

**BIRCH CREEK FOREST PROPERTIES, INC.**  
**MINUTES OF REGULAR MEETING OF BOARD OF DIRECTORS**  
**MAY 4, 2024**

THE BOARD OF DIRECTORS OF BIRCH CREEK FOREST PROPERTIES, INC. MET AT THE COMMUNITY BUILDING IN BIRCH CREEK FOREST SUBDIVISION ON SATURDAY, MAY 4 AT 9:05 AM. PRESIDENT RENITA ODSTRCIL CALLED THE MEETING TO ORDER, THERE BEING A QUORUM PRESENT.

MINUTES OF THE REGULAR BOARD MEETING HELD APRIL 6, 2024, WHICH WERE POSTED AND CIRCULATED, WERE APPROVED ON A MOTION BY DENNIS SHOOK AND SECONDED BY JOHN DUNKLEMAN. THESE MINUTES WILL BECOME PART OF THIS MEETING'S RECORDS.

TREASURER RANDY SCHOENER CALLED ON THE BOARD TO ASK DAVID LEHMANN, FIRE CHIEF, BIRCH CREEK AREA VFD, TO ADDRESS THE MEETING NOW, AS HE HAS OTHER COMMITMENTS TODAY.

DAVID SPOKE ABOUT THE OPERATION OF OUR DUMP BURN SITE AND CREDENTIALS A PERSON NEEDS TO CONDUCT A BURN. DAVID WENT THROUGH THE TRAINING REQUIREMENTS TO BECOME A TRAINED, FULLY CERTIFIED FIREMAN. HOWEVER, HE STATED THE VFD IS NOT RESPONSIBLE FOR ANY HOA EMPLOYEE REGARDLESS OF HIS TRAINING STATUS OR AFFILIATION.

HE WAS ASKED: IS A CONTRACT MAINTENANCE EMPLOYEE, WHO IS A FIREMAN, BUT NOT FULLY CERTIFIED, QUALIFIED TO CONDUCT A BURN AND ARE WE AT RISK? WE WANT AN ANSWER FOR THE PROTECTION OF THE SUBDIVISION, THE HOA, AND CONTRACT EMPLOYEE. OPINIONS WERE SOLICITED FROM SEVERAL SOURCES. IT WAS POINTED OUT THAT OUR EMPLOYEE HAS HIS OWN INSURANCE AND, ALONG WITH OUR INSURANCE, THAT SHOULD BE SUFFICIENT. THE TCEQ HAS PROVIDED APPROVAL, BUT HAS NOT RESPONDED TO OUR FOLLOW-UP QUESTIONS. A SUGGESTION WAS MADE WE GET AN OPINION FROM OUR INSURANCE CARRIER. THE BOARD MEMBERS SEEM TO BE DIVIDED ON THE PROPER LEVEL OF TRAINING REQUIRED. TREASURER RANDY SCHOENER EXPRESSED A WISH TO BE ON RECORD AS OPPOSED TO THE CURRENT ARRANGEMENT UNLESS THE BOARD CAN COME TO A CONSENSUS. IT WAS DECIDED TO DO MORE INVESTIGATION. THANKS TO CHIEF DAVID LEHMANN FOR HIS INPUT.

THE TREASURER'S REPORT AS OF APRIL 30, 2024 WAS GIVEN BY RANDY SCHOENER. UPON MOTION BY RANDY AND SECONDED BY KEVIN WALLACE, THE BOARD UNANIMOUSLY APPROVED THE REPORT AS PAID. THIS REPORT IS TO BECOME PART OF THIS MEETING'S RECORDS.

**COMMITTEE REPORTS:**

**SWIMMING POOL:** KEVIN WALLACE REPORTS OUR NEW CONTRACTOR, TRUE LIGHT POOLS, HAS BEEN VERY RESPONSIVE PRODUCING A REPORT EVERY MAINTENANCE VISIT. THEY PROVIDED EXTRA CLEANUP AFTER THE DELUGE OF RAIN IN APRIL WHICH WASHED DIRT AND DEBRIS INTO THE POOL.

THE POOL IS NOW OPEN. LATER IN THE MEETING DENNIS SHOOK AND KEVIN WALLACE NOTED A POOL INSPECTION REVEALED NEED FOR REPLASTERING AFTER THIS SEASON.

**ARCHITECTURAL:** TWO; NOTE: THE FOUR ARCHITECTURAL CONTROL FORMS SUBMITTED LAST MONTH HAVE BEEN APPROVED BY THE COMMITTEE AND THE BOARD.

