

BIRCH CREEK FOREST PROPERTIES, INC.
MINUTES OF REGULAR MEETING OF BOARD OF DIRECTORS
FEBRUARY 4, 2023

THE BOARD OF DIRECTORS OF BIRCH CREEK FOREST PROPERTIES, INC. MET AT THE COMMUNITY BUILDING IN BIRCH CREEK FOREST SUBDIVISION ON SATURDAY, FEBRUARY 4, 2023 AT 9:00 AM.

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

MINUTES OF THE REGULAR BOARD MEETING HELD JANUARY 7, 2023, WHICH WERE POSTED AND CIRCULATED, WERE APPROVED UPON MOTION BY MELVIN LEHMANN AND SECONDED BY MAUREEN RAMIREZ. THE MINUTES WILL BECOME PART OF THIS MEETING'S RECORDS.

THE TREASURER'S REPORT AS OF JANUARY 31, 2023 WAS GIVEN BY CARRIE FERGUSON. UPON MOTION BY MELVIN AND SECONDED BY JOHN DUNKLEMAN 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 THE POOL IS IN GOOD CONDITION EXCEPT FOR A HIGH WATER LEVEL BECAUSE OF THE RAIN. JERRY SAID HE WOULD DRAIN SOME WATER TO RESTORE THE LEVEL. HE HAS PURCHASED SOME CHEMICALS FOR THE POOL.

ABATEMENT: NONE

ARCHITECTURAL: THREE

1. ARRON BRACKEEN HAS APPLIED TO REMODEL HIS PORCH/GARAGE (21' x 46') WITH AN EXTENDED CARPORT (18' x 40') AND WITH CORRUGATED METAL CULVERTS ON HIS PROPERTY AT 432 LEANING OAK LN. MELVIN MADE A MOTION TO APPROVE, SECONDED BY CARRIE FERGUSON AND PASSED UNANIMOUSLY.

2. ARTHUR TILLMAN HAS SUBMITTED AN ARCHITECTURAL FORM FOR APPROVAL OF CONSTRUCTION OF AN ADDITION TO HIS HOUSE/GARAGE AND TWO CARPORTS ON HIS PROPERTY AT 205 NORTHWOOD DRIVE. A MOTION TO APPROVE BY JOHN SCHOELLMAN, SECONDED BY JOHN DUNKLEMAN PASSED UNANIMOUSLY.

3. JOSEPH GARNER HAS APPLIED TO BUILD A HOUSE (1200 SQ FT) WITH CONCRETE SLAB AND METAL EXTERIOR/COVERED FRONT PORCH (10' x 40') ON HIS PROPERTY AT 110 BRAMBLE WOOD CIRCLE. MELVIN SAID THAT SINCE THE ARCHITECTURAL COMMITTEE HAS NOT HAD TIME TO REVIEW THE FORM DECISION TO APPROVE WILL BE DEFERRED UNTIL THE COMMITTEE CAN CONSIDER IT.

GRIEVANCE: NONE WRITTEN

A PROPERTY OWNER COMPLAINS HE WAS CHASED BY DOGS AT THE CORNER OF BIRCH FOREST AND GAYWOOD LANE. THERE HAVE BEEN NO MORE COMPLAINTS THIS MONTH AS THE OWNER HAS RESTRAINED HIS DOGS. MELVIN NOTED THIS IS A MATTER FOR THE COUNTY TO ENFORCE.

ANOTHER PROPERTY OWNER WANTS TO KNOW WHY THE POND BEHIND HIS HOUSE ON BIRCH HILL LANE HAS A LAYER OF SCUM, WHILE THE POND BETWEEN SPRING OAK AND SHADOW OAK IS CLEAN. MELVIN NOTED THAT THERE HAS NOT BEEN ENOUGH RUNOFF TO CLEAR THIS POND. IT WAS ALSO NOTED THAT AN AERATOR, CERTAIN KINDS OF DUCKS, OR FISH (WHITE CARP) WILL KEEP A POND CLEAN BUT THAT TAKES SOME TIME AND INVESTMENT. MELVIN STATED THAT THIS POND IS IN A GREEN AREA AND BELONGS TO THE HOA. HE WILL LOOK AT IT AND ASK LEROY HABY, WHO MANAGES PONDS, WHAT SHOULD BE DONE.

BUILDING RENTAL: 1.) FEBRUARY 18, BENEFIT FOR DONNIE LUECK: (11:00AM - 2:00PM)
ALL INVITED FOR: SMOTHERED STEAK/ MASH POTATOES/GREEN BEANS/ROLL
2.) FEBRUARY 25, PRIVATE PARTY.

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 (979) 535-8978. THE FEES WERE DUE JANUARY 31, 2023. A LATE CHARGE OF \$10.00 PER LOT HAS BEEN ASSESSED. A PAYMENT PLAN CAN BE ARRANGED BY CALLING THE HOA OFFICE. MELVIN THANKED ALL THOSE WHO PAID THEIR MAINTENANCE FEE ON TIME THIS YEAR NOTING THAT A RECORD NUMBER HAVE DONE SO. THANKS ALL!

OLD BUSINESS: (continued)

MELVIN STATED THAT THE HOA CANNOT OBTAIN 501C-3 STATUS LIKE A SCHOOL, CHURCH, OR CHARITY AS HOA'S ARE NOT A QUALIFIED ORGANIZATIONS. OUR HOA, ACCORDING TO IRS PUBLICATIONS, IS EXEMPT FROM FRANCHISE TAX (SALES TAX). SINCE WE HAVE A CERTIFICATE OF ARTICLES OF INCORPORATION IN THE STATE OF TEXAS AS A NON-PROFIT.

