

PECAN CREEK PROPERTY OWNERS ASSOCIATION

Annual Meeting

Minutes of the Annual Meeting of the Pecan Creek Property Owners Association, *Newalla, Oklahoma*, held at the *Pecan Valley Baptist Church* at 9:00am on the 27th of January, 2024.

CALL TO ORDER

- Board member Brandi Maroge called the meeting to order with a quorum.

ROLL CALL OF OFFICERS

- Present: Jesse Stanley, Brandi Maroge, Jon Greeson, Mark Watral, Lindsay Unruh, J.R. Walden, Misty Endriss, Rodney Cochran
- Absent: Howard House (Proxy to Rodney Chochran)

APPROVAL OF THE MINUTES

- Read by Lindsay.
- Amendments: Sherry wanted it noted that she spoke to Jesse and followed the bylaws when building her house. She also wanted it noted that she said it would be nice if everyone paid their dues then we could have nicer roads. Her concern was not just about the junk cars but about several other things affecting our property values now and at last year's annual meeting.
- Brandi motioned to approve minutes. Rodney Seconded, Passed unanimously.
- Lindsay read the summary of the 2023 monthly board member meetings.

TREASURY REPORT

- Read by Lindsay.

OLD BUSINESS

- Vote in new Board Members
 - Three new board members were elected. Matt DeLong with 37 Yes and 3 No, Eric Tyler with 39 Yes and 2 No and Frances Poppel with 18 Yes and 6 No. Not all members present voted.
- HOA Services of Oklahoma
 - Brandi informed members about the new PO Box and Bank along with the new procedures put in place by the property management company, HOA Services of Oklahoma.
 - These procedures are that when a new homeowner moves into the Association, they are mailed a welcome packet containing all the governing documents. If, after that, you need additional copies or have lost or misplaced them, HOA Services of OK can mail copies for a fee. They are also available online for free.
 - Frances mentioned that when she moved in a year ago that she did not receive these hard copies and wanted to know if she could get a hard copy. Brandi informed her that she could call the property management company and they will provide her copies.
 - Shane H. said he has lived here for 3 years and never received anything about the HOA but he has been charged dues for these 3 years. Brandi informed Shane that this property management

company is brand new, we just hired them in July of 2023 and that she cannot speak to what happened prior to that. Going forward anyone new moving into this community will receive one packet for free as part of the welcome packet. Shane H. asked what was being done for the people who didn't get one prior to the hire of this company? Brandi said that the new HOA Company can mail them to you for a small fee or you have them emailed to you for free. All documents are available online on our website.

- Dues

- Brandi informed members that dues will not be waived, but if you believe there is a discrepancy in your balance and you have documentation to prove payments were made, please provide that documentation to HOA Services of OK for your balance to be corrected.
- Interest on late dues will accrue at 12% each year, per the governing documents (compounded).
- Vence asked how many people do not pay dues? Brandi did not have a number on hand but agreed to look that up.
- Charlene wanted to know what was being done about people who are not paying dues. Brandi said the property management company will pursue those past dues and if they cannot collect then we will go to collections and/or small claims. That is the legal process for us to collect past dues.
- Misty asked if a previous homeowner does not pay their dues then is the new homeowner responsible? Brandi said when you buy a property the realtor and the title company are supposed to make sure they are paid before the close of the sale. If that doesn't happen then yes the new homeowner is liable for those past dues. If you are deeded a property and those dues were unpaid, those get transferred to the new owner.
- Eric Tyler pointed out that if you are using a realtor then included in your realtor's paperwork there will be a section about if there is an HOA and that normally the previous owner has to list if they owe anything and how much they owe and it is an agreement between the buyer and seller as to who is responsible for paying them before the close of the sale.

- Combining/Splitting Lots

- Brandi informed members that we got an attorney to discuss the lot splitting issue as well as violations in general. Splitting lots is a violation of the restrictions in the governing documents; although the Board is not pursuing litigation at this time that does not mean they can't do so in the future; also, any homeowner may pursue their own suit for restriction violations. Dues are owed per lot as originally platted in the POA's governing documents.
- Jon said that it does not matter if you have combined lots with the county, you still owe for each lot.
- J.R. pointed out that he had combined his lots into one address but he is still charged full fee for the two lots by the County.

- Roads

- Brandi discussed how much was spent on gravel and road work throughout the year as well as what road work was completed.
- In 2023 we Spent a total of \$48,414.30 on Roads, March: \$9,185.10 – 146.17 Tons of Gravel and Grade 8 mi, July: \$5,472.90 - 22.43 Tons of Gravel and Grade 8 mi., September: \$13,606.54 Walnut Dr. E. Entry from Harrah to Winding Creek - rind, grade and spread gravel, and December: \$20,149.76 – 479.68 Tons of Gravel and Grade 8 mi.
- Frances asked why Valley View was missed and no gravel was added? Jon informed her that Valley View was not missed and that he made sure it wasn't. He drove every road and he only had 20 loads to put on and had to pick the worst spots.
- Brandi said that we do not have enough money to add gravel everywhere and that she had looked into what it would cost to have asphalt put down and it is a significant amount of money. The

governing documents allow for special assessment that can be done if you want to take out a loan to improve your roads; however, all members would be required to pay an additional amount for one year and in order to qualify for the loan there would have to be at least 95% of the membership paying over a period of time. So until people start paying, pursuing a special assessment is not an option.