RANDY SCHOENER HAS APPLIED TO INSTALL A STORAGE CONTAINER (40' x 8') ON HIS PROPERTY AT 201 SHADOW OAK LANE. UPON MOTION BY DENNIS SHOOK, SECONDED BY KEVIN WALLACE, THE BOARD APPROVED BY MAJORITY VOTE WITH RANDY ABSTAINING.

JOSAFATH LEZAMA HAS APPLIED TO BUILD A CONCRETE, WOOD, AND METAL HOME (50' x 30') ON HIS PROPERTY AT 111 BRAMBLE WOOD CIRCLE. SINCE THE ARCHITECTURAL CONTROL COMMITTEE HAS NOT HAD A CHANCE TO REVIEW THE APPLICATION DENNIS SHOOK MADE A MOTION TO TABLE IT UNTIL NEXT MONTH, SECONDED BY RANDY SCHOENER AND PASSED UNANIMOUSLY.

**OTHER COMMITTEES:**

**ENHANCEMENT COMMITTEE:** PLANING FOR THE NEW BASKETBAL COURT.

**SOCIAL / WELCOME COMMITTEE:** NOTHING TO REPORT.

**DEED RESTRICTION REVISION COMMITTEE:** COPIES OF DEED RESTRICTIONS AND BYLAWS HAVE BEEN DISTRIBUTED TO MEMBERS. COMMITTEE IS PREPARING FOR IT'S SECOND MEETING TODAY. MINUTES OF FIRST MEETING DISTRIBUTED.

**MAINTENANCE:** CONTRACT MAINTENCE EMPLOYEE REPORTS PROPERTY OWNERS ARE OBEYING THE NEW SIGNS BUT SOME ARE STILL PLACING INAPPROAIATE THINGS IN THE DUMPSTERS. HE NOTED THAT THE BANNER STYLE SIGNS WILL NEED REPLACING AS THEY ARE DETERATORING. HE ALSO NOTED THAT THE DUMP MOWER NEEDS REPAIR BUT OFFERED TO USE HIS OWN MOWER, AT COST, TO DO AN IMMEDIATE MOW. DENNIS SHOOK MADE A MOTION TO ACCEPT HIS OFFER, SECONDED BY RANDY SCHOENER AND APPROVED UNANIMOUSLY.



**GRIEVANCE:** A PROPERTY OWNER FILED TWO GRIEVANCES COMPLAINING HIS NEIGHBORS HAVE NEGLECTED TO MOW THEIR GRASS FOR A VERY LONG TIME. PRESIDENT ODSTRCIL PROMISED TO FOLLOW UP WITH A LETTER. SHE ALSO PROPOSED, WHEN A GRIEVANCE IS FILED, ALL BOARD MEMBERS BE E-MAILED SO ACTION CAN BE TAKEN AS SOON AS POSSIBLE.

A PROPERTY OWNER COMPLAINED THAT BLUEBONNET INSTALLED A TRANSFORMER/POLE AND REMOVED DEAD TREES SO OUR STREET LIGHT SHINES IN THEIR WINDOW. WE WILL FOLLOW UP ON THIS.

A BOARD MEMBER REQUESTED BURLESON COUNTY, PRECINCT 4, REPAIR A SINK HOLE IN ONE OF OUR STREETS AND HE REPORTS THAT THIS HAS BEEN DONE.

PROPERTY OWNERS COMPLAINED THAT SOME PEOPLE ARE STILL DRIVING VEHICLES RECKLESSLY ABOVE POSTED SPEED LIMITS. THE BOARD RECOMMENDS CALLING THE SHERIFF'S OFFICE (979 567 4343). DENNIS SHOOK HAS CONTACTED THE OWNER OF THE PROPERTY WHERE THE SPEEDERS LIVE AND THE OWNER HAS PROMISED TO CORRECT THE SITUATION.

**BUILDING RENTAL:** TWO, TODAY, SATURDAY, MAY 4, 2:00 - 4:00 PM THE PATIO IS RESERVED AND SATURDAY, JUNE 1 FROM 11:00 AM ON THE COMMUNITY BUILDING IS RESERVED.

**ANNOUNCEMENT:** BIRCH CREEK FOREST VFD: **INDEPENDENCE DAY FUNDRAISER IS ON: SATURDAY, JULY 6, 2024 AT THE FIRE STATION**

ALL FIREMEN ARE SELLING TICKETS FOR B-B-Q PLATES CATERED BY DAISY DUKES AT \$15/PLATE (500 WILL BE PREPARED; **SERVING STRICTLY AT: 11:00 AM TO 1:00 PM ONLY**). IN ADDITION, GIFT CARDS RAFFLE TICKETS (TEN, \$100 VISA GIFT CARDS, \$10/TICKET, ONLY 300 TICKETS SOLD) AND FIVE GUNS RAFFLE TICKETS (\$20/TICKET, ONLY 500 TICKETS SOLD, FIVE WINNING TICKETS PICKED) ARE AVAILABLE.

