

Board Meeting Minutes

November 13, 2021

Board Members Present - Janet Hancock, Carla Craig, Danna Anders, Pam Kubiak

Officers Present - Billy Hancock, Karla Dobbs

Property Owners Present - Carl Cummins, Susan & Gary Lee, David Uptagraft

- A. Meeting called to order at 9:02 am - Pledge and prayer provided by Billy Hancock.
- B. Acknowledge deceased property owner Albert Breaux and former board member Sonia Lummus son John Lummus.
- C. Treasurer's report given by – Carla Craig *Attachment #1 – motion to approve Danna Anders; 2nd Pam Kubiak; all approve.*
- D. Approval of Board Meeting Minutes for 8/28/2021.
 - Annual Meeting Minutes found in binder for *Attachment #2 – motion to approve Carla Craig, 2nd by Danna Anders; all approve.*
 - Board Meeting Minutes found in binder for *Attachment #3 – motion to approve by Danna Anders; 2nd by Carla Craig; all approve*
- E. **Topics for discussion:**
 1. Discuss replacing Board Member Bryan Patton who resigned effective 11/5/2021. Board voted to approve Karla Dobbs as Board Member to serve out remaining term until August 2022. At that time voting for new members will occur for those whose term ends. *Motion to approve Carla Craig; 2nd by Danna Anders; all approve*
 2. Upcoming mail outs – HOA statements and Newsletter (Carla Craig/Karla Dobbs). Mail to occur last week of November.
 3. Discuss new regulation regarding required Website for BCV. *See Attachment #4 for cost and terms of contract – Motion to approve Aggieland as website designer and to maintain the website made by Carla Craig; 2nd by Danna Anders; approve by all.*
 4. Discuss camera repair for pool/clubhouse. At this time the Board will remove this item from the agenda. *Motion to approve made by Carla Craig; 2nd by Danna Anders; all approve.*
 5. Discuss any updates regarding the Deed Restriction Violation process and next steps for filing legal action for property owners not correcting violations. Pam Kubiak and Janet Hancock to provide information. This is an ongoing project and will require updates at each meeting. Process document provided - See attachment #5.

6. Discuss the Foreclosure process and what is the timing to begin foreclosures for non-payment of maintenance fees? Carla Craig provided updates in Executive Session. Letters will be sent to property owners with liens regarding foreclosures. It was also mentioned this will not occur until 2022. *Motion to approve made by Karla Dobbs; 2nd by Danna Anders; all approve.*
7. Discuss the submitted bids for bath house shower repairs and if/when the repairs will occur. Table until February 2022 Board Meeting.
8. Discussion to add Karla Dobbs as a signer on the BCV checking account. *Motion to approve Danna Anders; 2nd Janet Hancock; all approve.*
9. Discussed adding the Fee Schedule to the next newsletter. *Motion to approve made by Carla Craig; 2nd by Pam Kubiak; all approve.*
10. Any other items for discussion? None

Board meeting motion to adjourn at 10:06 am, by Karla Dobbs; 2nd Danna Anders; All Approve.

