

**MINUTES OF SUNSET BAY PROPERTY OWNERS ASSOCIATION
BOARD OF DIRECTORS MEETING
March 13, 2010**

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 1:45 p.m. A quorum was established.

The following officers were in attendance:

President	Kelly Flanagan
Vice President	Debbie Ortiz
Vice President at Large	James Buckley
Secretary	Gary Sequeira
Treasurer	Joshua Staley

Approval of minutes: The minutes of the November 11, 2009 Board of Directors meeting had been previously approved via e-mail.

Officers' reports:

President:

A motion was made and seconded to accept Crystal Lyne's resignation from the Board of Directors and the position of Treasurer. Kelly welcomed Joshua Staley to the Board of Directors and he assumed the position of Treasurer replacing Crystal Lyne.

Pier Construction – Kelly reported that Phil Handley will oversee staking of the wetlands in mid-April and proceed with construction of the pier. Don Smith is supposed to send a copy of the permit to Kelly. The Board decided that if there were further delay regarding the pier construction, the Board should contact an attorney.

→ **ACTION:** Kelly to obtain date for staking of the wetlands and advise the Board. Kelly and Gary plan to attend.

Kelly reported that the repair work for the easement that was scheduled for November was not done due to weather and has been rescheduled for April 15.

Due date for maintenance fee: The Board approved, via e-mail, changing the due date of the annual maintenance fee to March 1.

Bids for replacing plants at entrance: Kelly sent Don Smith a request for a check to cover the cost of replacing the plants at the entrances. He has not responded. Joe Howard is helping Kelly to get bids for replacing plants and getting a maintenance contract set up.

One bid has been received from Mario's Exotic Palms. Gary had a bad experience with this company, and the Board decided not to consider their bid. Joe is trying to get two more bids.

Irrigation system repair - Still needs to be done.

→ **ACTION:** Gary to get the needed parts and Quadvest will repair without labor charges.

Removal of Cooper advertising sign: Kelly has talked with Gordon Cooper who owns the sign company. Cooper said it had been too wet to remove the sign but it will be done when it dries up enough. The sign is now a double decker sign.

→ **ACTION:** Kelly will call Cooper again.

Contact with Novotny re definition of "improvement for land" – Kelly still needs to contact him.

→ **ACTION:** Kelly will send Novotny a letter.

Sherwin Aluminum talking to Board re Bauxite Reservoir – Kelly still needs to make contact with them.

→ **ACTION:** Kelly will contact Sherwin Aluminum to see if the Board can have a copy of their presentation on the Reservoir and to see if Sherwin Aluminum would give a presentation at the next annual meeting.

Treasurer:

Joshua reviewed the December 31, 2009 balance sheet and January-December 2009 P&L statement with the Board.

Kelly reported the following regarding the maintenance fee delinquencies:

2008 maintenance fees – There are still four delinquencies. The fourth and final delinquency notice has been sent to these four property owners. The Board will pursue legal action. Several of these properties have been foreclosed on.

→ **ACTION:** Joshua will draft a letter to the banks about the foreclosures and nonpayment of the maintenance fees.

→ **ACTION:** Kelly will talk to the attorney about a letter from the attorney and the lien process. 2008/2009 delinquencies will receive a letter from the attorney immediately.

2009 maintenance fees – Kelly sent the 3rd and final delinquency notices to eight property owners.

Five property owners were sent 4th and final delinquency notices for 2008 and 2009 dues.

→ **ACTION:** Joshua will determine the maintenance fees that are still unpaid and advise the Board so that legal action can be pursued.

→ **ACTION:** Joshua to get a list of the 2009/2010 delinquencies to Kelly by March 27.

→ **ACTION:** Kelly to send 1st delinquency notices for 2010 unpaid dues by the middle of April.

Kelly gave Gary copies of the 2008 and 2009 delinquency notices for the files.

Determining if association could get a break on property and school taxes since association is non-profit organization – Joshua reported that the association is already getting a discount.

Vice President:

Debbie will keep a list of sold properties so that a Welcome Kit can be sent.

Debbie asked how we can determine if a property has sold.

→ **ACTION:** Debbie will contact Diane Straub, property owner at the Annual Meeting who is a realtor, to see if she can advise/assist.

Secretary:

Quadvest providing water to Redfish Camp – Gary talked to Redfish Camp and told them that Quadvest can provide them with water. Redfish Camp has not gotten back to Quadvest. Kelly says that the Redfish Camp owners continue to clean up and remodel the camp.

Review of bylaws that need changing – Kelly has reviewed the bylaws and noted some that need changing.

