

# OAK LANDING PROPERTY OWNERS ASSOCIATION

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## Membership Meeting Minutes

President: Ellen Morton

Vice-President: Connie Tilger

Secretary: Virginia Payne

Date: February 3, 2024

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)

Members given an index card with their number of votes, a ticket for a free drawing, and copies of the budgets

**Call to order (Ellen Morton) – 10:08am**

*Previous Meeting Minutes – Virginia Payne*

Read the minutes from the last member meeting on July 15, 2023.

Motion to approve the minutes – First motion Mr. Hammonds; Second motion Kathy Gregg.

## **Old Business**

### *Treasury Report – Virginia Payne*

You have two copies of the budget. One is the monthly. I balance the checkbook and show where everything has been paid for by the POA. Goes all the way through December. As of December 2023, we have \$8188.06 and petty cash. Petty cash is used to pay postage for resale certificates from property sold in our subdivision. If the request is local, I will deliver the resale certificate. There have been a couple who sent first class mail. There is a Ledger for the petty cash. There is \$42.89 in petty cash. No questions about the monthly budget report.

The other handout is the operating budget period the board met and set the projected budget for 2024. Looking at the projected 2023 budget regarding POA dues see that the projected dues to be collected was 14,202 dollars and \$0.74, but the actual dues collected was \$15,496.02 with a profit of \$1293.28. Looking down the Gray column anything in black is monies that we are ahead. Example on electrical the projected was \$695 but the actual amount paid was \$468.23. Savings of \$226.77 for the year. This savings came from shutting off the electrical at the bathhouse. Looking at the post office the amount spent was more than projected due to sending out default letters. Did not know what the cost was to send out default letters. It involves sending out the first letter via first class mail, second letter first class mail and certified mail and the third and final letter is first class mail and certified return receipt. Stamps are now \$0.68, certified mail is around \$4.50, and return receipt is around \$3.50. This can add up when sending out 10 to 15 letters. So, the projected 2024 amount for postage is \$375. There have been some default dues collected but there are still some left to collect. Projected budget for website was \$130.00 the actual spent was \$248.59. 2024 projected cost for the website is set at \$300. The association must have three things according to the Texas property code- a website, a mailing address and telephone. Nothing was spent on the POA office. \$995 was spent on the boat ramp for a good temporary patch. Spent \$1800 on the roads to start but are still going to keep a projected budget of \$12,500 for the roads. Look at the attorney fees we spent \$10,439.99. The lawsuit is what the money is being spent on.

The Association has postage, website, and property taxes. Property taxes went down on the two lots the POA owns. Questions about the projected budget, none. Attorney fees paid- the attorney fees are separated. It was clarified that we paid \$1000 for the association attorney and \$9439.99 for the lawsuit attorney. The association is still paying attorney fees as needed.

### *Lawsuit – Ellen Morton*

The board has not heard any updates about the lawsuit. Have not paid any monies thus far to the Attorney for the lawsuit. Attorney reaches out to the association through the e-mail.

### *Property Deeds*

Article 12 paragraph 12.01 in the bylaws states that the owner is required to turn in a copy of your property deed, so the association can have it on file. According to the bylaws if there is not a copy of a deed on file the owner cannot use the common areas. Asked how many are on file now? Estimated out of ninety-four owners twelve. When 2024 dues invoices were sent out a letter was sent requesting proof of ownership. Deeds are public record at the County Courthouse. When property is sold through a realtor the title company issues a deed and sends a copy with the check. The purpose of the deed on file is to meet the Texas property code and the Association knows who the owner is of the property and the owner can use the common area. Henderson CAD and property tax website may not necessarily reflect current owner. The Association cannot afford to print off every owner's deed filed with the county. Please get the Association a copy of your deed.

### *Boat ramp-Ellen and Virginia*

The berm will be leveled, and the boat ramp will open back up in the spring. The \$995 that was used to place the temporary patch should last a few seasons. The end of the boat ramp had a large deep hole. Three-to-five-inch rock (rip rap) as brought in and placed all around the sides and at the end of the boat ramp. There is a large three- to four-foot-wide culvert that drains runoff from Nob hill on the right side of the ramp. That washes out from under the right side of the ramp. North winds wash waves into the left side and the end of the dock. So, the rock will buy us some time until the association gets enough money to have the new boat ramp poured. That will require driving panels, remove the water from behind the panels, pour concrete, and then remove the panels. This will let members use the boat ramp starting this spring. It will save the association a lot of money if the ramp is put in when the water is low.

### *Boat dock*

the dock was built the way it was because the bigger the dock the more money and the association didn't have the money to build the dock to begin with. The further the dock goes out the more it costs, the more steel pipes bridging and wood. Members asked if the dock could be extended out more. Yes, it can go out further but cost more money. Also, if you go out further TRWD requires a light at the end of the dock and midway.

These lights must be maintained. In the past there were issues regarding the lights being busted out. TRWD imposes fines when there are no working lights on the dock. Also, more rules, regulations and laws are into effect now as opposed to back then. Keep changing every year. Once the old dock had to be demolished then it was built back according to TRWD. There is an invisible plane that goes out into the lake and the dock must be five feet off that line.

In the past the association gave out a card you carried to prove you could be in there. Also, the owner paid for a key, but the lock was damaged. Need a fence with a locked gate.