- Betty said that a road that is a deadend with not many people living down it received gravel and that we needed it on a road that is not a deadend and less traveled. Brandi informed the members that it does not matter how many people live down a road. It is the board's responsibility to treat all roads equally and address the needs as they come up. Jon said he does drive down all roads and considers everything when looking for the worst areas. Jon drives around at least every quarter before the grader comes out and he does see more places that need gravel, we just don't have the money.
- Brandi then discussed the plan for 2024.- Maintenance on Pecan Creek Dr. E. entry from Harrah to be sealed approximately \$5,300., Quarterly Grading ~4,800 (~Totaling \$19,200/year), Gravel delivery and spread is dependent on needs.
- Frances said that S. Cliff Rd. never went through so she has no access to the front of her house. She wants the end of S. Cliff Rd. to be graded so she can open her fence and build a garage there. She said she knows the bylaws say it is supposed to be 20 feet away but that she is probably going to be close to her fence line just like her neighbors. Brandi informed her that she would be opening herself up to litigation if she violates the restrictions. Frances asked if the board would do litigation against her neighbors who are on her property line or does she have to? Brandi said that she was just letting her know that litigation is an option for any homeowner or the POA.
- Vence asked what good is a board then? Brandi said that there are a lot of things we would like to have corrected but it is a litigation matter and litigation is expensive. If we got all of our money in and we were able to maintain our roads to the standard that we all want then the board would pursue it today.
- In regards to S. Cliff Rd. Brandi said we would look at the plat map and that if it is truly a thru road on the plat map then we would absolutely look into that. Jon said that, after checking the plat, S. Cliff Rd. does go all the way through and that we could discuss it further during the board meeting.
- Sherry said that Valley View into Rolling Meadows is really bad right now and asked if after it dries out could it be graded? Brandi said that the board would look into it. Brandi said she knows some areas have old asphalt which is part of the problem. Shane R. said that he has seen someone out there trying to fix it but it is at the bottom of a hill and a turn and has been washed out. Brandi said it sounds like we will have to get a quote for grinding up the old asphalt and then get the proper amount of gravel if we can in those areas.
- Betty said she wishes the board would do something about the drainage because water is flowing out onto the streets. Brandi asked property owners to please maintain your tin horns under your driveways. Some areas we have noticed that water is going over the roads instead of under your driveways. The board did look into cleaning out the tin horns maintained by the POA. J.R. said that one of the companies he called no longer does this kind of work and that another company said he would have to come out and look at them but he would never respond to his calls after that. Tim said he has had the volunteer fire department come out and that they will do it for a donation. The board will look into seeing if that is an option for the tin horns that run under the roads and recommends that homeowners do the same for the tin horns under their driveways.
- Lights on poles at bus stops
 - Brandi discussed the concerns of children waiting in the dark at bus stops and that OEC would provide lights. If we have existing poles, then the light replacement by OEC is free. If we need to have new poles delivered and installed, we need to identify the exact location(s) in order for an engineer to come out and give an estimate.

- Jon said we need one on the corner of Walnut Dr. and Winding Cr.
- Street/Stop Signs
 - Brandi informed that the board spent a total of \$909.56 on street/stop signs in 2023. New signs were replaced in October. The stop sign on Pecan Creek was stolen in December. We do have additional stop signs in storage so we will be able to put a new one up.
 - Dorothy said that the stop sign on Valley View and Indian Hills is bent over. Brandi said it sounds like we may have to have the pole replaced, and that we would look into that.

Questions/Concerns from Guests

- Sherry asked if the board could think of a way to get more people to come to the meetings? Brandi said she is hopeful that with good communication more people will get involved. Previous years people didn't know what was going on other than the annual letter. We have now been trying to notify people of board meetings on Facebook and the website as much as we can. Unfortunately it costs money to send out additional mailings (~\$300) and we don't want to take out money from the roads if we can avoid it.
- Betty Hiatt asked if there were to be a change in restriction it would have to be a vote of the membership, not the board.. Brandi confirmed that is correct. If there was to be a vote held on changing any of the Restrictions, notice of the specific item(s) to be voted on would go out to the entire community detailing what the vote is for and when the vote would take place.
- Shauna asked what is covered by HOA Services (Collection of dues not paid)? Brandi said that they would pursue, on their own, collections throughout the year. After so many notices and not being able to collect they will coordinate and prepare us to go to collections or small claims court. We will pay those additional fees once we get to collections/court because there are additional fees to open a case
(Post Meeting Note from President: these fees are then transferred to the debtor upon collection or judgment by the Court).

NEXT BOARD MEMBERS MEETING DATE

- February 18th, 2024 at 4:00PM

Meeting Adjourned at 11:00AM.