

**Bay Point Property Owners  
Association Inc.  
August 3, 2019 Annual Meeting Minutes  
Held at Calhoun County Public Library (Library Meeting Room) 200 Mahan,  
Port Lavaca, Texas 77979**

**1. Call to Order:** President Frank Anzaldua called meeting to order and meeting was opened at 10:00AM. Board members in attendance were Frank Anzaldua – President, Karen Haws – Treasurer, Joel Delagarza – Director. Board members not in attendance were Mikko Jaaskelainen - Vice President, and Mokkarala Prakash - Secretary.

**2. Establish Quorum:** There were 14 members present and 69 proxies designated to Frank Anzaldua to vote on their behalf.

Required for meeting is 9 members/proxies. The proxies sent by members of the association qualify as per By-Law 3.02. Voting Rights, Section 4.02. Proxies were verified by Board of Directors Treasurer and Secretary prior to meeting. This established the Quorum.

**3. Proof of Notice of Meeting:** As per State Law 209.0051, Members shall be given notice of date, hour, place and general subject of regular meeting. By-Law Section 4.03 Notice of Meeting of Members shall be delivered by USPS at the current address on record with Bay Point to every member in good standing at least five (5) but not more than twenty (20) days prior to meeting. Notice will be deemed given on the date of postmark. Board of Directors Treasurer verified postmark date on envelope which was postmarked July 15, 2019. Total amount of notification to members of Bay Point was 18 days (under 20).

**4. Review and approval of Minutes:** meeting minutes dated February 23, 2019 were reviewed and approved by President and motion to approve was made and 2<sup>nd</sup>. Minutes approved unanimously.

**5 & 9. Erosion of Members Property and Boat Ramp:** both items addressed by member Mark Haws who stated that his property (block 2, lot 4) is having water drainage issues due to people driving on property to launch water vehicles. This constant driving produced ruts which eventually caused a swale to form. The swale allows for lots next to this member's lot to drain excess water down this swale and into the bay causing a culvert to form damaging block 2, lot 4 and lot 3. This culvert is about 10 feet wide and 12 feet long currently. Mark asked members to stop driving on said property and will place a sign in the path of the ruts stating "No Trespassing" to stop the traffic. If it is discovered that this swale drainage is to remain (directed by city of Port Lavaca), then Mark will ask the association to take charge of this matter.

**Boat Ramp:** Mark proposed to deed lot 4, block 2 to the association for the purpose of a boat ramp. The property is conducive for this use since the water becomes deep quickly to allow for such water vehicle launches. This would raise property values for the whole subdivision as a new amenity for members only to use would be added. The raise in land value was also the opinion of the Calhoun County Appraisal Chief (Jesse Hubbell). The use of this lot as a boat ramp was also suggested by D. Ray who does coastal marine construction while he was analyzing the water

damage on the property. Further discussion on this matter will continue with Mark Haws to present further details for this proposal for members to consider.

**6. Hiring Management Company:** The following points were made during this discussion:

- a. Bay Point has the lowest annual dues in Calhoun County
- b. Closest management company is in Houston
- c. Cost of Mgmt. Company could be expensive enough to stifle savings for future repair and maintenance or improvements
- d. Association's Accounts Receivable is at 2% presently as board members have done a good job with collections, would Mgmt. Company do as well?
- e. Reason for this discussion is lack of member participation as board members spend 10 plus years on the board.
- f. To aid the Treasurer could some accounting tasks be outsourced? This is already being done as mailings for meetings and such are subcontracted out.

Conclusion of this item is that management company at this time is not cost effective.

**7. Appointment of Architectural Control Committee:** The members present stated that they were unaware of how to apply for any committee of the association and wanted more transparency as to this process. The members also want a clear pathway to voice issues and concerns they may have. Result of discussion was that there would be 4 committee members and a committee president (appointees stated below) and this committee would report to the Bay Point Property Owners' Association Board President. The committee members will serve till next Budget meeting in December 2019 at which time new appointments would be made by the board from a pool of members who volunteer.

**Committee Members:** Joel Delagarza – President, Don Busby, Charles Cervantes, Leather McCall, and Walter Ayres as the 4 committee members

**8. Appointment of Covenants Committee:** Same issues were raised by members present as in item 7 of these minutes. The outcome is to revisit in December 2019 to appoint new committee members by the board from a pool of volunteers. The committee members now will serve till December 2019. This committee reports to the Bay Point Property Owners' Association President and its purpose to clarify and interpret the association covenants when disagreement rises. The association attorney will be utilized in the outcome of these types of issues.

**Committee Members:** Sheryl Ayers, Bruce Kasper, Kerry Mix

**10. Trailer Resolution/Change to Covenants:** No vote was necessary since Frank Anzaldua had 69% of members approve the voting ballot to add such paragraphs clarifying recreational vehicle parking in the subdivision. See Voting Ballot attached for exact paragraph additions to the Bay Point Property Owners' Association Covenants. Also see document attached "resolution on recreational vehicles on improved lots" stating when new paragraphs are adopted and apply. The new paragraphs allow for exceptions that can be approved by any board member. The board asks that these requests not be made at that the last minute so time is allowed for consideration of the exception.

At this time Sheryl Ayers asked to present pertinent material on this subject to the board. The board obliged. The documents Sheryl read from are attached.

At this time Laura Delagarza asked to have noted in the meeting minutes that she was not in violation of the recreational vehicle covenants for improved lots. (Not a Bay Point Property Owners' Association Statement)

**11 & 12. Election of Directors and Results:** There is an attached email from the attorney addressing nonparticipation by the member. The email states that there is no set number for board members and there can be as little as 3. At the last minute several volunteers submitted their requests. The following are the names of all who volunteered for the board of directors:

**Pool of Names for Directors:** Mark Haws, Karen Haws, Frank Anzaldua, Joel Delagarza, Leather McCall, Mokkarala Prakash

All names in the pool were motioned and second by various present members.

After Voting the following members will serve as the board of directors till August 2020:

President – Mark Haws  
Vice President – Frank Anzaldua  
Secretary – Mokkarala Prakash  
Treasurer – Karen Haws  
Director – Leather McCall

**NOTE:** Since Mark Haws and Karen Haws are husband and wife the following motion was proposed and was seconded by members present concerning conflicting interests:

***“This motion allows the Haws’ to serve as board members with the stipulation that Between the 2 there will only be 1 vote allowed for matters that directly concern The Haws family (Karen will abstain from voting only during members voting. Karen Haws will vote on Bay Point Property issues). “***

**13. Adjournment:** Meeting adjourned approximately 12:30pm