

# LOON BAY PROPERTY OWNERS' ASSOCIATION MEETING

Agenda with Minutes for February 18, 2023

## Welcome:

Richard Siemens

It was explained that the owner of a residence or lot had 1 vote and the owner of multiple residences, or lots only had 1 vote. The bylaws require at least 20 voting members present to establish a quorum.

*(There were 32 voting members present which established a quorum.)*

**Approval of Minutes:** Semi-Annual Meeting March 19, 2022 *(approved as presented)*

## Treasurer's Report:

LaToya Harris

Report as Presented (LaToya can't be here due to a prior commitment)

*(The financial reports were attached to the Agenda and are as presented. If there are any questions, I will present them to Mrs. Harris, and she will contact the questioner with the answer. There were no questions presented. Jim DeCuir will contact Mrs. Harris and offer his expertise and help. The reports were accepted as presented.)*

**UNFINISHED BUSINESS:** From Last Meeting (September 10, 2022)

Richard Siemens

**Status of North Park:** (Note: Tow Away signs were added)

Mike Thompson repaired the retaining wall, the sinkhole was filled in, and the tree was removed by "No Tree Too Big." The soil is washing away again and Mr. Thompson has been contacted to correct the problem.

Mr. Thompson said (02/17/2023) his team will be there next Tuesday (02-21-2023) and it will take about 2 days to repair. *(No action Required at this time)*

**Management Certificate:** Completed and Filed in Athens and the TREC Website 01/23/2023. It will need to be modified once the Bylaws are corrected (see below) *(No action is required at this time)*

**Park Key Cards:** 100 Ordered and Received 01/19/2023 & paid 12/21/2022 *(No action required at this time. Applications were available, but no cards were given because verification of current dues paid is required and no duplicate cards are provided without cost. If the application is approved, the card will be mailed or delivered. Five applications were completed and turned in.)*

**Unsure Vote: Section 4 Bylaws – Property Transfer:**

Last year it was voted to increase the dues for Residential Properties from \$130 to \$136 per year and from \$40 to \$46 for Residential Lots. The vote was not recorded, and these changes were never recorded in the Bylaws.

DISCUSSION / MOTION / VOTE:

*(It was Moved and Seconded to approve the previous dues increase – Residential Properties will be \$136 per year and \$46 per year for Residential Lots. The vote was 28 to approve.)*

**NEW BUSINESS: BYLAWS ARTICLE V - Dues, Fees, and Finances**

Richard Siemens

**SECTION 1 Mandatory Dues as of January 1, 2020, were as follows**

**\*1 Clarification - Current Bylaws state:** Article V Section 1(a) "One Lot with or without residence, will be \$130 per year. Any additional Lots platted to or as part of that lot (contiguous) are included in that assessment. (b) Any additional undeveloped lots owned by the same owner within the subdivision, but not platted as part of another lot, will be assessed \$40 per year per lot. (c) Any owner of multiple residences within the subdivision will be assessed \$130 per year for each lot on which a residence stands.

Items (a, b, c) are contradictory:

(a, b) Lot with or without residence = \$130 per year yet "an additional undeveloped lot" owned by same owner = \$40 per year per lot.

(a, c) One lot with or without a residence = \$130. Owner of multiple residences assessed \$130 per year per lot on which a residence stands.

- (a, b) What does this mean for the Developer who owned multiple lots, but has not built on some of them? Is it \$130 per lot per year or \$40 per lot per year?

DISCUSSION / MOTION / VOTE:

***(It was presented that the Bylaws as stated are somewhat confusing. It was moved and Seconded that the attorney, Jeff Lacy (Lacy, Malone, Ryder, & Menefee) look at the wording and correct it so it shows the following:***

- a) The dues for a Residence on one or more contiguous lots will be \$136 per year.***
- b) The dues for the owner of multiple Residences will be \$136 per residence.***
- c) The dues for a single lot without a Residence will be \$46 per year.***
- d) The dues for the owner of multiple lots without a residence that are not platted/surveyed together will be \$46 per lot per year.***

**The vote was 28 to approve)**

#### **SECTION 4: Property Transfer**

Per Loon Bay POA's Attorney Jeff Lacy (Lacy, Malone, Ryder, & Menefee). The Bylaws state the Transfer Fee is \$50. The Change of Ownership Fee was previously changed to \$300 but never added or recorded in the Bylaws. The Legislature authorizes a Resale Transfer Fee (our Change of Ownership Fee) of up to \$375 and a Resale Certificate (our Transfer Fee) of up to \$75. This needs to be clarified and recorded in the Bylaws and on the Management Certificate (County Clerk & TREC website.)

