

Special Board Meeting Minutes - Tri-County Point POA  
February 29, 2024 — via Zoom

1. The meeting was called to order at 6:03 p.m.
2. Roll call showed the following directors present:

President, Clint Hammonds  
Vice President, Dan Kohlert  
Treasurer, Karen Gallaher  
Secretary, Jan Park  
Director, Tim Collins

A quorum was established.

3. Approval of Minutes, November 9, November 16 and December 2, 2023.  
Tim moved and Dan seconded that the Minutes be approved. Motion passed.

4. Public Comments  
There were no Public Comments

5. Treasurer's Report

Karen was driving so Laurie presented the report. Total amount invoiced for 2024 Assessments was \$320,262.00. Total amount received to date, \$228,360; amount owed is \$120,251.00. Laurie noted that today was the last day that dues were due, but residents had a 30-day grace period, until March 31, 2024, before late fees would be assessed. She stated that the current bank account balance was approximately \$230,000.00. She noted she was calling in from home and did not have the exact numbers in front of her.

6. Discuss Drainage issue on Porpoise.

A discussion was held regarding the drainage issue on Porpoise. James said he and John discussed the problem and noted that the land was eroding. James felt that the problem may be solved by placing four culverts and a "T" joining all four. He was not sure how many culverts would be needed and whether or not two culverts would have to be moved to a different place on property owners' lots. He would like to go out and look at the problem and see what could be done. It was also noted that there were additional drainage problems throughout the community. Mr. Shaw also asked if I could check it out and give his feedback. Karen moved that item number 6 be tabled so that James, John, and Mr. Shaw could assess the situation and report back to the Board. It was noted that time was of the essence for this matter. Jan seconded the Motion. Motion passed.

7. Discussion and possible action regarding whether to obtain a loan from First Financial or Intuit (depending on rates and terms) or for the POA to pay to fix the drainage issue on Porpoise.

Karen moved and Tim seconded that this item be tabled until we have a report on Agenda Item No. 6. Motion passed.

8. Discussion and possible action regarding cancelling POA Tax LLC and renaming it to gain non-profit exemption back.

Clint stated that in 2016 the tax law changed regarding non-profit, and the Board did not complete the paperwork. As a result of that the POA was fined \$25.00 per day for an extended period and lost their non-profit status. The fine was over \$100,000.00 and has now been paid off.

Clint spoke to POA's attorney, and he stated that the POA could apply for non-profit status under a different name. The Board received a quote from our accountant of \$10,000.00 to apply for a 501(c)4. Karen noted that it is a long-drawn-out process and the accountant advised her that because of Covid the IRS is backlogged and she had no idea how long it would take to get approval for the non-profit status.

Karen also advised that as a 501(c)4 we would also be eligible to apply for grants, and there are many grants out there. In addition, she advised the Board that it would take a lot of paperwork on our end regarding advising all our vendors of our new EIN number, change Quick Books to the new EIN. She felt it would be worth it as it would exclude us from paying sales tax. She also noted that the \$10,000.00 would not be paid at once, it would be billed in increments during the process.

Jan moved and Karen seconded that we apply for non-profit tax exemption under a new name. Motion passed. Clint asked Karen or Laurie to reach out to the CPA. Karen said she would contact the CPA and advised Laurie that she would take the lead on this.

9. Discussion and possible action regarding swimming pool.

Clint stated that Campano Pools and Spas came out over a month ago and stated that the pool was repairable. He said he called them twice and they said they would get back with him. To date they have not returned his calls, and his feeling is that if you hunt them down for an estimate, they are going to be difficult to work with.

Clint stated that a couple of other contractors had been approached and were not interested in making a bid for the repair of the swimming pool.

