

January 26, 2023, Lazy Bend Homeowners Meeting  
CLEAR LAKE SHORE CLUB HOUSE

**Call to Order: at 19:00 by Frank Eichstadt**

**EC Members in Attendance:**

Frank Eichstadt	Christina Tuma
Ken Sherwin	Jill Pierce
Nicole Oditt	Dennis Grounds
Don Bobyk	

Frank: asked to confirm that a quorum of Homeowners were present.

- An attendance count confirms that a quorum was reached via confirmed sign-in sheet
- Welcome and Introduction of new neighbors.
  - Eric & Amy Jo Pierson – 47 Lazy Ln
  - Rodney and Lucy Worrell – 52 Lazy Ln
  - Alessandra Simone and Robert Patterson – 68 Harbor Ln

**Election of Executive Committee Members**

Elected by majority count of ballots (present and absentee)

- Dennis Grounds (returning)
  - Don Bobyk (returning)
  - Danette Tilley (new to board)
- Frank reminded attendees that all meetings are considered public and open to all members
  - Website is LazyBendHOA.org
  - Minutes and agenda are posted on website
  - A motion was made and seconded to waive the reading of minutes from prior meeting and approved. Motion was seconded and approved by acclamation.

**Treasurer Report**

Frank introduced Christina Tuma as Lazy Bend Treasurer. She volunteered and was appointed at Executive Committee in December, 2022.

She made a request to please make 2023 assessment checks payable to "LAZY BEND ASSOCIATION" not "LAZY BEND HOA "

2022 Treasurers report was given by Christina and made available in hard copy.

- 100% of 2022 dues paid
- Bulkhead reimbursements were high in 2022 with 7 homeowners being reimbursed.
- Landscape -We currently use Earthworks, and are under budget
- Street Light utilities are now provided by TXU after bankruptcy of previous supplier resulting in slightly higher rates
- Repairs & Maintenance way over budget, due to weather related fence repair along Lazy and Bayou Lane
- HOA funded power wash of old bridge to compliment new bridge
- Lazy Bend 2022 income was \$60K and expenses were 51K, Leaving the Assoc. with balances for Dec 31 2022 of:

Operating checking account \$72,751 Capital Reserve Account \$60,661

Christina recommended a \$15K increase in 2023 Budget for bulkhead reimbursement.

Allison Putnam asked how do we pay for the increase budget allocation?  
Christina stated that we would be able to afford the increase with no additional special assessment in 2023 by recognizing additional savings elsewhere and expected budget underrun.

Motion was made to approve the 2023 budget as presented. Motion was seconded and approved by majority vote.

Further discussion was entertained on methods to manage the bulkhead reimbursement within an annual budget cap. The difficulties in that approach were discussed. Frank made the point that deferring costs to later years could lead to difficulties. Further, that the Association governing documents state that we reimburse approved reimbursements as they are approved, but, if funds were not available, HOA would defer reimbursements until funds became available. The higher reimbursements in 2022 were afforded by savings in other budget lines.

Christina and Frank pointed out that the Capital Reserve Account had reached \$60k. and that by exceeding \$50k target had triggered a decrease in 2023 assessments by \$.01 per sq ft. If future expenses deplete the reserve account to less than \$50k, it would automatically reinstate the rate to \$.05 per sq. ft.

Priscilla: Duffy commented that initial bulkheads in Lazy Bend were all built at the same time, and that they may be reaching end of life about the same time. She asked if the HOA had tried to survey and predict the replacement and repair rate. Frank reviewed the work done by the Association toward this end, but informed the members that due to unanticipated legal difficulties related to Texas real estate laws, this activity had to be discontinued.

The discussion was concluded by Frank who pointed out that we would be monitoring expenses in 2023 and that adjustments to governing assessment rate structure can be amended by the Homeowners in future biannual meetings

Later in the meeting, Frank: made a request for a Homeowner volunteer to participate in the annual audit of Lazy Bend books.

Priscilla Duffy volunteered to help. The audit will be scheduled early in 2023

#### **Bulkhead Committee:**

Scott Tuma had submitted a report of the bulkhead committee, which was read by Frank. Homeowners were reminded that helpful information and guidelines for Bulkhead repair or replacement are proved to on Lazybendhoa.Org website. The Bulkhead committee can provide additional consultation and observation on construction projects, and advise them on applying for reimbursement.

Since the last meeting, four reimbursements have been approved by the Bulkhead Committee., and two bulkhead projects have been submitted for pre-project review, namely,

- 51 Lazy Lane
- 107 Bayou Lane

Members are Scott Tuma, Brent Marsden, and Dana Dale.