DISCUSSION / MOTION / VOTE:

***(It was moved and seconded to clarify that the Transfer Fee remains \$50 and that The Change of Ownership Fee be added to the bylaws at the current \$300.***

***The vote was 22 to approve and 7 against)***

#### **Piers at North and South Parks:**

Piers were inspected by Tarrant Regional Water District (TRWD), 11/07/2022, and we were found in violation which requires correction before they will issue an Annual Operating License.

TRWD Cited the following violations:

- a) All boards in good condition (no loose, warped, or protruding nails/screws)
- b) Deck sections are securely fastened at joints (Need stringer at the very end of pier (South Park) left side)
- c) Signage as required by NEC Section 555.24 is present stating "WARNING – POTENTIAL SHOCK HAZARD – ELECTRICAL CURRENTS MAY BE PRESENT IN THE WATER."
- d) Both piers need various 3-inch round white reflectors added & electrical shock signs are needed in other locations (North & South Parks)
- e) Adequate and operable lighting is found on the ends of the docks.
- f) Plans for the old boat ramp area – Removal? – It is fenced off.

Both Piers need work to replace boards, repair wiring, replace runners, etc. Not sure what the cost will be, but I propose getting bids on the repair by Park (South/North). As long as we are in violation the piers cannot be licensed.

***Proposal:*** get bids for each park (there was a bid for \$40,000 - \$20,000 per pier but that bid was lost)

The Piers are our best asset and need to be repaired before someone gets hurt and there is a lawsuit. Suggest once bids are received call a special meeting to discuss plan/s and payment options.

DISCUSSION / MOTION / VOTE:

**(Both Parks are locked and will remain locked until TRWD can license the parks. There is now a Park's Committee and that committee will look at getting bids for the needed repairs and look at the best way to finance the repairs. Their information will be presented to the General Membership for vote vis either Electronic/Mailed vote or a called Special Meeting.)**

## **Board of DIRECTORS**

- 1) There is only me at this time. Bylaws require (5) Directors, consisting of active resident members of the Association, three elected for a (2) year term, and two elected for a (1) year term. Three terms expiring the next year, or as necessary to fill vacancies. *(Net 4 to fill vacancies)*

Vote on new Officers, Board Members

Deborah Shirey - 120 Doe Run

Teresa Martin – 239 Loon Bay Dr.

Brynja Burns - 206 & 202 Harbor Dr.

Other from the floor

DISCUSSION / MOTION / VOTE

**(The above volunteer members were presented and nominations from the floor added Howard O’Neal as a board member. The vote was 29 to approve)**

## **Committees Needed** (there are none at this time)

- 2) Welcome Packet & Greeting of New Residents (Renters & Buyers):

- a. Provide Community Information
- b. Provide Rules, Bylaws & Regulations for Loon Bay

WHO / MOTION / VOTE

- 3) Parks’ Maintenance & Upgrades

- a. Bring to the board and General Membership needs and wishes.
- b. Upgrade South Park Signs
- c. General Park Maintenance

WHO / MOTION / VOTE

- 4) Residential Events Committee:

- a. Welcome Packets and Schedule Holidays events (Mixers)
- b. General Membership Meetings
- c. Neighborhood Decorating Contest

WHO / MOTION / VOTE

- 5) Communications Committee

- a. Loon Bay Newsletter & Website Update

WHO / MOTION / VOTE

- 6) Other Committees Needed:

***(The following committees were added from the floor: FINANCE & LOON BAY SUBDIVISION SAFETY. It was asked that those wanting to be on a committee come forward and Brynja Burns will write their names down and type up a list. She also stated she will do the same for all those attending the meeting.)***

**ADJOURN: *(The meeting was adjourned at 11am.)***