OWNER</u>	<u>SEC</u>	<u>BLK</u>	<u>LOT</u>	<u>PREVIOUS OWNER</u>
	ROBERT AND LEAH CLAYTON	3	11	11	PAUL AVENELL

**ADJOURNMENT:**

A MOTION TO ADJOURNE BY SCOTT HOWARD. SECONDED BY ANN MARIE GALLAGHER WAS UNANIMOUSLY APPROVED AT 10:00 AM. NEXT MONTHLY MEETING IS SATURDAY, FEBRUARY 7 AT 9:00 AM IN THE COMMUNITY BUILDING. THESE MINUTES WERE APPROVED AT THE REGULAR MONTHLY MEETING.

OF THE 7<sup>th</sup> DAY February, 2026 John J. Dunkleman SECRETARY Renita Distrel PRESIDENT.