Secretary

Date

Birch Creek Village Properties Inc. / November 13, 2021 Board Meeting

TREASURER'S REPORT

Register: 1000 - Unrestricted Funds-Cash
 From 09/01/2021 through 11/12/2021

Date	Number	Payee	Memo	Payment	Deposit	Balance
9/1/2021	2874	Pam Kubiak	postage	8.30		28,657.51
9/1/2021	2875	M D Pool Services	Sept maint; shock tabs	224.10		28,433.41
9/1/2021	2876	Griffin Lock Smith	repair main gate lock	303.10		28,130.31
9/2/2021	2878	Janet Hancock	postage	21.65		28,108.66
9/14/2021	ACH	Frontier Communications	911 phone	70.61		28,038.05
9/20/2021			Deposit		280.00	28,318.05
9/20/2021	2879	Carla Craig	new printer and warranty	320.99		27,997.06
9/21/2021	2880	Bryan Patton	Water Heater Odor Killer	148.39		27,848.67
9/24/2021	ACH	Bluebonnett	Electric	464.94		27,383.73
9/27/2021	2881	M D Pool Services	Oct	200.00		27,183.73
9/30/2021	ACH	State Farm	liability	212.33		26,971.40
9/30/2021	2882	Kenneth Shaffer	Sept grounds	225.00		26,746.40
10/5/2021	2883	Janet Hancock	postage	43.30		26,703.10
10/14/2021	ACH	Frontier Communications	911 phone	70.88		26,632.22
10/15/2021	2884	Burleson County Clerk	Management Cert	30.00		26,602.22
10/26/2021	2885	Carla Craig	website dev	750.00		25,852.22
10/29/2021	2886	Kenneth Shaffer	Oct	225.00		25,627.22
11/4/2021	2887	M D Pool Services	Nov/shock	288.79		25,338.43
11/4/2021	2888	Janet Hancock	pool exp	35.60		25,302.83

Excelleration Designs dba. Aggieland Website Design

Web Site Design, Web Hosting and Maintenance Agreement

Contact Name	Carla Craig	Phone	281-546-6402
Company	Birch Creek Village Properties, Inc.		
Address	112 Cowboys Dr	E-mail	birchcreekvillageproperties@gmail.com
City	Somerville		
State	Texas		
Zip	77879		

Our goal is to create a lasting relationship with our clients. To realize this goal, it is critical that all parties have a firm understanding of the duties and responsibilities of each party.

1. **Authorization.**

The above-named client is engaging Aggieland Website Design, as an independent contractor for the specific project of developing and/or improving a website that will be installed on the web space provided by Aggieland Website Design. Client understands that such work is to be performed in Brazos County, Texas or under the direction of Aggieland Website Design, located in Brazos County, Texas.

2. **Client Responsibility**

In order to create the site to the client's expectation, the client will provide to Aggieland Website Design at it's offices the following:

- Timely communication and information sharing to keep the project moving forward.
- The content of the web site provided by the client in a word processor format such as Microsoft Word or plain text format in an e-mail or attached file. Aggieland Website Design will, upon request, assist in these items if necessary.
- Company logo and colors, if applicable. Aggieland Website Design will, upon request to assist in these items if necessary.
- Photographs and other graphic images necessary for the site.
- After completion of the site and payment in full, Aggieland Website Design will return all client provided items.
- E-mail and telephone consultation.

3. **Web Site Design**

Aggieland Website Design will create a web site for the above named client. During the design phase of the project, Aggieland Website Design will publish the site to a private location for the client to preview. Up to 3 rounds of revisions of the initial design, including changes to colors, fonts, placement of items on pages are included. Subsequent revisions will be billed at the hourly rate of \$100/hour. Complete redesigns are \$500 for each additional design. When the site is complete to the satisfaction of the client, Aggieland Website Design will publish the site to client's domain.

The web site may include the following components:

- Responsive design to function on computers, tablets and cell phones.
- Under Development page on the client's domain during the design phase.
- Links to external pages.
- Links to the client's email address.
- Custom Graphics.

- Masthead graphic (custom graphic incorporating company logo).
- Information gathering forms with results emailed to client.
- Colorful lines and bullets.
- Colored and textured background.
- Custom Buttons.
- Online Store System.
- Custom programming.

4. Web Site Hosting

Aggieland Website Design will host the client's web site. The monthly fee includes, 1000 mg disk space, unlimited hits and all publishing of the web site to the internet. Minor updates and changes to existing web pages are included in the Updates/Hosting Fee. (See Prices below)

5. Estimate Web Design and Hosting Prices

(quoted in U.S. Currency) Major changes will affect prices. We will always contact for approval before completing any services at additional cost.

ONE TIME FEES:

Initial Fee		
Website Design	+	\$1500.00
Website Set Up	+	Included
Search Engine Submission	+	Included
Total	=	
Deposit (50% of Design Fee)	-	\$750.00
Balance Due Upon Completion*	=	\$750.00

*The remaining amount is due upon approval of the web site design constructed according to the client's original specifications, or within 45 days of web site construction, even if the site has not been completed due to customer's neglect in providing information in timely manner or client's lack of response.

