

Minutes for Indian Ridge HOA

Date: September 26th, 2023

Time Called to Order: 6:33pm

Place: Hope City Church

Minutes: Submitted by Sarah Wayland

Attendance:

Board Present: Scott Stuart, Brooke Wood, Tim Deimund, Allie Gellerman, Sarah Wayland, Katie Webb, KoKo Barber, Katie Hilton, and RJ Hamilton

Term:

President - 1 year (April 2023-April 2024)

Vice President - 2 years (April 2023-April 2025)

Treasurer - 1 year (April 2023-April 2024)

Secretary - 2 years (April 2023-April 2025)

Member-at-Large - 1 year (April 2023-April 2024)

Meeting Minutes:

Scott made a motion to approve the June 6th, 2023 meeting minutes and Brook seconded the motion. Minutes will be posted on the website.

Tim made a motion to approve the June 26th, 2023 meeting minutes and KoKo seconded the motion. Minutes will be posted on the website.

Charlie Meadows - Logan County 2 Year Plan:

Charlie spoke about the following:

- Roading funding process for Logan County. Document is attached with minutes.
- Utilizing our area of Logan County as a Tif District to help with roads getting paved.
- In the process of purchasing the DHS building in Guthrie for new county officials office.
- No equipment to brush hog/mow Anderson/Simmons Rd at this time.
- In talks with Winco to put a grocery store in Logan County (3 miles North from Crest). Charlie suggested residents go on Winco FB page and comment to bring Winco near us.
- Waterloo/I-35 interchange has a projected completion date of 2025.
- Logan County and Oklahoma County trying to work out a deal to repave Waterloo Rd to Post Rd. Projected completion date 2024/2025.

2024 Budget Review:

Allie reviewed the 2024 Budget (posted on the website) and mentioned insurance and landscape items are the higher ticket items for our neighborhood. We are projecting \$43,000 in HOA dues for March 2024.

Old Business:

Scott gave us an update regarding the neighborhood insurance. He is currently working on getting 3 quotes and still waiting for underwriting to give him an updated quote.

Jake Wood gave us an update regarding the new lawn care company for the neighborhood. The lawn care is taken care of by Modern Environment once a week on Friday's, but will start being reduced to bi-weekly with the cooler weather moving in. Currently looking for ideas for the islands throughout the

neighborhood since there is no water supply to them - zero scape landscaping, rocks or easy maintenance drought tolerant plants were discussed. Jake will be giving us a quote to handle Christmas lights at both entrances for the holiday.

The well pump at the front entrance on Anderson Rd had to be repaired with the cost of \$3,000 to repair. This has been completed by Miller Drilling & Well Service.

New Business:

Bylaw and CCR questions/concerns are posted with the minutes for residents to review the Board's respond.

Effective March 1st, 2024 Phase 1 and Phase 2 residents trash cans must not be visible from the street. **CCR'S SECTION 3.15** Views from Street or Homestead / Lot. All clotheslines, garbage cans, equipment, coolers, or storage piles shall be located as not to be visible from any other Homestead / Lot within the Project. Garbage cans may be visible on the day of pick-up only and shall be hidden from sight at all other times. Rules and Regulations may be adopted by the Board of Directors in conformance with the requirements for adopting Rules and Regulations set forth herein and in the Bylaws regarding the appearance of visible areas of a Homestead / Lot and those items that may or may not be placed thereon.

Vote:

Katie Webb has stepped down from the Member-at-Large position and with majority vote Marty Lundy will be the new Member-at-Large for the Board.

The Board could not move forward with any other proposed votes due to not enough residents voting per the Bylaws. Another meeting will be held on Wednesday, October 11th at 6:30pm to approve the current Board and 2024 Budget.

Katie Hilton made a motion to hold off on a neighborhood vote for the Bylaws and CCR's until after the attorney has reviewed both documents. Katie Webb seconded the motion and the group in attendance approved.

Adjourned: 8:14pm

ROAD FUNDING

Contrary to popular belief, roads are not funded through property tax. Roads are primarily funded by fuel tax, motor vehicle tax and gross production tax. These taxes are collected by the Oklahoma Tax Commission (OTC) from each county. The OTC applies a formula to the collections to distribute the taxes back to each county. The formula is based upon population, square miles and bridge count, with population being the largest factor. Funds are received monthly by the County Treasurer, equally divided and appropriated to each road district. These funds are used for personnel costs, equipment, maintenance, fuel, repairs, materials and supplies.