→ **ACTION:** Kelly to e-mail the changes to the Board and ask for review.

The changes will be ratified at the next Board meeting or approval will be requested at a special Board meeting via e-mail.

Patrol driving through subdivision – Gary made contact. They do drive through twice per shift.

→ **ACTION:** Gary will contact the Sheriff to see if they can drive through early in the morning and late in the afternoon.

Trash pick up – Waste Management does not service the area. K&B would pick up trash for \$30/month. After the subdivision fills out more, the price will be lower.

Post office – There is no mail delivery currently. When the subdivision needs mail delivery, it can be set up with the post office. It would be a contract mail carrier.

Vice President at Large:

Private Property/No Trespassing signs - Board approved three large PRIVATE PROPERTY/NO TRESPASSING signs to be made and posted at each entrance and at the common area.

→ **ACTION:** James will order the signs and install them.

Status of county correcting name of street “Duckheaven” to “Duckhaven” – Not done.

→ **ACTION:** James will call the county to see if they can replace the signs. If they will not, James will look further into doing it ourselves.

Committee Reports:

Joe Howard, Head of the Landscape Committee, was unable to attend. Kelly gave his report on bid for replacing plants at entrances.

New Business:

3rd party financial audit – Will be done in 3rd quarter .

→ **ACTION:** Joshua will contact some audit firms in May or June to get estimates. When Joshua gets the estimates, he will e-mail to Board for approval of the firm to do the audit.

→ **ACTION:** Joshua will provide financial statements by March 31 to be made available to homeowners by request.

→ **ACTION:** Kelly will post on the website that the financial statements will be available to homeowners by request.

→ **ACTION:** Debbie will get an idea of the cost of an audit from her parents who are on their association board.

Committee to look at short- and long-term planning for the common areas for a water meter, electricity and site plan for the park and playground. Kelly would like Jerry Bjork, Improvements Committee, to chair this committee. This was tabled until the next meeting.

→ **ACTION:** Kelly will e-mail Jerry Bjork to ask him to chair this committee and to request ideas for the common areas and to prioritize them. The Board would like this information before the annual meeting.

Joshua requested a ballpark cost estimate to come up with a developmental budget.

→ **ACTION:** Gary to check on what electrical provider we have.

Need to look at the common area entrance and determine location of a culvert.

→ **ACTION:** Gary will check with the county on the culvert – how long it takes to get and how much it will cost and advise Board.

→ **ACTION:** Kelly will send an e-mail to Don Smith about the construction people driving to the pier construction with supplies and construction.

Mowing guidelines – This was tabled until a later date.

Perry Reasor, property owner, sent Kelly an e-mail with a question regarding the metal pins that the surveyors placed at the corners of properties and the accuracy of the placement. The Board says the pins are accurate. Reasor also asked if there had been any consideration of using POA dues to mow all unimproved lots. The Board said this had not been considered since the property owners are responsible for mowing per the deed restrictions. This could be re-evaluated at a later date or at the annual meeting.

Posting properties that are for sale on the website – Gary had a question from a property owner asking about this. The Board decided not to post properties for sale on the website. If a property owner wishes to advertise their property for sale, they need to send Kelly the information and he will put it on the blog.

→ **ACTION:** Gary will e-mail the property owner to advise her of this decision.

Thank you card for Crystal Lyne for serving as Treasurer. Gary has sent a card to Crystal on behalf of the Board.

Shuffling officers – Debbie was asked to consider trading officer positions with Kelly to give him a break. But her work schedule will not allow her to take on this responsibility at this time. She will assist Kelly more. This was tabled until next meeting to see if Debbie's work schedule gets better.

Next annual meeting – Debbie will look at a date in the first part of August and check on places for the meeting.

→ **ACTION:** Kelly will send Debbie contact information about the last meeting.

→ **ACTION:** The bylaws need to be changed to read that the annual meeting will be held in the month of August.

A property owner who owns two lots submitted an application to have the two lots considered as one as per the bylaws. The Board approved this request. The property owner paid 2010 maintenance dues for only one lot. Per the bylaws dues will be paid on two lots.

→ **ACTION:** Kelly will advise the property owner, and another invoice will be sent to the property owner for the maintenance fee for the 2nd lot.

Next meeting:

The next Board of Directors meeting will be May 15 or 22. The Board will check schedules and confirm the date by e-mail.

→ **ACTION:** Gary to prepare the meeting notice for the Board of Directors meeting and distribute to the Board.

Adjournment:

The meeting adjourned at 4:30 p.m.

(Signed Gary S. Sequeira)

4-8-2010

Gary S. Sequeira, Secretary

Date of Approval