

**MINUTES OF SUNSET BAY PROPERTY OWNERS ASSOCIATION
BOARD OF DIRECTORS MEETING**

December 5, 2010

www.sunsetbaypoa.org

Call to order: A Board of Directors meeting of the Sunset Bay Property Owners Association was held at 139 Sunrise Drive, Rockport, Texas (Gary and Sharon's house in Sunset Bay). The meeting convened at 11:50 a.m. A quorum was established.

The following officers were in attendance:

President	Kelly Flanagan
Vice President at Large	Dave Kasprzak
Secretary	Gary Sequeira
Treasurer	Joshua Staley

Debbie Ortiz, Vice President, was unable to attend.

R. Malvaiz also attended the meeting on behalf of the Architectural Committee.

Approval of minutes: The minutes of the August 7, 2010 Board of Directors meeting had been previously reviewed and were approved via e-mail.

Officers' reports:

President:

Delinquencies – There are still four maintenance fees that have not been paid for 2008 and 2009; there are about 35 that remain unpaid for 2010.

→ **ACTION:** Kelly to verify with Joshua the non-payments and send out the final notice for 2010 non-payments before the end of the week. Kelly to e-mail list of those non-payments to the Board.

→ **ACTION:** Gary to call Tim Raub regarding cost and procedure of filing liens or judgments against property owners for non-payment of maintenance fees.

Pier – Construction is complete.

Kelly got one bid of \$27,500 from Chris Curtis for the pier lighting.

→ **ACTION:** Gary still needs to gather information on the pier lights.

Kelly visited with Chris Curtis about getting power for the pier lights and security gate. Kelly put a mechanical lock on the pier. Curtis recommended not using an electric lock.

Property owners need to be verified as well as making sure that all maintenance fees have been paid before any Board member provides the code for the pier to them.

Kelly contacted NEC (Nueces Electric Cooperative) to provide electric power to the pier.

Mowing – There hasn't been much mowing done. Kelly spoke to Chris Naylor of Copano Bay Nursery about weeding and fixing up the beds at the entrances.

Treasurer:

Maintenance fees – There have been no collections for 2008 or 2009 since the last Board meeting.

Tax returns – The 2008 and 2009 federal tax returns have been filed. Penalties and interest are being assessed since they were late. Joshua and the tax accountant will file a "reasonable cause" form due to the turnover of the Treasurer to try to get some of the penalty/interest back.

→ **ACTION:** The original tax return was filed under MMC. Joshua will file new name with the IRS.

Audit company – Joshua still needs to look for an audit company. He still has the bid for \$3,000 for 2008 audit and \$2,000 for each subsequent audit. Joshua wants to get a couple more bids. He still needs to contact the individual suggested by the Bjork's at the annual meeting.

Status of property owner who wanted her two properties treated as one and paid only one maintenance fee...status of sending invoice for maintenance fee for 2nd lot.

→ **ACTION:** Joshua still needs to research what was done in the past.

→ **ACTION:** Joshua to send invoice for 2009 and 2010 for 2nd lot – waiving late penalty fees if paid now.

Status of accounting software – Quickbooks online is what Joshua would like to convert to.

→ **ACTION:** Joshua to call tech support re translating current data to Quickbooks online and determine cost of converting and what the monthly charge is.

The charter has been reinstated.

→ **ACTION:** Joshua to mail quarterly financial report to the Board.

Vice President: Debbie was not at the meeting.

Debbie updated the newsletter and it has been posted on the website.

→ **ACTION:** Joshua to call Debbie to see if she got any estimates for someone to do the audit.

Secretary:

→ **ACTION:** Gary still needs to contact the sheriff about driving through the subdivision early in the morning and late in the afternoon.

Vice President at Large – Nothing to report.

New Business

Kelly advised that Nueces Electric Cooperative (NEC) will provide power for the pier lighting. Also advised that an AEP loop has to be installed. Eric Thetford, an AEP engineer, has been out to determine what is needed and the cost. The cost is to be \$1,589.43 for an underground line to be run and to set a transformer. The association is responsible for having the line run from the transformer to the pier and setting a meter can. Kelly will meet with Eric Thetford December 7 to go over the trenching; Phil Hanley is to come to the meeting. Hanley is to contact the Corps of Engineers to make sure there are no problems since this is so close to the wetlands.

Lighting on the pier – Kelly has two bids: (1) \$7,380 from Rudy Resendez with Resendez Services, whom Kelly works with, and (2) \$27,500 from Curtis Construction. The Board would like at least one more. R. Malvaiz is to contact a couple of companies for another bid or two and send the bid to Kelly.

Update: Additional bids from Mr. Malvaiz:

- Barre Electric - \$18,087.59
- B&R Electric - \$11,610.00

Note: The bids from Curtis Construction, Barre Electric, and B&R Electric do not include the trenching, 3" conduit, or labor costs for the AEP Loop from the primary power at the roadside to the transformer location by the pier entrance.

→**ACTION:** Kelly will e-mail the bids to the Board for vote.

→**ACTION:** Joshua is to check with his father-in-law about a green fishing light at the end of the pier.

Invoice from Davis, Hutchinson and Wilkerson for attorney's fees – The Board reviewed and paid.

Bid from Chris Naylor, Copano Bay Nursery & Landscaping, for maintaining the beds at the entrances - \$75 per bed for four beds – maintain quarterly = \$300 per quarter. Naylor would prune, fertilize, weed, apply Round Up, check the watering system and health of the plants and report to Kelly. This agreement would be subject to termination if not up to par. The Board approved hiring Naylor.

→**ACTION:** Kelly to contact Naylor.

Paint peeling on monuments at entrances – This was tabled and will be discussed in the spring.

Line of credit or credit card – The Board decided to handle association expenses for the pier by check rather than obtaining a line of credit or a credit card.

2011 maintenance fees –

→**ACTION:** Joshua will prepare the invoices and mail to Kelly for the 2011 maintenance fees by the end of January 2011. Kelly will print envelopes with postage and mail out. Notice of the mail out will be posted on the Sunset Bay website in the blogger section

Next meeting:

Kelly checked his work schedule for March and April. He is available the following dates for the next Board meeting: March 12-13, 19-20, April 9-10, 16-17.

The meeting date needs to be set.

Adjournment:

The meeting adjourned at 2:15 p.m.



Gary S. Sequeira, Secretary



Date of approval