

Oaklanding POA  
Membership Meeting Minutes

Chairperson: Ellen Morton

Secretary: Virginia Payne

Date: January 14, 2023

Time 10:00am

Location: Seven Points City Hall

Street: 428 East Cedar Creek Parkway

City: Seven Points 75143

State: Texas

**Roll Call**

Ellen Morton (President)

Kathy Gregg (Vice-President)

Virginia Payne (Secretary/Treasurer)

Members present (see sign-in sheet)

Members absent (No signature next to name/lot on sign-in sheet)

**Call to order – 10:18am**

Ellen pointed out the top of the agenda has our e-mail address and the physical address. We no longer have a PO Box. A mailbox slot will be installed into the building so that you can put your check through the slot. The mailbox out front of the office is a locked mailbox.

Discontinuing the PO Box is saving the POA money.

We have an office phone. If you have any complaints leave them there. Nobody's there all the time, but Virginia does check the voicemail several times during the week and we will respond to any voicemail. We don't take personal calls anymore involving POA issues.

Trying to get it where the POA is not tied to any individual. When we fulfill our terms, the next person doesn't have to change anything. We are set up as a non-profit organization.

We are sending in the paperwork to the Secretary of State to change the Registering Agent to Ellen.

### *Previous Meeting Minutes – Virginia Payne*

Read minutes from October 8th, 2022. Attendees were given a copy of the current agenda while signing in for the meeting. The agenda was also posted on the POA website.

### *Treasury Report – Virginia Payne*

I took over the position in August from Brittany, so the first part of 2022 I wasn't involved, but I did go back and pull all the statements and went through every single month.

Calendar year 2022 - we had \$19,366.55 at the beginning of the year that came from POA dues. That was our income and as the year went on, we spent \$17,411.11 leaving a balance of \$1955.44 for 2023. A large portion was spent on retaining Attorneys. One is for helping get the POA where it needs to be legally. The other Attorney is for the lawsuit that has been filed against the POA. Any questions about the 2022 budget? None voiced.

Proposed budget for 2023 - starting with a balance of \$1955.44. I took the number of lots and multiplied them by the amount of dues. Our projected income would be \$14,202.74. We still have Kathy's two years for the prep work she did on the dock, so her lots come off the next two years. Calculated the electrical and water based on the highest monthly cost. Phone bill has a set monthly cost. As the dues come in I will pay the property taxes by the end of the month.

Administrative fees, property repairs, and legal costs are all estimates of what we as the board came up with to set the budget for the next year. It may be that we don't spend the money we have allocated. It will show on the budget what was spent.

We are looking into getting insurance for the POA. It is estimated that it could be around \$2000.00 a year.

One member asked about the property taxes. The Kaufman taxes should be \$1100 and the Henderson taxes should be the \$433. I got them backwards. I will correct it before I send the budget to the members and post on the website. Yes, the property taxes went up like all of the lots in the Subdivision. Maybe we can protest next year.

Kathy estimates, for repairing the boat ramp and for repairing the road is \$12,000 and \$14,000. You can see that we are not close to \$41,000 for this year.

I sent out due statements the first of January 2023. Everyone has 90 days to pay their dues. It was my understanding that the Board has given everyone till March 31<sup>st</sup> to pay dues. This allows for time to get tax money back to help pay dues. April 1, 2023 dues will be delinquent if they have not been paid.

If you'll notice at the bottom of your due statement, we now have a payment policy that must be followed. We must have a payment plan available for members. It is part of the Texas law. The policy is available on the website. You can't set your own payment, it's based upon what you owe. I used the records that Brittany kept to come up with dues owed.

Any questions about the proposed budget? Yes, the dues went up \$6.66 per lot. Are we working toward a goal of an amount for dues? No. We can only go up 10% each year on dues. We are trying to keep up with inflation, but now that we have a lawyer and depending on how people pay their dues. We've got to be able to operate as a business and if we can't operate as a business, then we're going to go bankrupt. It's not going to be POA.

The plat shows who has paid their dues and those you have not paid. This gives you a visual on where we are with dues paid.

One more question was asked, how many bids were there? Kathy stated she estimated what it would cost for road and boat ramp repair. She was going to wait to ask companies to come bid because we didn't have the money right now. Materials are going up. But when we are able to act, bids will be obtained.

## **Old Business**

*Culvert replacement / Boat Ramp* – Speaker - Kathy Gregg

Kathy called about the price of the culverts for the back road and the culverts by themselves are \$7000.00. One member asked if it was possible to buy the materials ourselves and get a bid for the work to put them in? POA does not have \$7000.00 now to buy the culverts. Everyone needs to start calling Henderson County Commissioner to ask for help with the roads. Every member pays ISD and road taxes. A special

assessment would have to be assessed on every member. But now we can't seem to get the regular POA dues paid.