DAVID REMINDED EVERYONE THAT LOWES, IN BRENNHAM, HAS MADE MANY CONTRIBUTIONS TO THE BIRCH CREEK AREA VFD AND HE URGES EVERYONE TO PATRONISE THEM.

DAVID MENTIONED THAT THE VFD NEEDS ANOTHER BULLETIN BOARD. PRESIDENT ODSTRCIL MADE A MOTION TO DONATE OUR OLD BULLETIN BOARD SINCE WE HAVE A NEW ONE FROM THE RECENT INSURANCE CLAIM. DENNIS SHOOK SECONDED, AND THE MOTION PASSED UNANIMOUSLY.

DAVID ALSO ASKED THE HOA FOR PERMISSION TO USE THE FUEL TANKS AT THE DUMP AND REPLACE THE LOCKS. BOTH M.U.D. AND HOA, AS A COST SAVING MEASURE, WILL PROVIDE THEIR OWN FUEL IN THE FUTURE. THE VFD IS BY FAR THE BIGGEST USER OF FUEL. PRESIDENT ODSTRCIL MADE A MOTION TO GRANT PERMISSION, SECONDED BY DENNIS SHOOK AND PASSED UNANIMOUSLY.

**OLD BUSINESS:**

KEVIN WALLACE STATED OUR ATTORNEY INFORMED HIM THAT A RESOLUTION LETTER IS BEING PREPARED AND ALL PARTIES WILL RECEIVE A COPY FROM THEIR ATTORNEYS. SOME PROPERTY OWNERS CLAIMED KEVIN SAID ATTORNEYS WOULD NO LONGER BE INVOLVED IN THIS DISPUTE. KEVIN VEHEMENTLY DENIES HE SAID THIS AND AFTER A RAUCOUS EXCHANGE WITH NO RESOLUTION PRESIDENT ODSTRCIL STOPPED FURTHER DISCUSSION SO THE MEETING COULD CONTINUE.

**NEW BUSINESS:**

PRESIDENT ODSTRCIL NOTED THAT BY MUTUAL AGREEMENT THE VFD WILL START MOWING THE HELI-PAD AREA. THE HOA WILL CONTINUE MOWING THE BOAT RAMP AREA.

**COMMENTS FROM THE BOARD:**

RENITA REPORTS THAT NO LESS EXPENSIVE ALTERNATIVE HAS BEEN FOUND FOR REPLACING DILLO DISPOSAL. OPERATING THE DUMP AND PAYING FOR TRASH DISPOSAL IS THE MAJOR EXPENSE FOR THE HOA.

**COMMENTS FROM THE FLOOR:**

A PROPERTY OWNER ASKED THE BOARD FOR THE THE ANNUAL BUDGET. AFTER SOME DISCUSSION BY PRESIDENT ODSTRCIL, TREASURER RANDY SCHOENER SAID HE WAS READY TO MOVE THAT THE MOST CURRENT SPREADSHEET THAT HAD BEEN PREPARED FOR THIS MEETING TODAY BECOME THE BUDGET. RANDY PASSED OUT COPIES OF THIS BUDGET TO EVERYONE. A PROPERTY OWNER ASKED IF ADJUSTMENTS FOR ISSUES INVOLVING SECTIONS 5/6 HAD BEEN INCLUDED IN THE BUDGET. THEY WERE TOLD, YES, AS FAR AS WE ARE ABLE. THESE ISSUES ARE NOT RESOLVED BUT WITH A NEW ATTORNEY WE WILL RESOLVE THEM FOR THE NEXT FISCAL YEAR. TREASURER RANDY SCHOENER MADE THE MOTION TO ACCEPT THIS BUDGET STATEMENT, SECONDED BY DENNIS SHOOK AND PASSED UNANIMOUSLY.

**CHANGE IN OWNERSHIP:** NONE

**ADJOURNMENT:** THE BOARD ELECTED NOT TO HAVE AN EXECUTIVE SESSION TODAY. MOTION TO ADJOURNE BY RENITA ODSTRCIL, SECONDED BY RANDY SCHOENER WAS UNANIMOUSLY APPROVED AT 11:14 AM. THE NEXT MONTHLY MEETING IS **SATURDAY, JUNE 1, 2024 AT 9:00 AM** IN THE COMMUNITY BUILDING.

THESE MINUTES WERE APPROVED AT REGULAR MONTHLY BOARD MEETING:

OF THE \_\_\_\_\_ DAY \_\_\_\_\_, 2024. \_\_\_\_\_ SECRETARY \_\_\_\_\_ PRESIDENT