Laurie said she received a quote from Poseidon Pools and Spas of \$51,943.00. Clint gave the following details concerning the quote:

Pool remodel (22' X48')

- Leak detection and repair
- Demo concrete and haul off (1056 sq. ft)
- Demo tile and coping
- Install tile and coping (Allowance on Tile & Coping)

## Skimmers

- Demo Out 3 skimmers
- Re-plump in new skimmers

## Replaster

- Prep plaster
- Bond coat
- Plaster (Mini Pebble Finish)

Install concrete around pool (1056 sq. ft)

- Form up
- Rebar (16" on Center)
- Broom finish
- Cool deck finish (1256 sq. ft)
- Install Piers to stabilize concrete

Jan enquired about the pump and skimmers as they were not mentioned in the quote. Laurie responded that the filters were replaced last year and that the pump started right up.

Laurie noted that the gentleman did say that versus a whole demo, this would be the cheaper route to go as a complete demo would require removing everything and starting from scratch which would be more expensive.

Karen inquired if a time frame was given as far as how long it would take to make the repairs. Laurie responded that he did not, but that she would call him and find out.

Clint mentioned that the budget for the pool was \$10,000.00 and there was zero budgeted for the pier. Also, the roads needed repair and the boat ramp.

Mr. Derrick Ross stated that Mr. Paul Songster repairs and builds pools, and he would be happy to furnish the Board his telephone number so that could obtain a quote from him. Clint thanked him for his input and asked him to send the number to the Office.

Dan mentioned that when he was employed with the Sherrif's Department his job was to obtain bids and contractors and he would be more than happy to help Laurie and James obtain bids.

Karen moved and Jan seconded that this item be tabled until we can obtain more information. Motion passed.

## 10. Discussion and possible action regarding Boat Ramp.

A lengthy discussion took place regarding the Boat Ramp. A community member asked what had happened. Clint explained that an employee from the Fish Farm was attempting to dredge the ramp when the walkway collapsed. The bulkhead was built in 1983 and it could have happened to anybody.

Dredging cannot be completed until late fall or early winter. James has removed the boards from the top of the south side walkway, He stated that the “spoils” need to be removed (debris that sank to the bottom of the boat ramp), and smooth out the area that was sunk in.

Laurie mentioned that she and James had discussed this matter as a possible solution to allow pedestrian traffic only (no boats or vehicles allowed in the boat ramp) was getting safety fencing and fencing off the areas that are inaccessible. This way property owners could fish from the right side of the “beach area.” Boats would not be permitted, just pedestrians. This would cost approximately \$500.00 to fence off the danger areas. There is no electricity presently at the boat ramp.

Tim expressed concern about opening the Boat Ramp for pedestrians and if somebody slipped and fell in the beach area the POA and the Board would be responsible for the damage, and felt we needed to be very careful in what we decided.

Mr. Ross asked a question regarding insurance coverage. Laurie responded that there was only liability insurance on the Boat Ramp. The only two places that have hazard insurance are the Office and the Community Center as insurance was so high and the Board was financially strapped. Mr. Ross volunteered to investigate the insurance and see if would be able to find something that would be affordable so that if something like this happened in the future it would be covered.

No decision was made concerning the repairs to the Boat Ramp and the item was tabled.

11. Discussion and possible action regarding road repair – Part 1

Clint said he spoke to a gentleman at the Fish Farm, and he gave him the name of a person they get their road supplies from and said they were the cheapest around. James stated that he would like to work on the Boat Ramp first and then concentrate on the roads. Clint called for Item 12 on the agenda, which was discussed and then discussion regarding the roads was held.

12. Discussion and possible action regarding advertising for a ground's keeper.

Karen stated that we needed to find another “James”. She requested that the Board send her what should be included in the job description so that we could advertise for applicants. She suggested that the opening be put on the website and in the local newspaper. It was suggested that James be present when candidates were being interviewed as he would be working with the individual, James stated that he would be willing to do that and that he really enjoys doing the work. Laurie said she had a couple of applications in the office that had been turned in. Clint asked for a motion to start the process to hire another grounds keeper. Karen moved and Jan seconded. Motion passed.

