

Open Board Meeting Minutes - Tri-County Point POA
July 1, 2023 — via Zoom

The meeting was called to order by President Clint Hammonds at 11:10 a.m. Roll call showed the following directors present:

President, Clint Hammonds
Treasurer, Karen Gallaher
Secretary, Jan Park
Director, Tim Collins

A quorum was established.

There were no public comments.

Standing Items:

1. **Read and approve minutes from March 17, 2023, open Board Meeting** - Tim moved and Karen seconded. Motion passed.
2. **Roads and Drainage.** Clint stated that he had been talking to the County Commissioners and engineers regarding the issues of flooding. He stated that there were no state funds available as the recent flooding was not declared an emergency. He stated that there may be grant money available and requested that staff identify the main problem areas in Bocca Chica and report back to the Board.

Mr. Clint Gaylon stated that he would like to see a copy of that list as there is a problem area on Porpoise and Salmon. Clint requested that Laurie send an email to all property owners asking them if they had issues and if they had any photos or videos of the recent flood, to forward them to the office.

3. **Architectural Control Committee Appeals** — No appeals. Laurie advised the Board via email that she would like guidelines for culvert installation as some of the ones that have been installed do not go to the ditch and cause the water to be diverted elsewhere. She stated that Johnny Lloyd would probably help her come up with guidelines. Clint requested that Laurie suggest the guidelines and bring it to the Board for approval.

4. **Discuss/Act on Non-compliance fines (By-Laws, Article V, Section 3, item 1)** – Clint read the following lot numbers that were in non-compliance:

LOTS IN NEED OF NONCOMPLIANCE FEES & ENFORCEMENT ACTIONS

Section II: Block A lot 3

Section III: Lots 1, 2, 19, 28,37,41,49, ia8

Section IV: Lots 64, 66, 81, 90, 110,114, 121, 142, 146, 164, 167, 169, 170, 171, 173,174, 183,199, 200, 204, 205, 210, 212, 265, 270, 279, 282, 287, 291, 293, 294

Section V: Lots: 7, 60, 88, 89, 101, 103, 126, 133,139, 140, 143,144,146, 148, 149, 155, 165,166, 167, 168,169,170,171,176, 180,183, 204, 205, 206, 207,

Section VIII: 75, 76, 79, 81, 82,131,167,168, 169,175,176

All of these property owners have been served notice as required by Texas Property Code.

Laurie requested that the following be placed in the Minutes.

Violation Notice: Once a violation has been served, should the lot fall back into violation, for the same reason, in the following 6 months, Texas property codes does not require another notice be given & that the Association can immediately begin assessing noncompliance fees & take enforcement action. Texas Property Code 209.006 subsection (d) *Subsections (a) and (b) do not apply to a violation for which the owner has been previously given notice under this section and the opportunity to exercise any rights available under this section in the preceding six months.*

Tim moved and Jan seconded the motion that Laurie add noncompliance fees on the lots listed above. Unanimous, motion passed.

5. Discuss/Act on initiation of enforcement actions (By-laws, Article V, Section 3, item 4).

Tim moved and Jan seconded the motion that Laurie proceed with enforcement action for lots listed above that had not responded to the violation notice. Unanimous, motion passed.

6. Discuss/Act on initiation of foreclosure actions (By-Laws, Article V, Section 3, item (4)).

Tim moved and Jan seconded the motion that Laurie proceed with the initiation of foreclosure action for lots listed above that had not responded to the violation and enforcement notices. Unanimous, motion passed.

7. Discuss/Act on amending the budget (if needed) – No action taken.

Old Business.

1. Community Center Rental – waiting to hear from attorney.

2. Volunteer Agreement/Policy – waiting to hear from attorney.

3. **Mail Boxes** – After a brief discussion it was decided that a survey would be send out to the members to see how many were interested in Cluster Mail Boxes. Item was tabled until information was collected.

4. Special Assessments (bulkhead @ boat ramp and pier) call for a meeting date to vote.

Three bids were obtained, after a brief discussion Karen moved and Tim seconded that we obtain bids for a “band-aid” fix and a complete repair of the bulkhead at the boat ramp and pier. Bidders must also show proof of insurance and have references. Unanimous, motion passed. It was also noted that this needs to be fixed ASAP. After bids have been obtained there will be a Board Meeting held to discuss the next steps with the members.

5. **Sale of Reserve Areas** – no action taken.

New Business.

1. Discuss/Act on Access Cards Fees

Access cares will cost \$15.00 for the first card, \$25.00 for the second card, with a maximum of 2 cards per lot. Should you lose a card the replacement cost will be \$50.00 for each replacement. The card will give access to all amenities (boat ramp, pier and bathroom). Cards will be individualized for each lot. Karen moved and Tim seconded the motion. Unanimous, motion passed.

2. Discuss/Act on Change of Master Administrator for QuickBooks.

Karen informed the Board that Quick Books still has the former President, Cindy Morrison, as the Administrator of Quick Books. She is requesting that the Administrator be changed to Clint. She stated that Quick Books must have a set of Minutes stating that Cindy be removed as the Administrator and Clint be named as the new Administrator. Karen moved and Jan seconded that Clint Hammonds be named as the new Administrator for Quick Books. Unanimous, motion passed.

