

Blue Heron Bay POA  
Open Board Meeting- Minutes  
June 7<sup>th</sup>, 2023

An open Board Meeting was held on Wednesday June 7<sup>th</sup>, 2023, at Fire station 51 in Montgomery Texas as scheduled.

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

- John Wennerstrom / President
- Rob Grant / Secretary
- Steve Smithers / Vice President
- Eddie Morris / Treasure
- Tyler Froman / Director
- Scott Bergin / Director
- Daniel McCormick / Director (Joined Meeting after Votes)

There were approximately 35 members in attendance.

**Old Business:**

**Front Gate and Cameras:** It was decided that Steve would be the contact Board Member moving forward for all camera issues. Steve has been able to acquire new cameras at no cost to the association. All board members will have access to the cameras via home computers or devices. The camera access will be tied to Board members personal emails to make a change over less complicated in the future as new Board members are elected.

**New Gate Operating Equipment:** It was discussed that a recent storm has caused our operating system to malfunction. The main board of the system was damaged. Tyler and John have worked on pricing for a new system. The cost will be \$6,450.00 to replace all the operating equipment. The Gate Structure itself will remain. Scott made a motion to accept the \$6,450.00 cost and start the process of installation asap. The board voted 6-0 in favor.

**Second owned lot fees:** There have been numerous discussions in past meetings about increasing the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> lots owned by members to be assessed the same amount for their multi lots as single lot owners were. Upon further review of our By-laws and past meeting minutes John determined that the lot decreases over the years were enacted improperly. Therefore, we could easily return to all lots pay the same as required by our By-Laws with just a simple vote in the meeting. John made a motion to return to the original assessment fees of all

lots being assessed the same. Steve seconded the motion and it passed with a 6-0 vote. Starting January 1<sup>st</sup>, 2024, all lots will be assessed the same amount.

## **New Business:**

Board Member Duties: There was a brief review of Board Member duties.

- Gate Contact- Tyler Froman
- Camera Contact – Steve Smithers
- Notices to Members- Rob Grant
- Website management – Rob Grant
- Financial Reports and Bills – Eddie Morris
- Lawn and Maintenance – Tyler Froman
- Community Decorations – Members Kelsey Froman and Dana Huettenhain

Restrictions Section 3.20 Motor Vehicles: Recently several off road type vehicles and golfcarts have been observed traveling in the community., Because our community members own the roadways there were liability concerns addressed. It was decided that the restriction will remain. Because there have been several new families who have moved into our community who are probably not aware of the restriction. It was discussed and agreed that the Secretary would send out a friendly reminder to the community on this restriction.

Association records TPC-82.114: It was brought up by Rob that the Board does not have any records of past board / ACC decisions, rulings or variances either granted or denied. There has been a request from members for associations records that are required by the State to have on file and available upon request that we do not have in our possession. It was discussed that we need to get these records and start following our policy enacted in a July 29<sup>th</sup>, 2019, Board meeting. Mike Howard spoke out to inform the Board he believed the records we were discussing were above and beyond what we were required to have and that there was no need for us to have ACC variances in our records. I pointed out that without those records the POA who oversees enforcement would not accurately be able to enforce the restrictions or may present a fine to a member that has been given a variance.

Scott mentioned that he had a box of records in his possession he would get to John and Eddie said he had financial records going back to 2014. No record of builds or variances exists as far as we can determine and there was no acknowledgement from ACC members who were present that they would be made available.

Schedule audits: Eddie informed the board that audits were done yearly.

**Discuss TPC-Sec.204.011 and Process to Nominate a new ACC:** John tabled this issue for the future. There was no discussion or vote taken.

**Open forum with members:**

- Dredging and Silt in the bay was not on the agenda but was discussed in an open forum. It was determined that John would call Mud 138 and let them know our concerns. He would also call the Developers insurance company to file a claim. The action of filing the claim should eliminate any statute of limitations moving forward.
- Rob recommended we contact the Conroe Courier to push the narrative of the environmental impact. There was general agreement in the meeting. Rob volunteered to contact the paper.
- Member Dee Williams asked when the previous minutes would be posted and stated that they should have already been. I agreed with her and explained that the past Secretary wasn't at our election and a New Secretary was not appointed until after our meeting, so there was some confusion with whom should take the minutes. Fortunately, Steve took good notes and was able to provide us with a working version to vote on. They will be posted by this Friday.
- Dana Huetteniane asked if since multi lot owners were now going to be charged full assessments if they would be allowed to build a second structure on their second lot. John advised her to follow the procedure and application process for a structure and submit it accordingly.
- Kerry Mason had concerns with the detention pond at the development behind us and the possible high flow rate under our bridge. His concerns were that if the flow was too high it could wash out the soil and rock under the bridge. He recommended that we see if they could pour some concrete wings under our bridge that could help with any potential erosion. No firm action was agreed on, but pictures have been taken for record.

**The meeting was adjourned at 7:45pm**