



Meeting of Lazy Bend Homeowners  
January 30, 2020

Call to Order: 18:32

**EC Members in Attendance:**

Frank Eichstadt  
Paul Boswell  
Ken Sherwin  
Bill Jenko  
Jill Pierce  
Mike Lewis

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Introductions by Frank

*Announcement by Paul Boswell:*

Paul currently serves on District Water Board and Executive Committee; he is going to step down from the Water Board position and is soliciting for a new member. Any interested party should contact Paul for instructions on how to run. Duties are those related to the water needs of the city and surrounding area. Lazy Bend has been represented in the past and it would be good to have someone represent our interests.

Introduction of new members – welcome Scott and Christina Tuma at 22 Harbor.

**Approval of Previous Minutes**

Frank asked to waive the review the previous minutes  
Moved (Christina), Seconded (Sylvia), No Objections, so moved

**Treasurer's Report**

Frank Presented (Dennis, treasurer, not present)  
We had 100% participation in the assessments.  
Title transfer fees – the HOA had been charging these for refinancing – the board voted to no longer charge this fee for refinancing.  
The general balance is **\$59,702.87** and the reserve balance is **\$24,268.97**.  
We have saved money with our new EMS services  
The lighting bill has been reduced as well due to LED lighting

**Proposed Budget:**

We propose that we transfer \$20k to the reserve fund (which would fully fund the reserve fund)

- We anticipate a vote on this at the summer meeting
- If the reserve fund is fully funded, we can reduce the assessment to \$0.03/square foot

Motion to adopt budget as presented (Ken Hutchinson), second Christina Tuma. No Objections. So moved



## **ACC**

Jay Johnson

New additions and improvements:

- 66 Harbor – plan for second floor over garage
- 36 Lazy – addition out back (within setbacks)
- 61 Harbor – redid all decks with improvement

Paul Boswell will take over ACC Chair position, so he will not run for Executive Board Position

Note: solar panels on the roof are allowed and the ACC has no authority over that

## **Bulkhead Committee**

Ken

In 2019 we had fewer repaired bulkheads than 2018

- 1 replacement project (Marine Inc)
- 1 repair project
- 1 repair project completed and NOT reimbursed (did not comply with Bulkhead Committee rules)
- 5 in planning stage
- 1 drainage project completed

\*Anticipate that 2020 will see more repair/replacement projects than 2019

2019 Survey, 38% were failing (in 2017 this was 25%)

The Bulkhead Committee is working on distributing letters to the homeowners identifying the condition of each bulkhead

There is reimbursement available, up to 20% for the wood equivalent – for PVC, the reimbursement is based on wood cost, and so additional cost is on the homeowner

The bulkhead committee is available to advice and consult, as well as to provide inspection during construction

Question: If buying or selling a home in Lazy Bend, is the condition of the bulkhead recorded anywhere?

Answer: This information is not located anywhere, as there is no obligation for the seller or relator to identify this information.

## **Special Topic – Road Improvement Discussion**

The condition of the roads was discussed as well as possible mitigation techniques (sealing)

## **Birch Street Bridge Update**

Frank is in possession of the plans for the Bridge construction – he has been impressed with the planning stage and that Lazy Bend has been included in these steps (plans are available for review – see Frank for details)

This bridge is a Galveston County project (previous bridge was TXDOT)

Thank you to Darrell Apffel for including our concerns in the plan

Estimated start of the project will be May 2020; estimated completion date will be end of 2020 (road will be closed for 6 months)

We requested that the project be aligned with the end of the school year to minimize impact

Frank noted that the appropriate parties were cooperating and it appears that the issues experienced with the West Bridge will be avoided

The road will be concrete; the intersections will also be paved

There will be approximately an additional 1-1.5ft of clearance



### **Election of Officers**

Compliance issues were identified by Tim Axt, so we have modified the procedures to be compliant  
Voter's Rights were not included on the ballots, so previous ballots are invalid

Adequate notice was not provided for additional candidates

To be compliant with Texas State Law, we will recess this meeting (instead of adjourn) until February 27<sup>th</sup>. During this time we will solicit for candidates (minimum 10 days) and then circulate ballots (minimum 10 days to provide absentee votes)

Homeowners will receive two notifications – one to identify potential candidates, one to vote on all identified candidates.

Until Feb 27<sup>th</sup>, the standing EC will remain in position

We anticipate that Paul will not run, but that Mike, Bill, and Frank will run

### **Other Business – Topics from the Floor**

Question: Can we post our meeting announcement on the CLS Marquee?

Answer: Frank will look into this

Question: Homeowners own up to the center of the canal – can we be sued for injuries that happen on the water?

Answer: Homeowners own the land, but the water is public, so homeowners are not liable. Under TX law, if someone trespasses you have no duty to them (except to not intend any harm to them). (This covers ladders, etc. coming out of water).

Frank is going to discuss canal behavior with the paddleboard rental business. One idea is to have the kayaks/paddleboards visibly numbered so homeowners can identify renters in the case of misconduct (i.e. crashing into boats, etc.). Christina Tuma: they lit up their kayak ramp to increase visibility; other homeowners should consider this.

Drew, Sylvia (representing Lazy): Landscaping on North Lazy has become overgrown. The request is that this be included in the trimming activities. Frank to take this into advisement. The majority of the growth is on the east side of the fence, and includes poison ivy. Frank will task Benito to spray the offending poison ivy and trim this back.

Ken: Is there a way to enforce the amount of vehicles parked on the street?

Answer: Yes, this is included in the fine structure and is related to the required clearance in the LB Bylaws. The process is to file a formal complaint to the EC and we will take action – this is the process for enforcement.

Additional complaints about parking were made. It was noted that this is a product of having narrow private streets. The suggestion was made to identify one side of the street as a fire lane. There was also a suggestion that the fine be increased from the current \$25/week.

**Action is for the EC to identify a plan for parking and signage.**

Moved to put meeting in recess (Frank), Second (Jill)

Meeting Recessed at 19:45



## **Continuation of Meeting**

Lazy Bend Association Homeowners Meeting 27 FEB 2020

*This general homeowners meeting was called to complete the voting on Executive Committee Members and President. This was the only item on the agenda.*

Frank called the meeting to order at 6:35 pm

There were 15 homeowners in attendance (sheet on file). The board members were present with the exception of Mike Lewis and Paul Boswell

The votes were turned in, including absentee voter ballots. 24 votes were cast.

Jay Johnson agreed to count the votes. All of the Candidates on the ballot were elected to 2 year terms.

- Frank Eichstadt – President
- Bill Jenko -Executive Committee
- Mike Lewis -Executive Committee
- Don Bobyk -Executive Committee

## **Other Business**

A homeowner asked about the status of the Birch St. bridge replacement.

Frank and Tom Butkis had attended a 95% design meeting at Galveston County offices the prior week.

New information discussed:

- The schedule has slipped from May to June
- The increased bridge height will be between 5in and 1 ft.
- There will be separate contracts – one for the County (traffic bridge and bulkhead) and one for WCID12 (utility bridge)

The meeting was adjourned at 6:43 pm