YEARLY FEES:

Updates/Hosting/SSL Security Certificate		\$600.00
Domain Name (if applicable)		\$15.00
Total Yearly Fees	=	\$615.00

6. Maintenance and Hourly Rate

This agreement includes web site maintenance including updating links, text, pictures and making minor changes. These changes are to be completed by the end of the next business day based on when updates are received via email. After the web site is live, redesign changes or large scale updates requested by the client will be billed at the hourly rate of \$100.00/hour and an estimate of the costs will be provided before the work is done. Any changes that require additional charges must be approved by client before completion.

7. Payment of Fees

Fees for Aggieland Website Design are due and payable on the following schedule: Non-refundable deposit to equal 50% of design fee payable prior to the initial web design. The remaining amount (balance of design, setup and search engine submission fees) is due when the web site has been completed according to the client's original specifications. If customer is untimely in providing information for the completion of the website, the balance of web site design is due 45 days after

approval of the design. Publishing the site to the clients' domain and submitting the site to search engines occur only after the final payment is made. All payments will be made in US funds via check or credit card.

8. **Warranty**

Aggieland Website Design does not warrant that the operation of the web site will be uninterrupted or error-free. In no event will Aggieland Website Design be liable to the client or any third party for any damages, including any lost profits, lost savings or other incidental, consequential or special damages arising out of the operation of or inability to operate this web site, even if Aggieland Website Design has been advised of the possibility of such damages.

9. **Copyrights and Trademarks**

The client represents to Aggieland Website Design and unconditionally guarantees that any elements of text, graphics, photos, designs, trademarks, or other artwork furnished to Aggieland Website Design for inclusion in web site pages are owned by the client, or that the client has permission from the rightful owner to use each of these elements, and will hold harmless, protect, and defend Aggieland Website Design from any claim or suit arising from the use of such elements furnished by the client.

10. **Copyright to Web Site and Pages**

Copyright to the web site and the assembled work of web pages produced by Aggieland Website Design is owned by Aggieland Website Design. Upon final payment of this contract, all rights owned by Aggieland Website Design as to the design, graphics, and text in this Web site are assigned to the client. Licensing and rights to custom programs which are proprietary and owned by Aggieland Website Design are limited to the client's use only; the products themselves remain the property of Aggieland Website Design.

11. **Payment of fees**

In order for Aggieland Website Design to remain in business, payments must be made promptly. Delinquent bills will be assessed a \$10 charge if payment is not received within 10 days of the due date. If an amount remains delinquent 30 days after its due date, an additional charge shall accrue at the rate of 10% per annual. After 45 days, Aggieland Website Design, reserves the right to remove the web site from viewing on the Internet until payment is made. In case collection proves necessary, the client agrees to pay all cost for attorney fees incurred by that process. Regardless of the place of signing of this agreement, the client agrees that for purposes of venue, this contract was entered into in Bryan, Brazos County, TX, USA and any dispute shall be litigated in Bryan, Brazos County, TX, USA.

12. **Initial Payment.**

This agreement is effective, with a nonrefundable down payment of \$750.00

The undersigned agrees to the terms of this agreement on behalf of his or her organization or business.

On behalf of the client:

Carla J Craig

Date 10 / 26 / 2021

On behalf Aggieland Website Design

Thomas Bruch

Date 10 / 27 / 2021

Please sign and return to: Aggieland Website Design
32 Raven Drive
Bryan TX 77808

Phone: 979-776-5160
Email: Tom@AggielandWebsiteDesign.com

RE: Birch Creek Village HOA Website

From: Bryan Patton (bryanp@vulcansteel.com)

To: birchcreekvillageproperties@gmail.com; pamelajkubiak@gmail.com; ktd7114@yahoo.com;
janethancock2506@gmail.com; danna6414@gmail.com; billyjhancock603@gmail.com;
waynewheeler_2@hotmail.com

Date: Monday, October 18, 2021, 10:17 AM CDT

I vote Aggieland.

