

**BIRCH CREEK FOREST PROPERTIES, INC.**  
**MINUTES OF REGULAR MEETING OF BOARD OF DIRECTORS**  
**AUGUST 6, 2022**

THE BOARD OF DIRECTORS OF BIRCH CREEK FOREST PROPERTIES, INC. MET AT THE COMMUNITY BUILDING IN BIRCH CREEK FOREST SUBDIVISION ON SATURDAY, AUGUST 6, 2022 AT 8:01 AM.

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

**BOARD VACANCY FILLED:** MELVIN ANNOUNCED THAT CARRIE FERGUSON HAS VOLUNTEERED TO SERVE ON THE BOARD AS ASST. SECRETARY FOR THE REMAINDER OF DAVE SMITH'S TERM (ONE YEAR). CARRIE, STATED WHY SHE WANTS TO SERVE ON THE BOARD. MELVIN THANKED HER AND MADE A MOTION TO ACCEPT CARRIE FERGUSON AS A BOARD MEMBER. CHRIS HENNING SECONDED THE MOTION WHICH PASSED UNANIMOUSLY.

MINUTES OF THE REGULAR BOARD MEETING HELD JULY 9, 2022, 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 JULY 31, 2022 WAS GIVEN BY JOHN SCHOELLMAN. UPON MOTION BY JOHN SCHOELLMAN AND SECONDED BY MELVIN LEHMANN, THE BOARD APPROVED THE REPORT AS PAID. THIS REPORT IS TO BECOME PART OF THIS MEETING'S RECORDS.

**COMMITTEE REPORTS:**

**SWIMMING POOL:** STEVEN POTENZA REPORTS FOR JERRY THAT THE POOL IS IN GOOD CONDITION. POOL EVAPORATION IS HIGHER THAN NORMAL BECAUSE OF HOT WEATHER. SMALL LEAKS IN THE SKIMMERS WILL BE FIXED WHEN THE POOL CLOSES FOR THE SEASON.

**ABATEMENT:** NONE

**ARCHITECTURAL:** ONE

BOBBY AND SUZANNE HOOD HAVE APPLIED TO BUILD A CARPORT WITH CONCRETE FLOOR (25' x 25') ON THE LEFT CORNER OF THEIR PROPERTY AT 1202 BIRCH FOREST DR. THE BOARD DEFERRED APPROVAL UNTIL THE NEXT MEETING AS THE ARCHITECTURAL FORM WAS RECEIVED YESTERDAY.

**GRIEVANCE:** ONE WRITTEN

A PROPERTY OWNER COMPLAINS HIS NEIGHBOR'S YARD NEEDS MOWING AND HAS TWO TRAVEL TRAILERS WHICH ARE NEVER USED. MELVIN NOTED THAT THE BOARD IS PREPARING LETTERS FOUR OF WHICH HAVE ALREADY BEEN SENT.

**BUILDING RENTAL:** NONE

**OLD BUSINESS:**

1. MELVIN STATED THAT THIS YEAR'S **INDEPENDENCE DAY B.C.F. V.F.D. FUNDRAISER** TOTAL WAS \$2,000.00 GREATER THAN LAST YEAR'S AND TOTALED IN EXCESS OF \$43,000.00.

2. MELVIN NOTED THAT OUR V.F.D. HAS ATTAINED AN "ISO 4" EFFICIENCY RATING. HE SAID TO REMIND YOUR INSURANCE CARRIER OF THIS FOR A POSSIBLE REDUCTION IN PREMIUM.

3. MELVIN DISCUSSED THE PROPOSAL TO CHANGE THE BOARD'S MONTHLY MEETING TIME TO 9:00 AM. HE NOTED THAT SINCE A TIME CHANGE REQUIRES A CHANGE IN THE BY-LAWS HE PROPOSES THE BOARD CONSIDER THIS CHANGE AT THE SEPTEMBER 3<sup>RD</sup> ANNUAL MEETING.

**NEW BUSINESS:**

1. MELVIN ALSO PROPOSED CHANGING THE DATE OF THE ANNUAL MEETING TO THE SECOND WEEK IN SEPTEMBER TO HELP BOOST ATTENDANCE. SINCE THIS WILL TAKE EFFECT FOR NEXT YEAR'S ANNUAL MEETING (2023) HE PROPOSES THE BOARD ALSO CONSIDER THIS CHANGE AT THE ANNUAL MEETING.

**NEW BUSINESS: (continued)**

**2. SEPTEMBER ELECTIONS:** PRESIDENT LEHMANN NOTED THAT TWO DIRECTOR’S TERMS OF SERVICE WILL EXPIRE IN SEPTEMBER: 1.) MELVIN LEHMANN, AND 2.) CHRIS HENNING. BOTH MELVIN AND CHRIS STATED THAT THEY WISH TO RUN FOR OFFICE AND SERVE ANOTHER TERM.

PRESIDENT LEHMANN ASKED THE NOMINATING COMMITTEE IF THEY WISHED TO MAKE ANY NOMINATIONS AND THEY SAID THEY DID NOT.