Sales Tax

In 2014 the citizens of Logan County voted to established a 1/4cent sales tax for roads. This is received monthly, equally divided and appropriated to each road district.

CIRB-Mv

In 2021 the state legislature voted to send up to 120 million dollars per year from the County Improvements of Roads and Bridges (CIRB) fund directly to counties. Funds are divided equally to each of the seventy-seven counties. These funds may be used for any lawful road district purpose.

CBRI

County Bridge and Road Improvement (CBRI) are state funds sent directly to the counties. These funds are to be used for projects, not maintenance costs. CBRI may be used for engineering, construction or grant match funds for projects.

CIRB

County Improvements of Roads and Bridges (CIRB) funds are state funds used for large county projects that cost more than a county could do on its own. Funds are divided by eight ODOT districts in the state. Counties submit projects to be placed on the CIRB Five-year Plan. ODOT manages the projects including engineering and design, conducting bids, necessary purchase of right-of-way, relocation of utilities, obtaining any necessary state and/or federal permits.

OTHER FUNDS

Other funds such as Surface Transportation Block grants may be available. These funds are usually done through an application process and approved by a governing board. Often there are requirements regarding the population of an area, income of an area or other qualifying parameters. It can be difficult to qualify and compete with other entities for this funding.

CCR's Questions:

- Section 2.6D. At the sole by-law committee I attended there was discussion of it being a good idea to have the residents who own an additional lot not have a vote and just pay half the dues. This is what our household feels is best as it will still help give continued ownership of the lot for upkeep. We feel as though since owning an extra lot doesn't generate additional road/gate usage, which is the the only current amenity our neighborhood offers, this is fair as we wouldn't need the additional funds from that lot for repairs etc.
 - **Written in CCRs as:** D. Unoccupied Lots. Anyone, including Builders who hold title for the purposes of constructing a home and reselling same, or for investment purposes, shall not be responsible for payment of Annual Dues or other Assessments, nor may any Assessment be imposed upon the first sale or transfer to a Lot from the Declarant or a Builder to an Owner. This prohibition does not apply to any home or unit used as rental property.
 - **Notes:** Section 2.6A add “.....all owners/homesteads shall be obligated...”
- Parking - somehow there are two sections about parking, Section 2.8 and 3.14. Both sections state different rules about parking. Our suggestion would be to have ONE section about parking.
 - **Written in CCRs as:**
SECTION 2.8 Parking Rules and Regulations for Owners and Guests. All parking by Owners and Guests will be in accordance with the Rules and Regulations adopted by the Board for the good of the community and may include, but shall not be limited to, the following:
 - i. Continuous parking along or on the streets shall be prohibited.
 - ii. Continuous parking of commercial trucks (not including pickup trucks used for everyday transportation) shall be prohibited.
 - iii. Parking anywhere on a Homestead / Lot is prohibited except on the driveway as originally constructed or improved. Extension of an originally constructed driveway shall be approved by the Architectural Committee and the Owner shall obtain and retain the written consent of the Association upon completion.
 - iv. Such other Rules and Regulations as the Board deems appropriate.

Subject to the provisions of **Section 2.7 (Rules and Regulations; Fine; Enforcement)**, the Board of Directors may modify the above Rules and Regulation and may adopt further Rules and Regulations in accordance with the authority granted in **Section 2.7** and in the Bylaws.

SECTION 3.14 Parking Rules and Regulations for Owners and Guests. The initial Rules and Regulations for parking shall be as follows:

- i. Continuous parking of any type of vehicle in any street in the Subject property is not allowed;
- ii. Continuous parking of any other vehicle not used for everyday transportation including, but not limited to, commercial vehicles, boats, trailers, trucks (except as provided herein), campers, recreational vehicles, or motor homes is not allowed anywhere in the project including the private driveways unless said vehicle is parked behind a solid fence and has been approved in writing by the Board of Directors as to location and site screening.
- iii. One ton pickups that are used for every day transportation may be parked on private driveways;
- iv. The Board of Directors may modify the above Rules and Regulations and may adopt further Rules and Regulations in accordance with the authority granted in **Section 2.8** hereinabove and the Bylaws.