From: Birch Creek Village Properties Inc. [mailto:birchcreekvillageproperties@gmail.com]

Sent: Monday, October 18, 2021 10:14 AM

To: Pam Kubiak <pamelajkubiak@gmail.com>; Karla Dobbs <ktd7114@yahoo.com>; Janet Hancock <janethancock2506@gmail.com>; Danna Anders <danna6414@gmail.com>; Bryan Patton <bryanp@vulcansteel.com>; Billy Hancock <billyjhancock603@gmail.com>; Wayne Wheeler <waynewheeler_2@hotmail.com>

Subject: Fwd: Birch Creek Village HOA Website

All,

We have yes votes from Danna, Pam and me. Janet and Bryan need to vote. If someone would like to get a third quote, please feel free.

Assuming we have a majority, I will get together with Karla Dobbs and we will make a phone call to Aggieland and see what we need to do to get started. I think it would be beneficial to us and property owners to have credit card payments available by the middle of November when invoices go out. I also believe that more folks will pay quicker if they have the option of credit card. And remember, property owners will pay the fee not us. I do not know what is involved if we use the payment form with [Stripe.com](https://stripe.com) but will find out.

Any comments are appreciated. Danna, thank you again for doing the initial footwork. It is really appreciated.

-cjc

Sent from my iPad

Begin forwarded message:

From: Pam Kubiak <pamelajkubiak@gmail.com>

Date: October 13, 2021 at 6:15:29 PM CDT

To: "Birch Creek Village Properties Inc." <birchcreekvillageproperties@gmail.com>

Cc: Billy Hancock <billyjhancock603@gmail.com>, Bryan Patton <bryanp@vulcansteel.com>, Carla Craig <ylrse63@gmail.com>, Danna Anders <danna6414@gmail.com>, Janet Hancock <janethancock2506@gmail.com>, Karla Dobbs <ktd7114@yahoo.com>, Wayne Wheeler <waynewheeler_2@hotmail.com>

Subject: Re: Birch Creek Village HOA Website

I think we need to go forward with Aggieland, I'm sure property owners will be happy to pay fees online :)

IMO

On Wed, Oct 13, 2021 at 3:42 PM Birch Creek Village Properties Inc.
<birchcreekvillageproperties@gmail.com> wrote:

Thanks Danna, I missed it the first time. I printed your attachment and it shows both quotes. I've had time to study them and I do believe Aggieland is the best for our money and it is cheaper than the other company. They also outlined their services in more detail than Jeremy Taylor.

We need to have a discussion about this from every single board member. I also think it would be great if the officers chimed in. No matter which way we go this is going to be an expensive endeavor but the sooner we get it started the sooner property owners can make payments on their maintenance fees. It would be great to send out the 2022 invoices with our website payment information.

-cjc

Sent from my iPad

On Oct 13, 2021, at 3:14 PM, Danna Anders <danna6414@gmail.com> wrote:

Carla I sent the info from both.... I personally think Aggieland is the better option.

On Wed, Oct 13, 2021 at 11:52 AM Birch Creek Village Properties Inc.
<birchcreekvillageproperties@gmail.com> wrote:

This is great! *Thank you* so much for getting this information. I hope your second lead responds soon so we have a comparison.

-cjc

Sent from my iPad

On Oct 13, 2021, at 10:49 AM, Danna Anders <danna6414@gmail.com> wrote:

----- Forwarded message -----

From: **Tom Bruch** <tom@bigskyinternetdesign.com>

Date: Wed, Oct 13, 2021 at 9:58 AM

Subject: Birch Creek Village HOA Website

To: Danna Anders <danna6414@gmail.com>

Hi Danna!

It sure was a pleasure visiting with you about your website and HOA this morning!

Just to touch base on everything we discussed:

- We would build a 100% custom designed fast loading website that embodies the overall character of the area and your sub-division.
- The site would look and work great on any device from a TV to a cell phone.
- Features
 - Information/pictures about the sub-division.
 - Sub-division documents such as covenants and other documents.
 - Secure online payment form, using Stripe.com as the recommended payment processor
 - Contact form.
- Unlimited updates completed in 24 hours or less (typically same day).
- Costs:
 - \$1500 for design and development.
 - \$600/year for unlimited updates, maintenance, support and SSL certificate (\$150 value).
 - \$15/year for the domain name.
 - All annual fees are Guaranteed for Life and will never increase.
- The timeframe for completion is 3-6 weeks, often quicker.