#### **Architectural Control Committee (ACC) Report:**

Paul Boswell & Jay Johnson

There is a third position open on the ACC, and an addition volunteer is needed.

2022 Activities: since June:

- 6/21/22 83 Harbor Pool Approval
- 7/6/22 61 Harbor Patio Renovation
- 8/8/22 94 Bayou Deck, Existing Structure Replace and Repair
- 8/15/22 47 Lazy Lane Renovation Approval
- 10/17/22 52 Lazy Lane Color Approval
- 12/29/22 24 Harbor Lane Pool Approval
- The ACC is Working with the owners of 108 Bayou on bulkhead repair, current cleanup project on site, and future development. Owner has also agreed to install more reflective tape and lighting to boat lift for safety purposes. No plans have been submitted for additional development of the property at this time.

.(Frank also thanked Priscilla Duffy and JT and Kathy Thomas for putting up lights at Christmas and others who decorated.)

**Voting Item: Proposed change to Lazy Bend Executive Committee Rules of Order,**

Frank: introduced the topic of which was had been identified as a voting item for this meeting, requiring written ballots.

Frank reviewed the change for homeowners and noted that the proposal had been distributed prior to the meeting and absentee ballots provided.

He read the existing language and the proposed new language. There was a call for questions and discussion. The rationale presented was that the current language did not provide stated limits of liability for the Association. Further, the prices of material and labor can be expected to increase over time. The proposed change would add a cap of \$7,500 reimbursement per bulkhead project in order to limit the HOA potential liabilities. Discussion was closed and the votes were counted.

The proposed change was approved by a large majority of voters.

The approved change will be recorded with Galveston County and documents will be updated.

**Floor Topic (new Business)**

Owners of 108 Bayou Lane, Norberto Flores, and owner's representative, Mark Lancaster , introduced themselves. They addressed several items which had been identified by the HOA relating the visual appearance of the property, the state of the bulkhead and dock, and future development plans. The owners pointed out several factors which had complicated the maintenance of the property and that these matters were resolved to the point that existing issues were being addressed, and that future development plans would be coordinated with the ACC. They pointed out that they had conducted a meeting with Paul Boswell, the ACC chair, prior to the general meeting.

The owners and representatives were thanked for their time and effort and that their current actions and future cooperation were appreciated.

Bill Jenko inquired about the large construction barge positioned at the entrance of the Easternmost channel, which could block boat traffic. Prior discussions with the owner of 58 Harbor and his contractor reassured us that the barge would be removed and present no obstruction.

Amy Pierson asked about the HOA responsibility for boats that appeared unsightly and derelict appearance in the canal. Frank reminded homeowners that the Covenants and Restriction

include prohibitions on obnoxious or unsightly appearance. The owner of the lot and boat in question was present at the meeting and informally agreed to take action in the near future. Homeowners were reminded that the HOA can only respond to written issues or complaints, and that the website (Lazybendhoa.org) was the quickest and best method to use when reporting an issue.

Christina Tuma introduced several proposed activities that complement the HOA and comprise activities befitting a civic club. She made clear that she was speaking as a homeowner, not representing these as within the scope of the HOA. She described three sorts of volunteer activities:

- Garden club to beautify and maintain the street corners that intersect Birch Ave.
- Done by One (1:00) – to undertake certain small projects to maintain improve Lazy Bend such as street signs, and other small projects as well as helping neighbors who may require help.,
- More extensive projects that would improve issues along north Lazy Lane. Some ideas included managing wild shrubs and plant growth along the fence and street repair.

Nikki Odditt suggested that a Lazy Bend Facebook Page for these civic activities might be an effective tool. It could be used to identify activities and projects, solicit ideas and participants, and outreach to homeowner who might need some help. This civic activity would be managed outside the scope of the HOA.

Frank then called for a motion to adjourn, which was approved by unanimous voice vote at 20:13hrs

**Homeowners in attendance:**

Phyllis Grounds  
James Brannon  
David & Danette Tilley  
John & Cheryl Knox  
John Thomas  
Jeff and Heidi Wolpa  
Bernice and Brenda Cheney  
Norberto Flores  
Mike & Alina Suffredini  
Linda Sharky  
Ron & Judy Scott  
James Welty  
Colleen Fiega  
Carol Eichstadt  
Eric & Amy Jo Pierson  
Bill & CJ Jenko  
Jill & Larry Pierce  
Brent Marsden  
Robert and Alessandra Simone  
Alison Putnam  
Paul Boswell  
Travis LaConey  
Priscilla Duffy  
Susan Torney