11. Discussion and possible action regarding road repair – Part 2

Laurie stated that she had asked Sylva Road Construction to give a quote on the repair of the roads. She asked them to advise what it would cost to fix the roads with what we have, put a two-inch base on the roads and fix the roads with chip seal and black top. She

requested three different quotes so the community could see exactly how much it would cost to fix the roads completely. It was her thought that the association would not have enough funds to blacktop the roads.

James took the gentleman around to the 8 miles of main roads, which included Clam, Red Snapper, Tarpon, Section 6 loop, Porpoise around to Ladyfish and one other location that she did not recall. James informed Laurie that the gentleman informed him it would take 17 belly dumps of material for each mile.

Laurie would report back to the Board when she received the quote.

13. Discussion and possible action regarding ARC request to fine residents double the application fee for not having obtained approval prior to starting improvements.

Debra from ARC asked the Board to approve fining residents double the application fee for not having obtained approval prior to starting improvements. She stated that numerous people get a permit for the culvert and then never apply for additional permits. When confronted they usually say that they were not aware that they needed one. Even though on the application it lists all the items that are needed for a permit. She stated that currently the ARC Committee has no recourse. She also asked the Board to consider raising the permit fees in the future.

Laurie mentioned that we technically don't have any "fines", we have non-compliance fees in the amount of \$250.00 and a new state statute requires that POA's and HOA's be more detailed in their "fines" or violations requiring that each specific violation be listed, the cost of each violation and information regarding a hearing and appeal process before the Board. In addition, all non-compliance fees must be recorded with the Jackson County Real Property Records.

Clint asked what the most common violations were. Debra responded it was mostly RVs and sheds. It was her feeling that a few people may forget they need a permit, especially if a time has passed since they applied for the culvert permit, but many of them rolled the dice and made their improvements without a permit in the hopes of not getting caught.

After a brief discussion Jan moved that the fine for not obtaining a permit be double the original cost of the permit fee. The current fee for an RV is \$125.00 so the non-compliance fee would be \$250.00. A discussion was held, and it was suggested that violators be charged \$500.00 for each violation, it was felt that \$250.00 was not enough. Clint asked for a second to Jan's motion. Dan seconded the motion, Comments of disapproval of this motion were made in the chat. Clint asked each Board Member to vote yay or nay. Jan, yay, Tim, yay, Dan, yay, Karen, nay. Karen stated that she felt the fee was not high enough. A member of the community stated that two residents had voted "no". Jan explained that it was only the Board Members that voted. Motion passed. Clint suggested that the increase of permit fees be placed for discussion on the next Agenda.

14. Discussion and possible action regarding contract labor for Maintainer Operator

Clint said he spoke to Mr. Bubela, noting that he had worked for nearly 20 years for Wharton County Precinct 3. He has operated a lot of equipment, and he has helped the

POA in the past. He has agreed to start prepping the roads to get them to where they should be. He noted that the roads cannot be worked on until they get moisture on them. If they get wet on a weekend he will work on them, if they get moisture on them during the week, he will work on them. It will take a while to get them where they need to be and as Laurie stated earlier, we should have an estimate on what it would cost to hire somebody to come out and put two inches of base on them.

He noted that he had spoken to James about this matter and at the present time James has too much work and is unable to attend to the road issue. Mr. Bubela has agreed to work on the roads for \$600.00 a month. Clint then opened it up from questions from the Board.

Tim stated he was ok with the proposal. Karen asked if it would be contract labor. Then Clint replied in the affirmative as he would not be able to clock in and out if he was working on the weekends. Karen moved and Jan seconded that we contract with Mr. Bubela to work on the roads. Motion passed.

Clint welcomed the newly elected Vice President, Dan Kohlert.

There being no further business to come before the Board the meeting was adjourned at 7:48 p.m.

The above is a correct copy of the Minutes of the February 29, 2024, Special Meeting of the Tri-County Point POA board of Directors.

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Clint Hammonds, President

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Jan Park, Secretary