- **Notes:** Section 2.8 - add "see section 3.14; Section 3.14 - add "see section 2.8"

- **What happens incase of a birthday party? Where are guests to park? In our previous neighborhoods a common area maintained by the neighborhood was available for guest parking but we don't have that amenity here.**

- Common sense of a timeline

- **What about RV loading/unloading? And then even more families had the concern about trailer loading/unloading for big equipment needs and parking until trailer can be taken back?**

- Common sense of a timeline

- **How are these rules going to be enforced? In our previous experience with our HOAs we discovered that there isn't legally a way to enforce such rules. After a lot of talking with law enforcement and other city officials in the previous towns we lived in the conclusion to enforce parking rules was that a Board Member would have to go to the house to knock on the door to ask the resident to move the vehicle. If contact wasn't able to be made we would then have to try to contact via email/phone to ask them to move it. If that didn't work our only last option was to mail a letter. Our concern is that with our neighborhood being gated this would be even more difficult. We would like to suggest changing the wording to say "no longer than a week" to help both make this rule easier to follow for both board members and residents.**

- Common sense of a timeline

- **Section 3.5** The roof rule changes from being okay to black to then stating that in case of a re-roofing that the roof must be weathered-wood look. This concerns us from an aesthetic outlook because a home originally built with a color scheme of a black roof wouldn't look as good to re-roof to a weathered look. If black is initially approved we feel as though it should continue to be approved thereafter as well.
 - **Written in CCRs as: Roofs.** Roofs shall be thirty (30) year architectural composition roofing, with a minimum pitch of 9/12. Color to be approved by by the Architectural Committee. No three-tab shingles allowed. Any deviation from this standard must be approved in writing by the Declarant or, if the Declarant no longer owns any lots or un-platted land in the Project, by the Architectural Committee and / or Association. Solar panels may be approved subject to the prior approval of the Architectural Committee / Association. Solar panels shall not installed on the side of the residence / structure facing the street.
- **I assume hiring a professional attorney would fix these issues but the spacing between the sections need improvement. For example between sections 3.5 and 3.6 I almost completely missed 3.6.**
 - **Attorney to review**
- **Section 3.10-this is vague and confusing. How will "presentable condition as determined by the Board of Directors" be determined? In our opinion, with section 3.24 in place these sentences should be left out as it could be left up for speculation.**
 - **Written in CCR's as:** Owner of any Homestead / Lot shall not use or allow the use of such Homestead / Lot for any purpose which will be noxious, offensive or detrimental to the use of the other Homestead / Lot or which will create or emit any objectionable, offensive or noxious odors, dust, gases, fumes or other such material or which will in any manner violate any applicable zoning ordinance or other regulations enacted by any duly constituted governmental authority. No noxious or offensive activity shall be carried on, nor shall anything be done therein which may be or may become an annoyance or nuisance. Every Homestead / Lot shall be kept in a presentable condition as determined by the Board of Directors. All Lots should be regularly mowed and trimmed, all landscaping shall be kept neat in appearance.

The Association by and through its Board of Directors, at its discretion, may mow any Homestead / Lot that has not be kept presentable after five (5) days notice to the Owner hereof, which notice shall be accomplished by registered mail. Grass or weeds shall not exceed eight (8) inches in height. The Association may also trim trees and remove trash or debris. The cost for any of the aforesaid shall be

borne by the Owner and shall be enforceable in the manner stated in the Declarations for unpaid fines.

- **Notes:** Section 3.10 eliminate lot and only use homestead
- **Section 3.16** not that this would ever effect our family directly but we honestly feel like who cares if someone has an above ground pool? If it's in someones backyard it would only be seen by the homeowners so who cares? We say leave this out.
 - **Written in CCR's as: SECTION 3.16 Tanks; Above Ground Swimming Pools.** No elevated tanks of any kind shall be erected, placed or permitted on any Homestead / Lot. No above ground swimming pools shall be allowed.
 - **Notes:** Will effective property value
- **Section 3.24 - Do we really want to make mowing weekly a rule that would have to be enforced by the board? We now hire lawn people who do mow weekly however, there was a time when that would have been extremely difficult to follow some weeks being busy business owners and parents to two young children. Throw a sickness or travel in there and a week goes by really quickly. A lawn doesn't look out of control at the two week mark so our suggestion is to change it to that.**
 - **Written in CCR's as: SECTION 3.24 Lawn & Landscape Requirements.**
 - A. Mowing. Lawns shall be mowed each week by the homeowner during growing season. Grass clippings may not be blown into the street or into a neighbor's Homestead / Lot. Edging of streets, sidewalks and driveways and flower beds shall be required at least once every two (2) weeks. Grass or weeds shall not exceed eight (8) inches in height.
 - **Notes:** Add "refer to section 3.10"
- **Section 5.4 - This is ridiculous and no necessary.**
 - **Written in CCR's as: SECTION 5.4 Gender.** Whenever the context so requires, the use of the masculine gender in this Declaration shall be deemed to refer to the feminine or neuter gender and the use of the singular shall be deemed to refer to the plural, and vice versa.
 - **Notes:** Leave in CCR's

