

TRPPOA Annual Property Owner Meeting Minutes  
December 6, 2016  
Oklahoma Community Center

Presiding: Scott Nicholas (President), Bill Galloway (Treasurer)

Attendees: Property Owners per sign-in sheet

Meeting called to order 7:06pm

Opening address to Property Owners.

Roll call / Proxy Determination

- 43 Members in attendance or proxies received. A quorum is present.

Reading of Previous Meeting Minutes

- Due to the sudden and unexpected resignation of the Secretary, reading of the prior meeting's minutes was not possible.
- Scott committed to having the previous meeting's minutes distributed by email for Property Owner reference
  - o ACTION: Secretary to distribute Prior Meeting Minutes coincident with distribution of this meeting's minutes

Reports of Officers

- Bill distributed a copy of the Treasurer's Report to all attendees.
  - o ACTION: Distribute a copy of the Treasurer's Report to all Property Owners coincident with issuance of Minutes
- Bill described the net worth, noting that the data presented throughout the report is a snapshot October 31 data, as noted on each page of the report.
- Bill noted that the income is largely derived from dues with a very small contribution from late fees and transfer fees
- Bill informed the audience that he had a few remotes for the gates and that anyone needing remotes should reach out to Bill. Bill reminded the Property Owners that new houses get two (2) remotes initially and that they are to be transferred to new owners when houses are sold. Bill also shared that replacement remotes are available for purchase.
- Bill walked through the Spending by Category data noting the key areas of spend for the last 12 months as being repairs related to the gates, landscaping/mowing and replacement of lighting due to corroded wiring
- Questions raised:
  - o Why was mowing on the report twice
    - Mowing service provider charges for mowing of gate separate from everything so the cost is split between the related categories
  - o Why it was that not all received outside mowing
    - Explanation that the county normally provides mowing when the grass is tall, but the country didn't appear to mow this year
      - Property Owners were informed that they could call Precinct 2 office and ask the county to mow
  - o What was the cost related to trash pickup

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- Service to pick up trash along a specific section once per week
- Motion raised and seconded to accept the report. Vote taken from the floor to accept the report. Unanimously accepted.
- Scott shared about the replacement of the gate entry panels indicating that the new system will require the user to enter # and the code. Scott also required some fine tuning may be required after they are installed.

#### Election of Directors

- Nominations from the floor were solicited. No nominations beyond those noted in the previously distributed Proxy were raised. Nomination requested was closed
- Vote on nominations as per Proxy was taken from the floor.
  - Scott Nicholas was unanimously approved for a 2 year term as President
  - Fernando Rueda was unanimously approved for a 2 year term as Treasurer
  - Lisa Hager was unanimously approved to complete Tom Griffith's remaining term as Secretary

#### Old Business

- Speed limit signs (3) to be purchased to replace old ones. Likely requires replacement of the poles as well.
- Ratify 2015 annual dues
  - A description of the context behind this item being on the agenda. In summary, during last year's meeting there was discussion about the dues rate and how it was set. There was disagreement on the assessment process. The Board took the follow up, developed an interpretation and had it reviewed by an attorney. The interpretation does not replace the current language. In essence, the result is no change. Assessments can follow CPI without a vote. Special assessments have to be voted upon and approved by the Property Owners.
  - Bill read a proposal from 2014 in which the Property Owners voted on an agreement. The voting procedure was followed and the agreement was approved. It was noted subsequently that at the time the agenda did not clearly specify what the agreement specifically was. The attorney advised that the prudent course of action was to bring the matter up for a vote that confirms the past decision. A motion was made to reconfirm the agreement which was seconded. All but one Property Owner in attendance voted in support of ratification.
  - A discussion was had during this section of the agenda relative to the Proxy and how it should be used and what it should include
    - Discussion from the floor included that the Board should consider including items that are known in advance to be brought forward for a vote so that Property Owners who cannot attend can cast their vote for or against those know items. It was understood that not everything could be anticipated in advance, but this would give Property Owners who are not in attendance the opportunity to vote, which was expressed as being important especially on matters that related to money.

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- Concern was raised that we may be doing the same thing we did previously and may give the appearance of lack of transparency on what is actually being voted on.
- Discussion also included that the purpose of the Proxy was to give your voting power to another individual to vote on your behalf and that this was different than giving Property Owners the ability to cast an absentee vote on matters.
- A clarifying question was raised as to what cumulative CPI was and it was described as the Consumer Price Index also referred to as inflation, has changed since 1994.