To get started requires a deposit of 50% (\$750) and the signed contract. The deposit can be paid online here:
<https://link.edgepilot.com/s/3dc1324e/pP3aPTXi506AVnZEXdPCCA?u=https://aggielandwebsitedesign.com/onlinepayment.asp>

As you are shopping around for this, be sure to ask for recommendations! I think that is one of the best ways to be confident in your decision. You can check out a few of ours at
<https://link.edgepilot.com/s/f0b4cc6d/P3HpduUcm0yAwRwyppIECg?u=https://aggielandwebsitedesign.com/testimonials.asp> and please do not hesitate to contact any of our customers for a referral!

"Highly impressed with AggieLand Website designs! Tom and Debbie are so easy to work with and made creating the website for my New Venue fun. Debbie is so talented with the design aspect. She was very patient with all my changes and was so quick at fixing anything I asked no matter what time of the day. Tom is very knowledgeable & punctual with responding to emails & calls. My website has been LIVE for a little over a month now and I couldn't be more pleased with how well the whole process went. HIGHLY RECOMMEND AGGIELAND WEBSITE DESIGN!!!!" Charissa S. - Eighteen-Eighteen Venue -
<https://link.edgepilot.com/s/b1cda3ad/efjdkuozyk2BR44UPPGe1A?u=https://1818venue.com/>

Please let me know of any questions that may have come up after going over all of it.

Thank you so much for thinking of us and hopefully, we will be working with you for many years to come!

Tom

<Tom - plaid shirt Woods.jpg>

Tom Bruch

Owner

Exceleration Designs, Inc.

dba. Big Sky Internet Design

dba. Aggieland Website Design

979-776-5160

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Prefer fewer emails from me? Click [here](#)

Here is the email i received after my phone conversation with Tom - owner of Aggieland Web Designs. I will also be attaching my notes from my conversation with him and another company. I personally think we should go with Aggieland Web Designs for the cost vs. service.

let me know if you have any questions..

danna

<web design notes.docx>

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Sent from Gmail Mobile

Links contained in this email have been replaced. If you click on a link in the email above, the link will be analyzed for known threats. If a known threat is found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning.

Re: Birch Creek Village HOA Website

From: **Danna Anders** (danna6414@gmail.com)

To: janethancock2506@gmail.com

Cc: billyjhancock603@gmail.com; birchcreekvillageproperties@gmail.com; bryanp@vulcansteel.com; yrse63@gmail.com; ktd7114@yahoo.com; pamelajkubiak@gmail.com; waynewheeler_2@hotmail.com

Date: Thursday, October 21, 2021, 07:28 AM CDT

Again, I vote yes for Aggieland.

On Wed, Oct 20, 2021 at 9:13 PM Janet Hancock <janethancock2506@gmail.com> wrote:

If we have to have this bylaw I will vote yes and is this the best deal we can get?

On Wed, Oct 20, 2021, 6:59 PM Janet Hancock <janethancock2506@gmail.com> wrote:

Please take out the group

On Wed, Oct 20, 2021, 6:55 PM Janet Hancock <janethancock2506@gmail.com> wrote:

Do we really have the money for this right now in our budget considering that we are trying to get the bath house in order group? We have not finished voting on finishing the bathhouses.

Janet

On Mon, Oct 18, 2021, 10:24 AM Birch Creek Village Properties Inc. <birchcreekvillageproperties@gmail.com> wrote:

Thank you!

-cjc
Sent from my iPad

On Oct 18, 2021, at 10:17 AM, Wayne Wheeler <waynewheeler_2@hotmail.com> wrote:

Aggieland definitely seems to be the better deal. I'm sure there are cheaper services out there, but as we all know, cheaper isn't necessarily better; especially when it comes to technology. I also feel that the "Online Pay" option is the greatest benefit, but this is coming from a person who pays everything online. I love the convenience, not having to write checks, and lack of dealing with paper.

