

# OAK LANDING PROPERTY OWNERS ASSOCIATION

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## Membership Meeting Minutes

Chairperson: Ellen Morton

Secretary: Virginia Payne

Date: July 15 2023

Time: 10:00am

Location: Seven Points City Hall

Street: 428 East Cedar Creek Parkway

City: Seven Points 75143

State: Texas

### **Roll Call**

Members present (see sign-in sheet)

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

### **Call to order – 10:02am**

*Previous Meeting Minutes – Virginia Payne*

Read the minutes form the last member meeting January 14, 2023

Motion to approve the minutes – First motion Anna Hernandez; Second motion Linda Miller

## *Treasury Report – Virginia Payne*

Members have a copy of the budget. I do monthly checks and balances with the bank statements. The 2022 budget and the 2023 proposed budget are on the website. It now takes 2 signatures on a check.

Looking at the budget as of June 2023 we have \$8851.27 in the bank account and \$48.71 in petty cash. To date we have paid the POA attorney \$3330.00 and the lawsuit attorney \$9359.99. Much of the money has gone to paying for the attorney representing the POA in the lawsuit.

The water meter was pulled at the bathhouse and the electricity turned off.

We can collect a \$375.00 Resale Certificate transfer fee when property is sold in our Subdivision. These fees help pay for the POA Attorney and it recovers past dues.

Member asked can we see the invoices of what people have paid. Explained that the budget shows collected monies for dues. Cannot give out members private information.

Members informed that they could review documents if they send a certified letter listing specifics of what you want to see. I have 10 days to respond. Review the document retention policy. The board leaning against the wall on the podium over there shows the lots that have paid dues.

## **Old Business**

### *Premise Liability Lawsuit – Virginia*

Members were informed that the lawsuit is ongoing. Reminded members that the citation was served in December 2022. A girl jumped off the dock and cut her leg. POA is being sued. It is no fault of the POA members, but we have had to retain an Attorney to represent the POA. Signs were posted at the boat dock that stated no swimming and not responsible for accidents, but that doesn't keep someone from suing. We didn't have insurance at the time. The Board we have right now, was not the board at the time of the incident. Hopes the lawsuit will be done in October but could be extended. We still have people continuing to swim and use the boat ramp with signs posted.

### *Property deeds – Ellen*

According to article X11 of the bylaws owner is to furnish to the board of directors a copy of the property deed to file with the association. Property deeds are public record at the courthouse, but it costs money to get copies. It is also in the Texas property code. Texas law precedes our bylaws. If not in the Texas law we follow our bylaws. We also must follow the Texas code for not-for-profit organizations. Please go online and read the Texas laws that govern HOA's/ POA's.

### *Boat Ramp and Boat Dock- Ellen/Virginia*

Members asked why we had to have a new boat dock instead of repairing the old one. Discussion about how the previous president Dale Cope bought supplies to repair the dock. He started taking out boards and didn't replace them, the dock fell apart. It was beyond repair, so the board elected to build the new one. Members asked about how much the boat dock cost to build. Documented in past minutes and on the contract for the boat dock. Anytime Marine gave a bid and it was accepted by the Board. The bid allowed the amount to be paid back over three years and Kathy's dues were paid for four years. There is a large hole at the bottom of the boat ramp and some exposed rebar. So, the boat ramp was closed till further notice. Rope was placed across the ramp, but people take it down and use it anyway.

### *Roads – Ellen/Virginia*

Roads were worked on in November of 2020, October of 2021, and September of 2022. If it weren't for the lawsuit, we would have some money to start on the roads. Brian Lindbergh said he would bring his skid steer over here and fix what he could. We need volunteers to help. Appreciate any help.

Mike Sipes was the one to work on the roads, but Joe Morton has gone over to the culvert with his tractor and filled in holes with rock. The reason for the increase in dues is rock and gravel have gone up, labor and gasoline have gone up. Everything has gone up. We don't have a swimming pool, clubhouse, etc. Again, if it weren't for the embezzlement and the lawsuit, we could be fixing our roads right now. We have tried talking to the County and they say our roads are considered private roads. They will not help us.

We talked to Mike Sipes. He is familiar with our roads. He is going to pull the ditches first to allow proper drainage. Then he will level, scrape and fill in potholes. Members are responsible for cleaning their ditches and culverts, so they drain. Members are responsible for any culvert that needs to be replaced.

The culvert in the back is sinking. County will not help. Asked KISD for help and Ellen said she has addressed their speed within the subdivision. Mark Sanders said he could check with KISD since he used to drive for them. Would appreciate your help. Please correspond through the e-mail. We need a temporary patch for now. Anything we do to patch it will cost more to tear out later.

## **New Business**

### *Late Notice Default Letters – Virginia*

I sent out late notice default letters. The attorney has assisted me in drafting the letters and taking the next steps. They are going out again in August. Every month that goes by, fees accrue. This adds up quickly. The letters are sent first class mail and certified mail. Thus far we have had a fairly good response. Still have some outstanding ones. We have a payment policy, but the owner must reach out to me to set up a payment plan. You cannot set your payment amount. Policy is on the website

### *Next steps in Default Process – Virginia*

If the owner does not pay past dues, fees and interest in the allotted time given to them, then we turn it over to the attorney to place a lien on the property and then foreclosure of the property. This is done through the County Courthouse. There is a fee for the attorney to do this process-I think around \$650 per lien. The attorney fees will be at the cost of the owner. Then the attorney will help us with a fines policy. This will take a lot of work, but it will clean up the neighborhood.

Question asked, why can't the POA buy the property? The POA wouldn't buy the property because the POA would have to pay property taxes on the property. Can the lawyer of the POA let the members know if a property is for sale? Foreclosures are posted at the County Courthouse on Tuesdays. You can go on the website and see those.

### *Replacement of Alternate - Ellen*

Need a replacement for Linda Miller. Not able to be an alternate anymore. Gabriella is still an alternate, but her house is being repaired. Mark Sanders wasn't at the meeting for voting. He did receive votes and he has had a background check. Mark volunteered to be an alternate.

Members can come to the board meetings. We can post board meetings on the bulletin board at the office and on the website. We set those meetings ahead of time. We meet at the POA office since there is just three of us. Board meets quarterly. Members meet twice a year.

Next member meeting is in January 2024 and elections will be held. Submit proxies ahead of time. Sending out 2024 invoices for dues in October -November, like property taxes. Invoices will state due date January 1, 2024, delinquent April 1, 2024.

*Two board positions for 2024 - Ellen*

There's two board positions opening in January of 2024. Must have a background check done. Please send nominations to e-mail at oaklandingpoa75143@gmail.com. "I am stepping down," Ellen stated, "I am stepping down" . Need to vote on someone you can trust to handle the monies and the duties of the Board. It will be a one - one year term and one - three-year term

Ticket drawn for one free lot 2024 Tabitha DeLeon

*Adjournment*

Motion to adjourn - first motion by Mark Sanders seconded by Tina Thomas. Adjourned at 11:38am

Minutes submitted by Virginia Payne

Date

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Minutes approved by Ellen Morton

Date

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