MELVIN ALSO NOTED THAT BECAUSE OF THE ABOVE, A SAVINGS ACCOUNT HAS BEEN OPENED UNDER BCFPI'S BANK ACCOUNT: LABELED "ENHANCEMENT" AND \$2,137.00 IN CASH AND CHECKS WERE DEPOSITED. MELVIN SAID THIS WAS A GOOD AMOUNT FOR A ONE DAY FUNDRAISER IN DECEMBER.

MELVIN TALKED WITH THE CORPS OF ENGINEERS ABOUT RELOCATING THE GATE AT THE DOCK TO WHERE THE RAMP FOR ENTERING THE WATER IS LOCATED. THIS WILL ALLOW 24/7 ACCESS TO THE PARKING LOT. THEY AGREED BUT SAID AS LONG AS THE WATER IS LOW, ACCESS TO THE LAKE IS CLOSED THERE.

MELVIN SAID THE CONTRACTOR SUBMITTED DRAWINGS FOR THE NEW SEPTIC FOR THE COMMUNITY BUILDING WHICH CALLS FOR MULTIPLE SPRINKLERS AT THE OLD TENNIS COURT. SINCE THIS IS NOW A PARKING LOT THAT IS NO LONGER FEASIBLE. THE SPRINKLER HEADS WILL HAVE TO BE RELOCATED OPPOSITE THE M.U.D. WATER YARD WHEN IT IS CLEARED, BECAUSE THIS IS OUT OF THE WAY. WHEN THE PLAN IS APPROVED BY THE BOARD, IT WILL BE REGISTERED AT THE COUNTY COURT HOUSE. WE WILL HAVE ONE YEAR TO INSTALL THE SEPTIC. WORK WILL BE DURING THE POOL OFF SEASON. AFTER PLAN APPROVAL WORK ON THE BASKETBALL COURT WILL BEGIN.

LAST YEAR THE BOARD APPROVED A PRIVACY SCREEN FOR THE FENCE AT THE DUMP. EDDIE AND MAUREEN RAMIREZ BOUGHT SIX (100') GREEN ROLLS OF FENCE SCREEN. THEY WILL BE LOOKING FOR VOLUNTEERS TO HELP PUT UP THE SCREEN, WEATHER PERMITTING. THANKS EDDIE AND MAUREEN!

NEW BUSINESS: NONE

COMMENTS FROM THE BOARD

MELVIN REPORTS THAT THE HOA OBTAINED SUMMARY JUDGEMENT IN COURT AGAINST THE PROPERTY OWNER, WHO HAS VIOLATED DEED RESTRICTIONS IN SECTION SEVEN. HE WILL HAVE TO MOVE HIS MOBIL HOME IN THIRTY DAYS AND A LIEN WILL BE PLACED ON THE PROPERTY TO RECOUP LEGAL FEES AND OTHER EXPENSES. THE BOARD WILL WORK TO EXPEDITE ITS REMOVAL AND AN ABANDONED CAR.

MELVIN ALSO REPORTS THE V.F.D. IS GETTING A NEW TANKER TRUCK TO HAUL WATER TO FIRES WHERE THERE ARE NO HYDRANTS. ITS WATER TANK HAS BAFFLES, WHICH WILL ENABLE THE TANKER TRUCK TO KEEP UP WITH THE FIRE TRUCK ON THE WAY TO FIRES. THE TANKER AND WILL BE DONATED TO THE V.F.D. FREE. OUR PRESENT TANKER LEAKS, BUT IT WILL BE GIVEN TO ANY V.F.D. THAT WANTS IT.

COMMENTS FROM THE FLOOR:

A PROPERTY OWNER ASKED ABOUT A \$400 EXPENCE FOR REMOVING LEAVES ACCUMULATED AT THE DUMP. MELVIN SAID LEAVES SHOULDN'T BE BURNED AS THERE IS TOO MUCH SMOKE.AND IF PUT IN DUMPSTERS CATCHES FIRE. A BOARD MEMBER SAID THEY WOULD LIKE TO VOTE WHEN CHARGES EXCEED A CERTAIN LIMIT. ALSO THE BOARD CAN ASK IF ANYONE WOULD VOLUNTEER TO DO THE JOB FOR FREE.

ANOTHER PROPERTY OWNER ASKED ABOUT PROGRESS ON COMPLIANCE ON DEED RESTRICTION VIOLATIONS. ASST. SECRETARY MAUREEN RAMIREZ STATED THAT WE HAVE RECEIVED NO NEW GRIEVANCES THIS PAST MONTH AND THAT SHE HAS HAD VERY GOOD COOPERATION WITH THOSE CONTACTED TO CORRECT PAST VIOLATIONS.

CHANGE IN OWNERSHIP: ONE

NEW OWNER	SEC	BLK	LOT	PREVIOUS OWNER
JOSEPH R. GARNER	1	1	16, 17	MARY WICKIZER AND ROBERT A. YORK

ADJOURNMENT:

THE BOARD WENT INTO EXECUTIVE SESSION AT 9:57 AM TO DISCUSS THE NEXT STEPS OF LEGAL PROCEEDINGS. A MOTION TO ADJOURN BY MELVIN, SECONDED BY JOHN SCHOELLMAN WAS APPROVED AT 10:30 AM. THE NEXT MONTHLY MEETING IS SATURDAY, MARCH 4, 2023 AT 9:00 AM AT COMMUNITY BUILDING. THESE MINUTES WERE APPROVED IN THE REGULAR MONTHLY BOARD MEETING

OF THE _____ DAY _____, 2023.

SECRETARY

PRESIDENT