Just my opinion,
Wayne

Get [Outlook for iOS](#)

From: Birch Creek Village Properties Inc. <birchcreekvillageproperties@gmail.com>

Sent: Monday, October 18, 2021 9:54:13 AM

To: Bryan Patton <bryanp@vulcansteel.com>

Cc: Pam Kubiak <pamelajkubiak@gmail.com>; Billy Hancock <billyjhancock603@gmail.com>;

Carla Craig <yrse63@gmail.com>; Danna Anders <danna6414@gmail.com>; Janet Hancock

<janethancock2506@gmail.com>; Karla Dobbs <ktd7114@yahoo.com>; Wayne Wheeler

<waynewheeler_2@hotmail.com>

Subject: Re: Birch Creek Village HOA Website

Bryan,

We are now required by law to have a website. We have no choice. Below is an excerpt from a link you sent to all of us:

"Senate Bill 1588 modifies Section 207.006 of the Texas Property Code, which governs the online publication of Dedicatory Instruments by a property owners association that administers a subdivision development. As amended, Section 207.006 only applies to a property owners association with at least 60 lots or that is managed by a management company and it now requires such applicable property owners associations to maintain an internet website and to publish its Dedicatory Instruments on such internet website. This provision takes effect on September 1, 2021."

If I am interpreting this wrong, please let me know.

-cjc
Sent from my iPad

On Oct 18, 2021, at 9:27 AM, Bryan Patton <bryanp@vulcansteel.com> wrote:

Wow Danna, GREAT JOB! Very thorough....**thank you.**

Y'all know me by now, so you know that I always focus on the \$\$ and try to play the devil's advocate. After reading through this and other reply's, I definitely agree that Aggieland is the better option, but I had no idea websites were so expensive!

That being said, I have to wonder if it will truly be a worthwhile investment. I know that if I were making the decision to invest my own money in a self-promoting website of some sort, based on the given pros and cons, I wouldn't do it. A \$1500 initial cost plus another \$50/mo could be put to better use....like cameras at the pool for example.

I understand that there are more people moving out to our area, and a good majority of them are younger. However we have quite a few older residents who are not as computer savvy and have no desire to be. So as far as they are concerned this will be of no benefit.

We also have quite a few residents who own multiple properties, possibly a majority according to some research that David Uptagrafft did and shared with me a few months ago. A 4% service fee is great as far as recouping our costs, but using myself as an example, it would cost me \$10+/- to pay using the website, which I personally wouldn't do unless it was an emergency situation. That's not to say that someone else wouldn't be happy to pay it, but....

Having the covenants and bylaws on the website would be great too, but we already have them on our Facebook page and we are still routinely asked about them. So will a website that costs us money be any more accessible than Facebook?

I would truly appreciate everyone's feedback, as it relates to the "pros" that creating our own website will provide. Maybe I am simply missing the bigger picture. Thanks in advance.

.....just my \$.02

-Bryan

Deed Restriction Violation Process

- Check properties for violations every 30 days
- Take pictures of property owner violations from a vehicle or street. Do not go on the homeowner's property.
- Prepare and mail (certified to have tracking number) the first violation letters.
- If the property owners do not reply and/or comply, send a 2nd letter 30 days after the 1st letter was sent.
- If the property owners do not reply and/or comply, send a third and final letter.
- If property owners do not reply and/or comply to the third letter within 30 days, legal action can be taken.
- Complete a Petition for Small Claims Court form (can be picked up at JP4 or can be found online).
- Drop off the Petition at JP Court Precinct 4 located at 16955 Hwy 36 in Somerville.
- A citation will be completed, and a Constable will deliver the paperwork to the property owner notifying them that they are being sued.
- A Court date will be made, and all parties will be notified.
- A lien can be placed on the property in violation if one hasn't already been placed.
- A Civil Lawsuit can be placed (should judge agree) on the property owner and be fined up to \$200 per day.