- **Other issues: Drainage Issues caused by the developer that is NOT the residents fault (referring to section 4.7) Could a resident sue the HOA over damages caused by flooding? There are homes that have dealt with flooding in their homes.**
 - **Written in CCR's as: SECTION 4.7 Special Lien Rights of the Declarant with regard to erosion problems.** Any buyer of an undeveloped Lot recognizes that erosion is a special problem of significant concern to the responsible governmental entities and that the Declarant may be held liable to those governing entities if the buyer does not provide adequate protections against erosion of the soil into the street, drainageways and sewer system. Therefore, the Declarant retains the right to remedy any erosion problems emanating from a Lot. All costs incurred by Declarant in resolving an erosion problem are the liability and responsibility of the Lot Owner. In normal circumstances, the Declarant will give notice to the Lot Owner which notice will allow a reasonable time for Lot Owner to remediate the problem. However, in an emergency situation no notice is necessary and the Declarant may take any steps necessary to remedy the erosion problem. In that case the Lot Owner is liable and responsible for all costs reasonably incurred by the Declarant and the Declarant has the right to file a lien on Lot Owners property to secure payment therefore.
 - **Notes:** Inform the Board of issues who will contact the builder/developer

Bylaw Questions:

- **Article II (2.) Do we cast our vote here or will this be done at the meeting? If it's here our household votes for 5% without consent/vote from the entire neighborhood**
 - **Bylaw written as: VOTING:** Except as to the Developer, hereinafter referred to as the "Declarant" (who has 1 vote per Lot owned), there shall be one vote per one Home/Lot/Homestead owned. Co-owners or joint tenants shall only exercise one vote. No fractional votes are allowed. No Home/Lot/Homestead owner not current in his/her/their annual dues may vote at any meeting, however, said Owner's attendance may be counted for Quorum purposes.
 - **Notes:** If vote online/absentee ballot can not vote again in person.
- **Article VI - The positions of the Board is very confusing. Under number 1 it lists the directors as President, Vice President, Secretary, Treasurer, and Member at Large with a possibility of a "officer" who is Maintenance Chair/Gate. This made up position isn't listed below that where each Board Member's role is listed with the required duties.**
 - **Notes:** This is a Committee position, not a Board position
- **And then number 9 is very vague as if any additional position can be created at anytime. Due to the fact that this document also states that the Board can within themselves fill a vacancy I think we need to have the positions clearly listed with their duties so positions don't continue to be created at the Boards discretion. This will create trust and transparency which a lot of residents feel like is lacking right now. I also don't see any "voting member" positions that are currently listed on the website which I agree with. In all the HOA research I did I never saw these positions listed as Board Members. It's a great idea to have an odd number of members in case of a swing vote among the board so I'm glad there are 5 positions for board members. Again, talking of our past HOA experience it became harder and harder to keep positions filled as the neighborhood became established (and more and more drama ensued...like having to knock on doors to enforce parking. No one wanted to be involved after that). The more positions there are the harder it could become to keep them filled as would be the legal requirement once this document is finalized and filed.**
 - **Notes:** Separated section 9 into two separate sections making a section 10.

- a. (9) The remaining Directors elected to the Board shall serve as the representatives of their phase and shall be elected by the Owners within that phase that is currently associated with the HOA.
 - b. (10) In the event the Board needs to replace a Director due to the resignation or removal of an Officer, the position shall be appointed by the President chosen from the phase that is currently associated with the HOA until such time as the Association can be called for a vote to fill the vacant position.
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- **Article VII - What does \$250,000 per person mean? Per resident or does this mean the board members? If it's the board members this isn't needed as they would be protected under Article VII (2.). If it's residents wouldn't it be ever changing as our neighborhood grows? I don't know insurance stuff so I may be completely off but just wanted some clarification.**
 - **Notes:** \$250,000 per injured/claimant resident
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- **Article XIII - How many people are in each committee? I only see this listed in section (d.) if the board is going to be appointing these committee members how many can the appoint for each committee. Also, is a board member allowed to hold a spot in a committee? The committees report to the Board so I feel like we would want some variety to get more thoughts and opinions. And then should terms be added to that eventually residents from future phases can also have an opportunity to volunteer?**
 - **Notes:** There is no set number for a committee and Board members can be on a committee as well as other people of the community can be on the committee.