The boat ramp needs to be repaired due to exposed rebar and holes where the concrete has broken off at the end of the ramp. POA does not have money for the repairs currently. The boat ramp will be closed until further notice. Signage will be placed at the entrance of Oak Hill Dr, and at the POA boat ramp/dock area as soon we can. We will do, "due diligence" to provide warning signs and barricade to the ramp.

*POA documents status – Speakers - Ellen Morton / Virginia Payne*

All our documents are now filed with Henderson County. This makes the POA up to date on everything filed with the county. These documents include Certificate of Resolution and Incumbency, Declaration of Restrictive Covenants, Management Certificate, Dedicatory Instruments – Articles of Incorporation, By-Laws, and Oaklanding POA policies (Payment Policy, Document Retention Policy, Records Production and Copying Policy).

These documents are on our website and in accordance with the Texas Property Codes.

We had to file the Management Certificate with the TREC as well. That has been done.

A Periodic Report has been filed with the Secretary of State. Once we elect the new Board members a change of Registering Agent will be sent to the Secretary of State.

## **New Business**

*Oaklanding Property Owners Association official business*

Lawsuit filed against the POA – Speaker - Ellen Morton

The POA has been served with a premises liability lawsuit for \$250,000 to \$1,000,000. The POA was served the Citation at the wrong address. The citation was held onto for two weeks, before the POA Board received the notice. An answer had to be filed with the next 5-7 business days. That required the Board to have an emergency meeting to approve retaining an Attorney to represent the POA. An Attorney was retained within the same firm that represents the POA at the present time. We have one Attorney to help us with running the POA and another Attorney to represent us in the lawsuit. The retainer was \$5000.00. A girl jumped off the dock and cut her leg. We had signs posted down there that said, No Swimming, Not Responsible for accidents or injuries, and a members only at the time of the accident. Somebody broke the sign off at the ground sometime last year. We have submitted the information requested by the Attorney. He will update us as necessary. Possible trial date in October 2023.

The signs will be put back up at the entrance of the fishing pier. Will try to make every attempt to attach the sign in a way it cannot be removed or broken off.

The bath house metal door has been damaged and is open. The bath house door will be welded shut till further notice. The water meter will be pulled on the bath house and the electricity will be turned off to the bath house. This will save money for the POA.

We need to start limiting access to the POA boat launch / fishing pier area. Need to look into a lock with a key or code for those members that are current on their dues. Although all members can vote regardless of dues being paid; those not current on their dues cannot take part in the facilities. It is going to require a new fence and gate. The current gate is not secure.

Evidence of Ownership and registration of mailing address - Speaker - Ellen Morton

According to the By-Laws owners need to furnish to the Board of Directors a true and correct copy of the original or a certified copy of their Deed. Also need to provide the Association with a registered mailing address to be used by the Association for communications.

Any person who sells or buys property must go through the Association. We give the Realtor Company a Resale Certificate. We can charge a fee of \$425.00. If no Realtor used, we check for back dues owed on lot(s). The resale certificate shows the current status of the property (cost of dues and if behind on dues). New owner is responsible for all back dues at the time of the purchase.

*Fine letters, Liens and Foreclosures* – Speakers – Ellen Morton / Virginia Payne

Delinquent letters will be sent out to those members who do not pay their dues by March 31, 2023. There is a new policy on late fees. These fees add up very quickly. The policy is on the website.

We found out that our By-Laws allow the Association to file liens and foreclose on properties that are not current on their dues. The Attorney will be helping us on liens and foreclosures.

The next thing to do is to find out from the Attorney what fines can be placed with a citation.

*POA Board/Alternate nominations* – Speaker- Virginia Payne

I have put the names of the nominees on the board. They all passed the background check. You have an index card with the number of votes you are allowed. Please write two (2) names down for the Board positions and one (1) name down for an Alternate

The following nominees for a Board position. Virginia Payne, Connie Tilger, Gabriela Borcoman. Gail Sturdevant and Kathy Gregg dropped out.

The following nominees for an Alternate position. Linda Miller and Mark Sanders. Mark Sanders is not here. Linda Esselman did not sign the background check form.

Votes counted by Kathy Gregg:

Board nominees: Connie Tilger – 40; Gabriela Borcoman – 11; Virginia Payne – 47

Alternate nominees: Linda Miller - 37.5; Mark Sanders - 9

2023 Board Members are Ellen Morton (1 year term left), Connie Tilger, and Virginia Payne

2023 Alternate is Linda Miller. Gabriela Borcoman volunteered to help.

New Board is required to meet within 10 days of this election. Board will meet January 21, 2023, 10am at the POA Office 908 Oaklanding Circle Seven Points, TX 75143

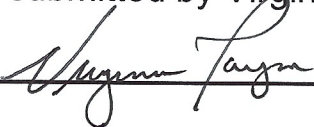
Drawing for one free due payment was James Wofford.

*Adjournment*

Motion to adjourn meeting by Kathy Gregg and seconded by Ruth Wilson. Adjourned at 11:28am.

Minutes submitted by Virginia Payne

Date




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1-15-2023

Minutes approved by Ellen Morton

Date



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1-15-2023