ACCORDING TO THE BY-LAWS NOMINATIONS MAY ALSO BE MADE BY ANY PROPERTY OWNER AT EITHER OF THE REGULAR MEETINGS HELD IN JULY/AUGUST PRECEEDING THE ANNUAL MEETING. PRESIDENT LEHMANN ASKED IF ANYONE ELSE WISHED TO RUN FOR ELECTION TO SERVE ON THE BOARD AND MAUREEN RAMIREZ SAID THAT SHE WISHED TO RUN FOR ONE OF THE OPEN POSITIONS. PRESIDENT LEHMANN THANKED MAUREEN FOR VOLUNTEERING.

PRESIDENT LEHMANN NOTED THAT SINCE THERE ARE THREE PROPERTY OWNERS RUNNING FOR TWO OPEN POSITIONS, ACCORDING TO THE BY-LAWS AND THE LAWS OF THE STATE OF TEXAS:

- 1.) WRITTEN/SIGNED BALLOTS ARE REQUIRED FOR CONTESTED RACES, AND
- 2.) FOR AN ELECTION WITH WRITTEN/SIGNED BALLOTS, FOUR ELECTION AUDIT COMMITTEE MEMBERS AND A MONITOR ARE TO BE APPOINTED. PRESIDENT LEHMANN ASKED FOR VOLUNTEERS TO SERVE ON THE ELECTION AUDIT COMMITTEE. FIVE PROPERTY OWNERS VOLUNTEERED: 1.) DON SHOCKEY (MONITOR), 2.) DAVE SMITH, 3.) BOB WARE, 4.) WILLIAM WILSON, AND 5.) LOUISE SHOCKEY. AFTER THE EXECUTIVE SESSION, CHRIS HENNING MADE A MOTION TO ACCEPT THESE VOLUNTEERS. MELVIN LEHMANN SECONDED AND THE BOARD APPROVED UNANIMOUSLY.

PRESIDENT LEHMANN THEN ASKED EACH NOMINEE TO INTRODUCE THEMSELF AND STATE WHY THEY WANT TO SERVE ON THE BOARD. THE THREE NOMINEES FOR THE TWO OPEN POSITIONS ARE:

- 1.) CHRIS HENNING
- 2.) MELVIN LEHMANN
- 3.) MAUREEN RAMIREZ.

THEIR COMMENTS WILL BE INCLUDED IN THE **NOTICE OF ANNUAL MEETING** SENT TO ALL PROPETY OWNERS. THE BIRCH CREEK FOREST **ANNUAL MEETING** FOR 2022 WILL BE ON **SATURDAY, SEPTEMBER 3, 2022 AT 10:00 AM** IN THE COMMUNITY BUILDING. A MAIL NOTICE OF THE ANNUAL MEETING WILL BE SENT TO EACH PROPERTY OWNER NOT LESS THAN 10 DAYS PRIOR TO THE ANNUAL MEETING.

**COMMENTS FROM THE BOARD:**

- 1. CHRIS HENNING UPDATED THE BOARD ON HIS EFFORT TO CONTACT THE BRAZOS RIVER AUTHORITY IN WACO TO FIND A RECORD OF THE POOL RESTROOM SEPTIC SYSTEM. FINDING THIS RECORD WILL SAVE ON THE COST OF REPAIR SINCE A MODIFICATION WILL REQUIRE LESS WORK AND EXPENSE .
- 2. CHRIS ALSO ASKED THAT THE LIGHT AT THE POOL AND A TRIP HAZARD BE FIXED.

**COMMENTS FROM THE FLOOR:**

SEVERAL PROPERTY OWNERS ASKED TO EXTEND BOTH THE HOURS THE POOL IS OPEN DAILY AND THE SEASON BEYOND THE REGULAR SEPTEMBER 30<sup>TH</sup> CLOSING DATE. CHRIS HENNING MADE A MOTION TO IMMEDIATELY EXTEND THE POOL OPENING HOUR TO 8:00AM AND TO DISCUSS THE OTHER CHANGES AFTER CONSULTING WITH THE POOL MONITOR. MELVIN SECONDED THE MOTION WHICH PASSED UNANIMOUSLY.

**CHANGE IN OWNERSHIP:**

| NEW OWNER                | FOUR |     |            | PREVIOUS OWNER           |
|--------------------------|------|-----|------------|--------------------------|
|                          | SEC  | BLK | LOT        |                          |
| JASON BICE               | 4    | 18  | 10, 11     | AN & RES BYERS LLC       |
| JASON BICE               | 5    | 9   | 6, 7, 8, 9 | LARY AND RHONDA FERGUSON |
| ROBERT AND MARIA DENNEY  | 4    | 15  | 13, 14     | CARI VAUGHN              |
| TANYA AND MANUEL NORIEGA | 1    | 3   | 6, 7       | JASON BICE               |

THE BOARD WENT TO EXECUTIVE SESSION AT 8:55 AM AND RECONVENED AT 9:55 AM. MOTION BY MELVIN LEHMANN, SECONDED BY CARRIE FERGUSON TO ADJOURN WAS APPROVED AT 9:56 AM.

THE NEXT MONTHLY MEETING IS ON **SATURDAY, SEPTEMBER 3, 2022 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 \_\_\_\_\_, 2022.

\_\_\_\_\_SECRETARY \_\_\_\_\_PRESIDENT\_

