

MINUTES OF PROPERTY OWNERS' ASSOCIATION OF SUNSET BAY
ANNUAL MEETING
August 7, 2021
www.sunsetbay.org

Call to order: The Annual Meeting of the Property Owners Association of Sunset Bay, Inc. was held Saturday, August 7, 2021, at the Texas Maritime Museum located at 1202 Navigation Circle in Rockport. The meeting convened at 1:36 p.m.

Roll call and certification of proxies: Conducted by Stacy Thole, Secretary. Twenty-six properties were represented. A quorum was established.

Members in attendance:

Owners:	See roster	
Officers:	President	Debbie Ortiz
	Vice President	Rick Gonzalez
	Vice President at Large	<i>Open Position</i>
	Secretary	Stacy Thole
Alternate Directors:	Executive Director	Tim Raub
Officer not in attendance:	Treasurer	Nikki Bloomer

Reading of the minutes:

Guest Speaker Kat Comeaux with the County Road and Bridge Department spoke to property owners about the changes that are impacting our area, some of which affect home building. She also addressed flood zoning in Sunset Bay, as well as foundation structures and requirements. Kat encouraged property owners to attend meetings regarding zoning and planning strategies. She stressed the importance of having flood insurance due to Sunset Bay being in flood zones 8, 9, & 10. A property owner asked if storage units must be at the minimum BFE (Base Flood Elevation). Kat recommended that storage units should be at the minimum BFE, which is determined by FEMA, or you would need to provide flood vents at the floor level. Kat can be reached at kcomeaux@aransascounty.org.

Treasurer's Report:

a. Finances

Debbie discussed that to run our organization it costs between \$30-35 thousand a year. That budget takes care of the common areas, the monuments/entrances, and any repairs that are needed. That money comes from POA fees. Nikki has worked very hard to ensure that all fees are paid.

A property owner inquired about the drainage ditches that the POA is responsible for maintaining. We have budgeted funds to fix the erosion problem occurring at 133 Sunrise. We are in the process of obtaining bids to have it corrected. Per the original Deed of Formation, the POA is responsible for two drainage ditches in the community, both located on Sunrise. The other ditches in our community are the responsibility of the county. The drainage problems that occur on Duckhaven are the responsibility of the County. We have been in contact with the County on several occasions to have the ditches maintained. **Update: The County has been out to the site and has determined a plan. They are currently executing the plan which involves trenching, widening and new pipes. This should greatly improve the drainage situation.

A property owner asked if the funding to fix the ditch at Sunrise was coming from a savings account. Debbie stated that it was coming from budgeted reserves.

Another property owner inquired about reserves in our budget, and how much that was. Debbie stated that our reserves are almost 3 and a half years. A lot of the money that was in the reserves was used to repair the pier after Harvey. Fiduciary association management involves ensuring a certain amount of funds are held in a reserve account to ensure the continuity of the community.

Over the course of the year, the Board has been reviewing the Bylaws. As times change and the community grows, there were items that needed to be reviewed and discussed to ensure the best serve our community. Several changes were made, most notable are a) The Board will now meet a minimum of every other month; b) In lieu of a bi-annual costly audit, several stipulations were adapted to ensure the financial fiduciary responsibility of the POA. As long as these stipulations are adhered to, we will forego the bi-annual audit. In the event there is a lapse, disregard or challenge to/for the stipulations, an audit requirement will be reinstated; c) Email was annotated as an accepted documented method of communication. In addition to filing the revised Bylaws, the recently adapted policies were filed as well. Specifically, these policies are a) Pier Policy; b) Pool and Pond Policy; c) Detached Structures Policy; d) Vehicle, Equipment and Machinery Policy; e) Late Fee, Finance Charges and Violation Fees; f) Meeting Rules of Conduct Policy g) Community Regulations Highlights. Outstanding fees and collection activities

Dues that are not paid by the due date are subject to fees, finance charges and legal action if necessary.

Old Business:

a. Landscaping

We are doing our best to maintain the landscaping, but this year's weather has made this difficult. We project that the landscaping at the entrances will be finished by the end of the year, weather permitting. We are looking into adding lights to the entrance monuments, but that will not be done until after the landscaping is complete.

It is the responsibility of all property owners that use the common area and pier to clean up after themselves, and to turn off the lights on the pier.

A property owner asked about the pier code. Rick stated that the pier code is changed every year. Those owners that are current with their fees will have access to the pier. If you are going to be using the pier, please send an email to receive the pier code. The pier is only for the use of property owners. Guests may use the pier when the property owner is present. A Board or community member may at any time introduce themselves to party/parties on the pier and inquire about their membership in the community. If it is determined they are not part of the community, or unauthorized to be there, they will be asked to immediately leave. Should that present a problem, jurisdiction authorities will be contacted to assist. Should this situation become prevalent the Board may at its option change the pier code.

b. Lights in the common area

The lights in the common area are complete. There are motion detection lights at the picnic area and the mailboxes. Lights on the walkway to the pier and around the parking lot have all been replaced.

New Business:

a. Activity in the subdivision

Debbie discussed real estate in Sunset Bay. Real estate transactions in our community have been at an all-time high. According to MLS 13 properties have sold, with a median price of \$62,000. This year alone we have had 22 listings total; 13 sold and 9 active listings.

A property owner asked how many lots are in the subdivision. Debbie stated there are 156 lots, with 146 property owners. Some owners own more than one property. There are 26 homes completed, or in the process of being completed.

b. New Home Construction

Policies have been adapted to enhance our community and property value. There are certain guidelines that need to be adhered to as stated in the CCR's, the New Home Application, the ACC Request Form and the recent Policies (previously listed). All the policies and forms are listed and available on the website.

