

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

August 7, 2010

www.sunsetbaypoa.org

Call to order: A Board of Directors meeting of the Sunset Bay Property Owners Association was held at the Women's Club of Aransas County Inc., 1104 E. Concho Street, Rockport, Texas 78382 on August 7, 2010, immediately following the Property Owners Association Annual meeting as required by the bylaws. The meeting convened at 5:15 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 May 15, 2010 Board of Directors meeting had been previously approved via e-mail.

President's Report

Kelly Flanagan was unanimously re-elected President at the annual meeting.

Drainage easement repair – This has been repaired and was approved by the Corps of Engineers. Some of the silkscreen will stay in place for a while. If the natural vegetation does not come back in a year, the developer has to replant it. Phil Handley will follow this.

Phil Handley staked the location of the pier.

Status of replacing plants at entrances – The plants have been re-planted; the beds re-landscaped; drip irrigation installed.

→ **ACTION:** Kelly to post new pictures on the website.

Determine what needs to be done administratively to make previously approved changes in the bylaws.

→ **ACTION:** Debbie to scan bylaws and send to Sharon to make changes (or Sharon to retype the bylaws). Then e-mail to Board of Directors to review for any additional changes that are needed before having the lawyer review. After the charter is reinstated, the bylaws will be updated.

Carter's Mowing – One complete mowing has been done, and spraying has been done. The entrances were mowed a second time, but mowing of the common areas was delayed until the fall.

Status of delinquencies - Kelly sent a letter to the attorney to determine how to proceed. The attorney sent seven certified letters for 2008 and 2009 delinquencies; two were returned. The next step is to file a lien.

→ **ACTION:** Kelly to find out how to file a lien and how much it costs; contact Tim Raub.

2010 delinquencies – There are 39 property owners who have not paid. One delinquency letter has been sent.

→ **ACTION:** Kelly to send final notice to pay within 30 days or will be given to attorney to handle and property owner will be responsible for attorney's fees and late fees.

Pier – Construction on the pier is to begin August 8. Chris Curtis will send Kelly a copy of the change order for the security gate; Curtis is looking at getting power to the pier.

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

→ **ACTION:** Kelly is to visit with Chris Curtis on getting power to the pier and the security gate.

Treasurer's Report

Joshua Staley was unanimously re-elected Treasurer at the annual meeting.

Status of drafting letter to banks about foreclosures and nonpayment of maintenance fees – Not done. Suggestion was made to get Tim Raub, property owner and attorney, to draft letter.

Status of maintenance fee delinquencies – previously discussed under President's report.

Status of filing 2008 and 2009 tax returns – When Joshua took over as Treasurer, the 2008 and 2009 state tax returns had been filed. The federal tax returns had been prepared but not filed; they have now been filed. A tax clearance letter has been received. Charter reinstatement has to be re-filed. Associations are subject to federal taxation for certain income – not maintenance fees but on any interest earned on maintenance fees.

Audit company – Joshua has contacted four companies. One doesn't do association audits. One won't take the liability. One wants \$3,000 to audit the first year and \$2,000 for each subsequent year; this would be a total of \$7,000 for three years (2007, 2008 and 2009). One company hasn't responded.

→ **ACTION:** Joshua will contact a couple more companies and 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 feestatus of sending invoice for maintenance fee for 2nd lot.

→ **ACTION:** Joshua to verify that two lots are being treated as two, not one, by the county tax office.

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

Joshua reported that he's currently using Quick Books Enterprise for the accounting system, but this is not compatible with any other Quickbooks software. We should considering looking at Quickbooks Online.

→ **ACTION:** Joshua will price Quickbooks Online software.

Status of filling out the IRS change of address form to change the address to Sunset Bay POA to maintain the same taxpayer ID number – Kelly did this.

Status of reinstatement of Sunset Bay Charter – charter is in the process of being reinstated.

Vice President's Report

Debbie Ortiz was unanimously re-elected Vice President at the annual meeting.

Status of contact with Diane Straub re assisting in determining what properties have sold so Welcome Kit can be sent and how to find out about foreclosures – still pending

Secretary's Report

Gary Sequeira was unanimously re-elected Secretary at the annual meeting.

Status of contact with sheriff about driving though subdivision early in the morning and late in the afternoon.

→ **ACTION:** To do.

Status of checking with county on the culvert for the common area – Chris Curtis, pier contractor, will handle.

Status of e-mailing property owner to advise her of the Board's decision not to post properties that are for sale on the website – Done.

Vice President at Large's Report

Transition from James Buckley to Dave Kasprzak as Vice President at Large.

Status of placing additional private property/no trespassing signs at entrances – done

Status of changing street name from Duckheaven to Duckhaven – done – county corrected the sign.

2010 Annual Meeting

Feedback: Suggestions from property owner: Have annual POA BBQ/workday "sweat equity"; mandate annual shredding of all unapproved properties; mandate brush/shrub removal - property is beginning to look like pasture vs. future subdivision.

→ **ACTION:** Kelly to talk to Carter Mowing about giving property owners a discount and add this to the website. Debbie suggested making a deal with Carter to provide the POA a flyer advertising clearing and mowing and pay the postage, and the POA will send out the flyer to the homeowners.

New Business

New chairman for Planning/Improvements Committee – This is still open – might have to be a Board of Directors duty.

Research and select electric power provider – Kelly likes NEC. Will need provider after Curtis gets the meter in.

Short term and long term development plans for common area (pavilion, park area, water, electrical power, landscaping, etc.) – tabled until next meeting

Pier improvements (security gate, fish cleaning station, lighting) -

→ **ACTION:** Kelly will follow up on electricity for the pier. Other items tabled until next meeting.

Quote to install security card reader on pier security gate – tabled until next meeting.

Install water meter for common area – tabled until next meeting.

Sunset Bay charter reinstatement – previously discussed.

Issues with developer over pier amenities, etc. – tabled until next meeting

Discuss attorney's advice on delinquencies, developer issues, etc. tabled until next meeting

Orientation of newly elected Board of Director and transition – done.

Open Discussion and Questions

The next Board of Directors meeting will be Saturday, December 4, 2010, at Gary and Sharon's house in Sunset Bay. The Board will check schedules and confirm the date by e-mail.

Adjournment:

The meeting adjourned about 6:30 p.m.



Gary S. Sequeira, Secretary

9-21-2010

Date of approval