### *Roads*

Mike Sipps scraped the road and pulled some ditches. There is a large hole on top of the culvert. Culvert is rusted out on the bottom and sinking causing the rock on top to shift and fall in and around the culvert causing a hole. We do not have the money right now to replace the culvert. The culverts are about 6000 to 7000 dollars. We have a temporary plan that comes from Kathy Gregg. Kathy, could you tell us your plan? Kathy is going to contact her resource to see how much it would cost to place rebar and cement in the bottom of the culvert. The bottom in the middle of the culvert is rusted and holding water right there. Water isn't flowing because of debris in the other side of the culvert. Needs to be cleaned out. The plan is to pour a three-foot strip of cement down through the culvert to each end till the POA has money to replace the twenty feet by 5-foot culverts and place a head wall. Need a head wall to keep culverts in place need to keep coverts cleaned out. Concrete is a little over two thousand we will get a quote. Ask members to send anybody else that might have a bid. Need volunteers to clean out debris. Let members know that \$2000 to \$3000 for patchwork is doable. Encourage members to go to the county commissioner meetings. A member asked if we had to have another meeting to approve having the culvert patch. The board has the authority to carry out things necessary to keep the association going. Anything over \$50,000 must have three bids. Send any bids to the e-mail this is a time sensitive matter. Members stated since nobody else to do it right away go ahead with Kathy's bid to get it done as soon as possible.

### *Default due letters*

in May 2023 late due notices for 2023 were sent out. Dues are past due on April the 1st at 12:01 AM. From that point you accrue late fees, admin fees and interest. This is all laid out in the payment plan policies that the attorney drew up and filed at the county. This allows us to collect these fees. Sent out to people that were late in 2023 and over the next few months collected \$5040 in default dues. Sent out a second default letter in November of 2023 with the 2024 dues invoice as well. Invoice shows due January 1, 2024, but not delinquent till April 1st, 2024. Members have had three months to pay annual dues. 2024 dues sent out were \$12,670 as of February 2<sup>nd</sup>,

collected \$6069. Members are already paying 2024 dues. The second default letter amounts owed is \$14,481, collected \$2701.00. Need to collect \$12,000 more. There are seven (7) people that I need to go to the courthouse and see if I can get addresses off the deeds because the Henderson CAD does not necessarily reflect the current address. Nine default letters sent out and if not remedied will go to the attorney. The attorney helped with drafting the default letters. Next steps are to get all the information from their files together and send to the attorney so then lien and foreclosure can be started. Payment plan in place. Once you sign into a payment plan all fees and interest stop. The payment plan is based upon your due amount. The amount you owe is calculated on your base due amount. Interest is 10% over the year. Member asked if a person does not pay on month six of a 12-month plan what happens. According to the payment policy the association can demand full payment, and there is no more payment plan and remainder is sent to the attorney. You cannot set your own payment plan.

### *Curable violation demand letter*

As of January 1, 2024, POAs must have a fines policy. Our bylaws do not address fines. The attorney looked at our bylaws and declarations to see what we can do since they do not address fines in the bylaws. The attorney said we could use a curable violation demand letter. A copy of that letter was sent out with the members letters and the agenda for the first meeting when did you see what it looks like. There are curable and incurable violations. If someone goes down through the subdivision on a four-Wheeler at 2:00 AM one time, that is an incurable violation. Fireworks on the 4th of July are incurable. A curable violation is something that occurs all the time. Such as lots that have a house on it, But the owners have not maintained the lot or house. It is what is listed in our declaration and restrictions. Board decides a letter needs to go out. The first letter is a courtesy letter to notify what needs to be done. If not cured in a reasonable amount of time, then a second letter is sent out with a specified time that the violation must be cured. If not done, then we can send it to the Attorney and then it goes through the courthouse and a judge can fine the owner (this could be as much as \$200.00 a day). A member asked where the money went. The money goes into the POA account, just like the resale certificates do. This can be a lengthy process. This will allow us to start getting things cleaned up.

## **New Business**

### *Board Positions*

There are two positions on the Board to fill. We talked to the attorney and the way it was explained, is the position are two-year terms. A Member expressed like having a board member fall off every year. That would allow current board members to help

bring on the new board member. We will check with the attorney again. No nominations were received by e-mail, phone or in person. No background checks done. A Member asked if the current board could stay on till things got put in place (new Texas chapter codes, lawsuit). Nominations taken at the meeting since no one sent any in. Mark Sanders, Gloria Vega, Ellen Morton, and Virginia Payne. Members were given an index card with their number of votes on one side and blank on the other. Members were to write on the index card who they voted for a board position. Connie counted the votes.

Virginia Payne 44.5

Ellen Morton 46.5

Gloria Vega 19.5

Mark Sanders 6

The new board members must meet within 10 days today. Your new board members are Ellen Morton- President Connie Tilger Vice-president (in current term) and Virginia Payne Secretary/Treasurer.

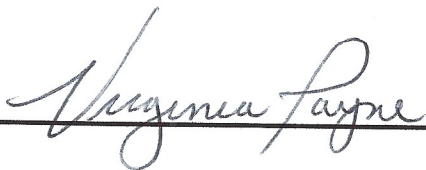
Ticket drawn for a free lot for \$73.21 was 706119 Connie Tilger

Motion to adjourn Ellen first Connie second

*Adjournment at 1:41PM*

Minutes submitted by Virginia Payne

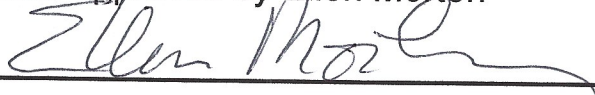
Date



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Minutes approved by Ellen Morton

Date



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