

**Tyler Oak Creek**  
**Property Owners Association, Inc.**  
Annual Meeting Minutes  
April 27, 2021 • 6:00 pm  
Zoom Meeting

The meeting for Tyler Oak Creek Property Owners Association, Inc. Annual Meeting was called to order at 6:01 p.m. by Carrie Montgomery with Rose City Property Management. Kim Stewart with Rose City Property Management was also in attendance.

Between proxies and homeowners present via Zoom, a quorum was represented. There were 22 households present via Zoom.

Ms. Montgomery reviewed the March 2021 financials. It was asked if the financials are posted anywhere for owners to view. The financials are on the TownSq. site and may view them there once signed up. There were no questions regarding the financials presented.

**Homeowner Forum – Discussion Items:**

Owners had sent in several questions prior to the meeting. Ms. Montgomery reviewed the following questions sent in which are listed below:

1. **Budget transparency – is it posted anywhere?** Monthly financials are available on TownSq.
  - a. TownSq. link is <https://app.townsq.io/login>
2. **How often does RCPM do inspections?**
  - a. RCPM does bi-weekly inspections and visits the association as needed when various items come up.
3. **What are the plans for the entry/monument landscaping from the cold snap?**
  - a. The dead shrubs behind the rose bushes will be removed and any other dead plant material. Nothing will replace the shrubs at this time, we would like to see how the rose bushes fill out with them removed.
4. **What property is being maintained by the HOA?**
  - a. The association common area is Oak Creek Blvd. from the wrought iron fencing to the curb and the trees there; Club Drive from the fences to the curb and any trees along there. It is hard to say what all common area the association will end up with as the development unfolds.
5. **Weed control for common areas?**
  - a. A regular weed and fertilization program will begin this summer for all sodded common areas.
6. **Landscape on north side of Club Drive?**
  - a. This needs sod which should be done by June.
7. **Common area maintenance schedule?**
  - a. During the winter it is as needed, during the growing season it will be bi-weekly and then weekly during the summer.
8. **Landscaping on Oak Creek, gets muddy.**
  - a. This will be better sodded, dead trees in these greenbelt/easement areas will be replaced and mulch added around each tree.

**9. Street lights out.**

- a. Owners can report these to RCPM, if there is a ESI number on the pole, please include that for or an address the light is at or near.

**10. Fence stain standard for owners?**

- a. There is not a provision for this in the documents RCPM does look for fence slats needing replaced, etc. during inspections.

**11. The budget provides \$8,400 for Professional Management Fees. What is being managed?**

- a. Management includes being the point of contact for owners on association items and their assessments, we must ensure the association is in good standing with the state and complies with current state statutes, keep up with new legislation for governance of owner associations as laws change regarding renting, fining, board member requirements, etc. Have the state and franchise taxes filed with a CPA every year. Manage the associations insurance policies, enforce the governing documents, bill for, and collect owner assessments, pay the association bills and balance the monthly accounts, maintain the books and records for the association, manage any association contractors and obtain bids if needed for common area maintenance and repairs, along with other special circumstance type items that come up.

**12. Contractor clean-up, lot maintenance, nails, etc.**

- a. We do contact builders regarding their work sites, but this is something that can be hard to control with different sub-contractors coming and going for each build site, but we are following up with builders on build conditions that need improvement.

**13. Fines and citation schedule - modify to include a courtesy call before initiating fines particularly unnecessary threats of direct legal action that could be resolved with a call verse a \$25+ admin fee for letters.**

- a. Violation letters go out at the cost of postage. Owners should be receiving a 1<sup>st</sup> notice, 2<sup>nd</sup> notice and final notice stating what the specific enforcement action will be if not corrected in 10 days. If the owner still is not in compliance, they will receive notices of fine that start at \$25, then \$50, \$75, and \$100 per fine thereafter until the violation is cured. If it is a lot mowing enforcement, the association can force mow the lot and charge that back to the lot owner. The developer tries to mow every couple months. The fine is charged to the owners account and when paid goes to the association's operating account. This is not a RCPM fine, it is an association fine for non-compliance with the governing documents.

Calls are not made to owners, legally we have to notify the owner in writing.

**14. How/when will there be homeowner involvement in the HOA and to what extend? Board positions?**

- a. The association will be under development for several years and will not transition to owner control until the development is built out. At the time of transition, a homeowner board would be elected at the Transition Meeting.

**15. What are the future plans for the Tyler Athletic Club to accommodate parking as membership grows?**

- a. We do not know of plans to create additional parking; they would need to be contacted directly on club questions.

**16. Sidewalks on Club Drive**

- a. Sidewalks are installed by the builders during new home construction. The sidewalk along Club Drive will be installed when the house on the corner is completed.

**17. Stop sign at corner of Oak Creek and Club Drive**

- a. The streets are owned, maintained, and governed by the City of Tyler. The association can put a request in for a stop sign and owners are encouraged to contact the city with the same request. The city generally acts more quickly with the owners requesting items of this nature as they are the ones living in the area and it helps to have more than 1 person/entity calling. The city normally will not install speed humps for maintenance and liability purposes.

**18. Mandatory membership with the Tyler Athletic Club.**

- a. Section 9.07 D. states that five years after the date of transition from developer to homeowner controlled, the membership can vote to terminate the mandatory membership. 60% need to vote in favor, that would be conveyed to the tennis club and at that time the mandatory membership would be void. If the vote does not pass the 1<sup>st</sup> time, the membership cannot vote on it again for another 5 years.

**19. Mandatory club membership - explanation of benefit. Will membership to outside community be limited to ensure availability of club services to mandatory membership once neighborhood fully developed? How are outside club patrons contributing to cost for road maintenance, community safety, etc.**

- a. The roads are public and maintained by the City of Tyler. We have no say in club activity.

**20. Plan for Club Dr. to cut through to Cumberland?**

- a. Tyler has this on the 2023 budget.

**21. What about all the cars that park on both sides of the road by the club. Makes it very difficult at times to get by. Especially unsafe if someone happens to be walking in that area at that time. Lots of times there's plenty of parking in the lot, but I guess people just like parking on the street. If they have to park on the street, could it at least be one side or the other, not both?**

- a. Owners can call the police if traffic is being impeded by club members parking on the street. If enough people call on it and request that parking be limited to 1 side of the road, the city may come in and install no parking signs on one side of the street.

**22. This might seem silly because there is a pool at the club, but this development is growing and pool is very crowded in summer, chances the developers could put in another community pool towards back maybe.**

- a. The developer is looking at several options for community amenities, they are speaking with designers and it is hard to say yet what will end up being done but there will be amenities added as the association is developed.

The meeting was adjourned at 6:49 p.m.

Respectfully submitted by:

Carrie Montgomery, Vice President of Community Management  
Agent of Tyler Oak Creek Property Owner's Association, Inc.  
Rose City Property Management