3. Discuss/Act on creating a Policy and Fines concerning dogs running loose and creating a nuisance. Karen moved that the attorney write up a policy that all members that have a dog(s), the dog(s) must be registered at the office, have a dog tag and proof of rabies on file and a photograph of the dog(s) on file. Members whose dog(s) are running loose will be fined a minimum of \$150.00 per occurrence. She also requested that this Policy be presented at the next Board meeting for approval. Unanimous, motion passed.

4. Discuss/Act on fine for beginning improvements prior to receiving approval. Karen commented that she would like to see something from the ARC Committee regarding this Agenda Item before the Board took any action. Debbie Kisser from the ARC Committee stated that the ARC Committee was only evaluating the permits that they receive. She noted that members are building/constructing items that have not been approved by ARC and are in violation of the rules.

She was advised to send an email to the Board explaining what was going on and they would reach out to Legal to see what can be done to resolve this issue.

5. Discuss/Act on Fee Schedule Changes (a) fine for improvements without required approval from ARC; (b) fine for not following pet policy once created and (c) Annual Assessments increase to \$180.00. Clint asked for a motion to table Items 4 and 5 until the next Board meeting. Karen moved and Tim seconded. Unanimous, motion passed.

6. Discuss/Act on the number of days property owners must get lawns mowed after a violation notice is mailed. Karen moved that property owners must get lawns mowed no later than 7 days from the violation being sent via Pay HOA, Tim seconded the motion. Unanimous, motion passed.

7. Discuss/Act on hiring off duty officers to patrol community. Clint stated that there had been an increase in vandalism in the community noting that a resident had a trailer stolen full of building supplies and recommended that the Board hire off duty officers to patrol the community on holidays for \$50.00 an hour with a maximum of five hours per shift. The Board lost contact with Clint and a discussion was held regarding this matter. Karen stated that there had been vandalism at the boat ramp, pier and bathrooms and that the presence of police officers would help deter this. She suggested that they contact Laurie as she could advise them of the preferred patrol times. Karen moved that we budget \$1000.00 per month for police officers to patrol the community on the weekends and on holidays e.g. July 4th, Memorial Day, Labor Day etc. and also have a random patrol one to two times a week also noting that the budget would need to be adjusted. Tim seconded the motion. Unanimous, motion passed.

8. Discuss/Act on purchase of License Plate reader and allowing law enforcement access. Please note that only three directors were present for the remainder of the meeting Karen, Tim and Jan. Karen stated that she felt this was a good idea as there was only one way in and out and the license plate reader would capture all vehicles going in and out of the community. They are similar to the ones used on the toll roads. The reader is controlled by the firm that furnishes them so there is no added pressure on staff to monitor them. And they also maintain it. She suggested that the reader be placed at the "Welcome to Bocca Chica sign". After a brief discussion Karen moved that we purchase the License Plate Reader and one camera. Tim seconded the motion. Unanimous, motion passed.

9. Discuss/Act on possible abandonment of certain deed restrictions (fence) Article 2.4 Section (L) and (40' set back) Article 2.4 (J). A brief discussion was held regarding this item and it was decided that the ARC Committee come up with specifications for the different types of fences and set-backs. An example would be someone was requesting to put up a six foot wooden fence, the posts would need to be metal posts, not wooden. Also noted was the fact that there were so many different types of fences in the community, and it was restrictive to the members to have to put up a chain link fence only. Regarding set-backs the ARC Committee would need to come up with a reasonable set-back other than 40 feet due to the various lot sizes and the length of mobile homes now. Each request would have to be determined on a case-by-case basis. The item was tabled until the ARC Committee could present their recommendations.

10. **Discuss/Act on New Management Certificate reflecting the change in Annual Assessments for 2024.** Clint was able to rejoin the meeting. Karen explained that at the last meeting the Board voted to increase the yearly assessment from \$150.00 to \$180.00. This has to be recorded. Karen moved that the Management Certificate reflecting the change in Annual Assessments for 2024 be recorded. Tim seconded the motion. Unanimous, motion passed.

11. **Discuss/Act on survey for Acreage on CR 480 Property ID 4158036000172 Koch, Lot PT TR 36, Acres 3.64 (according to Appraisal District's 2023 appraisal).** (Clint lost signal again). Laurie stated that this is the property we have been paying taxes on and Clint pulled up an application showing properties and he thought we had 7+ acres past the boat ramp to the south, but the appraisal shows 3.64 acres and she believes that is the property north of the boat ramp. Clint would like to do a survey. Tim moved to do a survey of the property; Karen seconded. Unanimous, motion passed.

Meeting adjourned at 12:31 p.m.

The above is a correct copy of the Minutes of the July 1, 2023, meeting of the Tri-County Point POA board of Directors.

Clint Hammonds, President

Jan Park, Secretary