New Business

- Battery backup
  - Proposed engagement of a service to replace the battery once per year
    - Concern raised that this approach doesn't really address the issue
      - Proposal raised to have a preventative maintenance contract to periodically test the battery
        - It was confirmed that we do not have preventative maintenance arrangement currently and even doing so would not be a 100% guarantee
    - An opinion was shared from the floor that this item fell into the category of maintenance and was at the Board's discretion to resolve. No further discussion was had on this topic.
- New Entry Panels and limitations for Property Owners without landlines
  - Not all Property Owners have land lines which due to the limitations of the current phone service for the panels, Property Owners without land lines cannot be set up to receive calls from the gate because the plan limits calls to being within its area code only. Changing the service could double the cost of the already expensive phone service.
    - Question was raised if it could be wifi enabled. The response was that there is no infrastructure currently installed to support this and doing so would be costly.
  - No further discussion was had on this topic.
- Washed out trail
  - There was a request to have the association help replace the section of the trail that was washed out by recent flood events. The discussion was around having large concrete pieces and crushed limestone, or similar, and topped with something like clay, or other material, so that people and horses could walk on it and so that all Property Owners could enjoy the full trail.
  - A proposal was made to enable the Board to spend no more than \$5,000 to restore the trail back to its original state. The proposal was unanimously approved by the meeting attendees.
    - The Board requested Property Owner help in moving the various materials from the roadway back to the portion of the trail requiring restoration.

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There was a request for a workday for this activity to be scheduled and communicated in advance so that Property Owners could provide assistance, as available.

- Questions raised during this section included:
  - Whether the materials being proposed to restore the trail would be permanent. The response was that the repair would be permanent based on normal circumstances
  - Who maintained the entrance to the trail as the grass had been as much as 4 feet tall and since it wasn't maintained, trail users were utilizing the nearby driveway instead. There was concern that they were not allowed to use the driveway.
    - It was clarified that the driveway was built on part of the trail easement and therefore Property Owners had the right to use the driveway.
- Concern raised relative to Bylaws requirement on timing of Annual Property Owners meeting.
  - Current Bylaws indicate a requirement for a meeting in May. Current meeting doesn't meet that requirement.
  - Discussion on whether there would be support from the Property Owners to amend the Bylaws and if so what should they be amended to.
    - Request for the Board to consider having the meeting earlier in the year, in the event a quorum is not met which could push the meeting into the next year. No strong preference on timing was expressed collectively with a request to consider making the language flexible enough if it is amended.
  - Board to engage the attorney to confirm the process required to amend the Bylaws
- Increase privacy assessment by \$66 to catch up to CPI (Consumer Price Index)
  - The last page of the Treasurer's Report was reviewed. This page outlines the cumulative CPI since 1994 versus the percent change on dues
  - Prior year's CPI was 1.1%
  - The proposal being submitted for vote is a \$66.00 catch up assessment, for the privacy tracts, that if approved, moves the privacy tract dues close to cumulative CPI.
  - Discussion on this proposal included:
    - Board can effect an increase in dues that is aligned with CPI, but it cannot affect a catch up increase that is large than annual CPI without a vote of the Property Owners
    - Board shared that the rationale for increasing only the inside tracts dues is that they benefit more from the TRPPOA investments, e.g., roads, mowing, landscaping, gates, etc. than outside tracts and hence the differentiation.
    - A concern was raised that there was a risk of repeating the issue from 2014 where the agenda was not clear on the specifics around the increase, especially given the linkage of the increase to help with saving more dollars for roads

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- It was clarified that funds generated from the increase would be applied to any expense, not just roads.
- A comment was shared from the floor that the Treasurer's Report did seem to suggest that there was a need for general funds. The Property Owner suggested that if there was a need for a special assessment to raised funds for roads, then for transparency a specific proposal should be made for a special assessment.
  - Further suggestion that the Board ensure that Property Owners be made aware of the specifics of items coming up for vote prior to the meeting
  - Current balance of road fund is at \$85K. Last estimate for scope of work that includes Riata and entry way, is \$150K. Given that there is one house under construction and 3 other properties that could be built on, there was still time to build up the fund over time until there was less risk of heavy vehicle traffic that would impact the roadway.
  - A question was raised relative to the ~\$50K in savings to which the Treasurer explain that was for cash management as the savings account generates a small amount of interest.
- The discussion was closed and the proposal to increase the dues by \$66 for the privacy tracts was brought to a vote.
  - The proposal was approved with notation of one Nay vote.
- Proposal to move funds from general fund to road fund
  - A proposal was raised to set aside \$15K from the general fund and place it in the road fund.
    - There were no questions or discussion points raised.
    - The proposal was brought to vote and was unanimously approved.
- Concern raised to the board relative to parking of flatbed trailers and horse trailers parked in unsightly locations.
  - Restrictions speak to recreation vehicles and trailers that can be lived in but does not specifically speak to the trailers of concern and as such the Board does not have enforcement grounds
  - It was clarified that the trailer is parked on the side of the house but given the location and lack of screening the trailer can be seen.
  - The general nuisance and appearance rules were also raised as potential enforcement angle as was the vegetation requirement and rules related to removal of vegetation
  - It was concluded that the Board did not have sufficient grounds for enforcement however after aligning with the concerned Property Owner, Scott agreed to make a neighborly request to the Property Owner with the trailer park on the side of the house to encourage them to take actions to obscure the trailer from view including consideration of shrubbery. This was agreed to by the Property Owner raising the concern.
    - ACTION: Scott to take action as outlined.
- This year's dues

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- A question was raised relative to who should receive the dues for this year.
- It was noted that Fernando would align with Bill for Bill to send the notification for dues but request they be remitted to Fernando in his new capacity as Treasurer.

With no further business, the meeting adjourned

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