A property owner asked what to do if a policy is being overlooked. If there is a policy that you feel has been overlooked, please reach out to the POA.

The only policy being overlooked at this time is regarding For Sale signs. We are being lenient on the small signs. We will not allow the large signs.

The pool policy requires that the pool be enclosed. You do not need to fill out an ACC form for an above ground pool. If you are adding a pond, you will need to submit an ACC form. Structures beyond 3,800 sq ft will not be permitted. If you live within 1,000 feet of the waterfront, you may not go over 2,000 sq ft, nor higher than your roofline.

A property owner inquired about the large structure currently in the subdivision and if a business was being run out of the structure. The Board has been told that a business is not being run from the building as that would be a direct violation of the CCRs.

A property owners asked if the fencing for waterfront lots has changed. Debbie stated no, fencing on the waterfront is still required to be see-through iron fencing. Privacy fences are not permitted. Other fencing options are allowed, depending on the location of the lot. Chain link fences are not permitted either.

Finance charges and violation fees will be imposed when the situation is warranted or in breach. Should a violation occur, you will be notified and will have a designated time frame to cure the matter. You will be notified if a violation is not remedied within the timeframe given, we will then have the right to assess a fee. Violations could have a fee of up to \$1,000 per violation.

These policies have been updated to enhance our community, maintain our property values, and to ensure that we are proud to call Sunset Bay "home". All the polices are available on the website.

There have been issues in the past with property owners not filling out the property forms or having the proper permits before building or adding structures. Please fill out the New Home Construction form in its entirety. The ACC form is required to add a structure of any kind. It was noted that when submitting these forms, please send all correspondence as a PDF. We are unable to accept pictures from cell phones.

A property owner asked about approved contractors for the subdivision. We do not have any approved contractors. It is at the discretion of the property owner to pick a contractor. There is a list of contractors on the website that other property owners have used and would recommend their work. We also have a few people in the subdivision that are in the construction business and other residential services. They are listed on the contractors list.

c. Services tab on website

We are considering adding a section to the website for property owners that live in the subdivision to advertise their skills or talents. For instance, if you are an accountant or a plumber, and would like to make other members aware of services that you can provide, your information would be available on the website. If you would like to have your name/company name, service and contact information listed, please send an email to: info@sunsetbaypoa.org.

d. Updated contact information

If you would like to have all information sent to you via email, please send that request to the POA email address. If you change your email address in the future, you will need to let the POA know of the new email address. We would be able to send you an email regarding happenings in the subdivision as well.

A property owner noted that the Blog on the website hasn't been updated since 2019. He has volunteered to run the Blog section on the website. Flood zones

As discussed with Kat Comeaux, we are in Zones 8, 9, & 10. The zones are designated by FEMA.

e. POA responsibility

Our job is to administer the CCRs and Policies of the Community. We do not select the vendors/providers for utilities and water. We will support property owners to the best of our ability, as issues arise, but we are not able to make changes regarding the providers.

A property owner questioned that if Quadvest (our current water supplier) were to sell out to another water service provider, could we do anything about that. For example, if Quadvest was no longer the provider, could we change the CCRs to allow property owners to provide their own potable water via a well? Debbie stated it would be very difficult to overcome because it is stated in the CCRs that we have a community designated provider as stated in the CCR's which were established by the developer.

A property owner asked about the water quality. Several property owners noted that the water has been yellow at times, has a lot of sediment, and the valves are not flushed regularly.

These concerns need to be sent to our water provider. Wells for potable water **are not permitted**. Wells for non-potable water are and would require that an ACC Request Form be completed.

f. Internet capabilities

A property owner asked about the possibility of fiber optic internet. Fiber optic connectivity is not currently an option available in Sunset Bay. Should there be a company that wishes to develop a fiber footprint that services our community, we would be happy to entertain any options that are within our jurisdiction to do so. Note: Fiber optics requires aerial or underground cabling. Our roads our county roads and the poles belong to the utility. A company interested in fiber expansion to Sunset Bay would have to acquire the appropriate permits and submit documentation to initiate this type of service.

g. Facebook page

Please feel free to share your pictures of Sunset Bay on the Facebook page.

h. Open Board position. There was a write-in candidate on the ballot and a volunteer from the meeting to fill the open Board position. A general election for all Board positions was held.

i. Capital improvements/suggestions from property owners

Adding a boat launch or buying the Redfish Camp boat launch for the community was suggested. A boat launch in the community is not possible as we do not own real estate to support this. Buying Redfish Camp is not an option as this is not a function of the administration of the community, not to mention we do not have the financial resources to cover this type of

purchase. The Board will bring this topic up at a future board meeting to discuss what amenities could be considered.

j. Property owners' comments and Q & A's

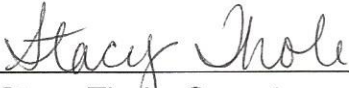
A property owner inquired about gating the community. Sunset Bay roads are owned and maintained by the county. Therefore, we are unable to be a gated community. It would be very costly to maintain the roads as an association. We have augmented the mowing of roads on several occasions and borne the cost of doing so.

Election of Directors:


The Vice President at Large was an open position. Andy Clubb was elected to the Board. All other Board members were re-elected.

Adjournment:

The meeting adjourned at 3:18 p.m.



Stacy Thole, Secretary



Date