



Blue Heron Bay POA
Open Board Meeting – Minutes
December 13th, 2023

An open Board meeting was held on Wednesday December the 13th 2023, at the Fire Station 51 In Montgomery Texas as scheduled.

A quorum was established at 6:30pm with the following Board members present:

- John Wennerstrom / President
- Steve Smithers / Vice President
- Rob Grant / Secretary
- Eddie Morris / Treasure
- Tyler Froman / director
- Daniel McCormick / Director

Not in attendance:

- Scott Bergin

There were approximately 30 members in attendance.

Old Business:

Decoration Committee- Kelsey and Dana of the decoration committee informed the members that they were \$10 under budget for this year's decorations. They informed us that most of the decorations they purchased could be used for multiple years thus making it easier to add to our inventory yearly.

Lawn Maintenance- Tyler is researching companies that do both landscaping and lawn maintenance. His thoughts are that this approach may help keep costs down.

Community Decorations / purposed flagpole location-There was an open discussion about the location and possible conflicts with power line easements. There were also concerns about upkeep and the cost associated with this. It was decided that more investigation needed to be completed. Tyler was going to get more information to the board. There was no motion made.

Previously Tabled ACC member nominations- John asked Mike Howard to give a report to the community on the status of the ACC. Mike informed the community that Doug and Kathy were working on a letter to turn over all operations from the "Declarant" to the POA membership. He assured us the transfer would be complete before our next elections in February. He mentioned that Doug and Kathy still wanted to retain all the rights of ownership on the common areas within the neighborhood.

The Board has decided to start the process of working toward nominations for the three ACC positions we will need to replace Doug, Kathy and Mike. The board will work on an application process and will reach out to the community for nominations. It is our hope to have this completed before our elections to maintain a seamless transition to the new ACC.

New Business:

2nd lot dues: In our last meeting it was a vote in the affirmative that all multi lot owners should be paying the same amount in dues for their second lot as they do their prime lot. This vote was taken because it was determined by the Board that the previous raising and/or lowering of the dues had not been done correctly. However, after consideration of the process and the impact on the members John made the motion to collect more information from our attorney on the exact process we need to move forward. Therefore, the increase for multi lot owners will not be assessed this year. *The Board did vote 5 to 1 in favor of raising our dues for 2024 by 10%. John, Steve, Eddie, Rob and Daniel voted for the increase. Tyler voted against the increase.*

Temporary boat storage during lake lowering season- This was a member requested item added to the agenda. The Member wanted the Board to vote on members being able to keep their boat in their driveways during the months that SJRA lowers the lake. Generally, around August. While the idea sounds like a reasonable request there were questions and concerns. Daniel was concerned about possible traffic issues. Does a Boat in the driveway put more cars in the street. Rob was concerned about the enforcement after allotted time had passed. It was decided that we would probably have at least two more meetings before then and we would get more information and make that decision closer to the lowering dates. No motion was made.

Short Term Rental- The Secretary has received a few emails and a couple of calls from local Realtors asking if BHB allowed "Short Term" rentals. The response given has been that "Short Term" rentals are discouraged but not restricted by our Deed Restrictions. Because our restrictions were written in the mid-90's there are no provisions one way or the other in our restrictions. The Members would have to

vote for us to put a provision in our Restrictions. It was decided that we would try and get this issue ready for a vote by our next election.

Lawyer Fees Due- Back in May John communicated with an attorney. The purpose was to talk about the paperwork required for the POA to have registered with the State. Eddie was holding off paying the invoices as he believed all the Board members should have been involved in that decision. It was pointed out that there is nothing in our restriction that prohibit the President from making unilateral decisions regarding Lawyer expenditures. Because the voting is required to be in a public meeting and quorum cannot exist outside of those meetings sometimes there may be instances that time is of the essence and those decisions need to be made quickly. It was decided that moving forward the Board would be notified of any such expenditure. John also stated he would inform the Board of the results of his meeting with the Attorney. *There was a vote taken 6-0 in the affirmative to reimburse John for those expenditures.*

Discussion of dredging in the Bay and Maritage Homes- There was an open discussion with the Members in attendance on this matter. Many opinions and options were discussed. Steve has been working on this issue extensively and informed the community of his progress. He has talked to the City of Conroe, and they have indicated they are going to do all they can to help force Maritage to dredge our bay. Steve requested that the Board allocate some seed money to help get the process of finding a litigation attorney to help us force this issue. While the Bay and the Water in the Bay do not technically fall under the POA BOARDS jurisdiction it is the POA Boards responsibility to do all we can to protect property values within our community. We are a lakeside community, so lake access does affect our values. *The board voted 6-0 to give Steve access to \$2,500 dollars to search for an attorney.* Steve also got the signatures of members willing to assist in this process. Mike Howard recommended that we get in touch with the Insurance carrier for Maritage and file a claim. Steve indicated that he has tried numerous times to get call backs from their insurance company to no avail. Mike Howard and David Frank requested the number from Steve and are going to assist in trying to get us a response.

Executive Session- The Board went into executive session to discuss a couple of member violations and a member who has not yet paid their 2023 assessments. It was decided to proceed with notices and collections as required by our deed restrictions and State regulations.

The Meeting was adjourned at 8:50pm