

THE RESERVE AT BATTLE CREEK – Master HOA Board

Meeting Minutes

May 18, 2017

Called to Order: 7:05 p.m.

Adjourned: 8:55 p.m.

Present: Janet Bassett, Dorothy DeBorde, Ty Frederick, Karlie Pagano, Donna Metcalf, Lori Gracey, and Robin DeArmon with HOA Management

Location Communication Credit Union

Next meeting: June 15, 2017 at Communication Credit Union

I. Minutes

Minutes from the previous meeting held on April 20, 2017 were distributed by email and approved unanimously by the Board Members. The Minutes are posted on the website, battlecreekreserve.com.

II. Treasurer's Report

Dorothy gave the Treasurer's report. She had reviewed and approved the financial statements from Robin prior to the meeting and distributed the reports to the Board by email.

Discussion:

- Landscaping expenses were up due to tree maintenance, and the cost of the new fountain on the L-shaped pond added to this month's repairs and maintenance.
- Water bills were lower overall due to credits.
- The Master Association is \$9,068.65 under budget for fiscal year 2017.

Approval

- Dorothy moved to accept the Treasurer's Report; Ty seconded the motion and the report was unanimously approved.

III. Landscaping Report

- Janet reported on complaints from residents about weeds in the common grassy areas. Donna noted that she had contacted OT Lawns about the weeds and that they will be sprayed once there is sufficient break in the recent rainy weather.
- The ponds were recently treated for algae and landscaping debris around the ponds has mostly been hauled off. Some fallen tree branches and such still remain for OT Lawns to remove.
- Larry is keeping an eye on the flower beds and adjusting the sprinkler settings as needed.

IV. HOA Report

- Three homes were noted as being out of compliance regarding their yard maintenance. Courtesy letters reminding the residence of the need to take care of weeds and lawn will be sent.
- Complaints were received concerning the home on S Ironwood with the construction dumpster in the drive. The issue will be turned over to City Code Enforcement.
- Late fees were added to the four liens for outstanding dues. There was discussion about how these fees were calculated.
- The concern about the vehicle that parks on Elm Place seems to have been resolved following the courtesy letter that was sent.

V. Old Business

- Nothing new has been heard concerning the payment of outstanding dues for the foreclosed property.
- Neighborhood Signage Covenant
 - The current Covenant that states: "*No sign of any kind shall be displayed to the public view on any lot except one sign of not more than 6 square feet advertising the property for sale or rent or signs used by a builder to advertise the property during the construction and sales period.*"
 - Janet shared what she had learned from Matt Graham that the matter is often viewed as a matter of Contract rather than an issue of First Amendment rights.

- Ty shared research from Larry F., who could not attend the meeting. Based on Larry's research, he viewed the issue as a matter of State and local government not being allowed to limit free speech, but that contract law and not the First Amendment pertained to HOA covenants.
- Lori pointed to the Oklahoma Real Estate Development Act of 1975 that requires subdivisions developed since then to have an HOA with covenants which ostensibly makes HOA covenants an extension of State authority and therefore subject to the First Amendment and comparable passage of the Oklahoma Constitution (§11-22)
- Dorothy opposed any changes to the covenant preferring it remain as it is and that it be enforced accordingly.
- Lori proposed amending the covenant to allow residents to display yard signs with moderate limitations. The wording she proposed was based on other States' HOA Covenants and read as follows: *"Residents are permitted to post signs, including political signs, on their private property, in the ground, in the window, or on the fence that are no more than 6 square feet in size (e.g. 2 ft. x 3 ft.). One political sign for each issue or candidate may be displayed from 60 days prior to an election to 5 days after."*
- Lori moved to accept the proposed change. Karlie seconded the motion. Discussion followed.
- Many felt it best to leave the covenant as is, but not pursue stringent enforcement; others felt that ignoring the covenant undermined the authority of other covenants. There was concern over the appearance of signs, how many signs might be displayed, forced removal of existing signs, and limitation of freedom of expression.
- Following discussion, all members in attendance agreed to table the issue until next meeting. Kim and Robin will check on how to amend Covenants and will also research how other HOAs are managing signage in their neighborhoods.
- Landscaping Bids – HOA Management has not received any bids yet. Robin will follow-up on the bid process and will use the specs from the previous Request for Proposal when soliciting bids from current or new contractors.
- Garage Sale
 - The sale is scheduled for the upcoming weekend of May 20th.
 - Signs have been posted for a week announcing the sale.
 - There will not be a post-sale pickup by a local charity as none were available for Saturdays.
 - The gates will be open from 7:45 until 3:15 the day of the sale. One resident in the Villas requested to open the gates on Friday also as her sale will be for two days.
 - Karlie will post pictures of items for sale by residents on Craig's List once she receives pictures of items.
- The issue concerning the barking dogs reported last month has been resolved.

VI. New Business

- Annual Homeowners Meeting
 - The meeting will be held August 22nd at the Battle Creek Golf Course clubhouse.
 - Donna will confirm the reservation of the clubhouse.
 - Dorothy will prepare a draft of the budget to be reviewed at the next board meeting in June.
 - Karlie will coordinate donations of items for door prizes and a raffle to encourage attendance at the meeting.
 - Robin will check on what documents need to be sent to residents before the meeting and provided at the meeting based on what was sent out for the 2016 meeting.
- Neighborhood Activities
 - In addition to doing an ice-breaker activity and having door prizes at the Annual Meeting, Karlie discussed several other ideas for building community involvement. These included:
 - Kite flying in one of the open reserve areas
 - Fishing day at the L-shaped pond
 - A September block party with a band and food trucks; Ty will check on bands, Karlie will check on food trucks

VII. Adjournment

All business being concluded, Janet adjourned the meeting at 8:55.