

THE RESERVE AT BATTLE CREEK – Master HOA Board

Meeting Minutes

May 6, 2024

Called to Order: 6:07 p.m. **Adjourned** 7:21 p.m.

Present: Stacy Brown – President, Brenda Urner – Treasurer, David Oldham – Member at Large, Mike Love – Member at Large, Larry Mudd – Member at Large, Justin Sparr – Member at Large, Lori Gracey – Resident & Secretary

Not Attending: Karen Lowen Ames – Vice President

Residents Attending: Oscar. Davis, Rich Strain, Janet Bassett, Mary Fowler, Amanda Kenna, Rennie Bowman, Jamie Sawyer, Julie Carter, Andy Bowman, Darryl DeBorde, Dorothy DeBorde, Brooke Thompson, Josh O’Mealey, Lisa Neal, Jene Holcomb, John and Mary Pierson

Location: Battle Creek Golf Club Grill

Next meeting: June 12th, 2024, at Battle Creek Golf Club Grill, 6:00 pm

I. Introductions:

- Stacy called to order at 6:07 and board members made introductions. Attending residents then introduced themselves.
- A sign-in sheet was circulated for residents to sign with the option of providing an email address. Some residents arrived later and may not have signed the list.

II. Minutes – Secretary

- Presented and reviewed for approval by email following the April meeting.
- Changes: No changes were made.
- Approval: Stacey moved to approve; Larry seconded; unanimous approval. Will be submitted for posting to the website.

III. Treasurer’s Report – Brenda Urner

- Reports:
 - ARVEST Checking balance as of 4/30/24: \$9,889.23
 - ARVEST Money Market balance as of 4/30/24: 35,637.17
 - SouthStateBank (Florida) Checking balance as of 4/30/24: 1,210.59. These funds remained in this account to cover incoming bills for the current month. After which, the account will be closed.
 - Annual Budget is under budget as of 4/30/24 by \$2,891.06.
 - For April, there is a monthly budget variance of \$1,369.39.
- Bank Account Changes
 - Funds were transferred from the Florida bank used by PMI to new accounts opened with Arvest bank located in Broken Arrow.
- The overcharge made by PMI, amounting to a 27% increase in management fees, and equating to \$800 was refunded by PMI to the HOA SouthStateBank (Florida) Checking account on April 30th.

IV. President’s Report – Stacy Brown

- Cancellation of PMI Contract
 - PMI provided minimal services with increasing rates. It is not the opinion of the Master Board that the HOA received sufficient services to justify their fees, especially after their unnegotiated and unauthorized increases in management fees. The monthly fee had been \$750, was raised and charged wrongly at \$950. PMI documented a second breach of their contract by attempting to increase it to \$825(10%) effective June 1st before raising to the full \$950 in October of this year which is when our current contract ends.

- The Master HOA Board is responsible for maintaining 7 acres of common ground between the 3 associations. The Master Board is confident in their ability and committed to managing these properties without the assistance of a management company.
- Ponds are runoff ponds, other than the L-shaped pond, and the Board is working on environmentally friendly ways to manage them.
- SLK, the vendor providing landscaping services, manages the mowing, irrigation, plantings, and other related grounds maintenance under the supervision of the Master Board.
- Julie Pardon asked who will manage the gates. Stacy responded that the Master Board will manage the gates. A number will be provided once it is determined who in each gated area will manage the gates. David noted that at least lately PMI's response to gate issues did not resolve issues until residents spotlighted the issues on social media. Once PMI relinquishes the gate software to the Gated Board Presidents as requested in termination letter, the individual Gated Boards will take control of managing the gates. Contact numbers will be provided as soon as the Villas and Cottages take control of the gates themselves. Stacy will be the point of contact until those volunteers are identified.
- Renne Bowman asked about issues such as broken fence posts. Stacy responded that these are the details that are being worked out at this Master Board meeting. David noted that residents were not notified prior of the dissolution of the contract earlier because PMI was not trustworthy after having stolen \$800 from the HOA account. Larry also noted that PMI has not provided the Master Board with contact information for every homeowner.
- Jaymie Sawyer asked about the email from PMI. Stacy responded that PMI was not authorized to send that communication.
- Another resident (she) thanked for the Master Board for volunteering and expressed a desire to know in advance. Brenda and David reiterated that PMI stole \$800 without renegotiating the contract which prompted the Master Board to sever ties with the management company expeditiously.
- Renne Bowman asked if an explanation was given by PMI. Stacy responded that an explanation was not given and that the monies were not refunded until April 30th. PMI did not communicate with the Master Board until they responded to the Master Board's inquiry. In April, the PMI representative (Chase) assured the Master Board that the monies would be refunded. Brenda explained how it was that she made the discovery of the \$800 overcharge on April 10th (\$200 additional for January, February, March and April) and further addressed PMI's attempt to keep a 10% raise from \$750 per month to \$825 per month that was to take effect June 1st.
- Dorothy DeBorde defended PMI's overcharges due to a family tragedy suffered by PMI staffer (Lorelei). PMI communicated with Dorothy, but not the Master Board, that our HOA was taking too much of their time and therefore justified the raise in rates. Dorothy conceded that the raise should not have been implemented until the end of September.
- David noted that the Master Board is charged with the responsibility of hiring and firing vendors and believed that PMI, as a vendor, had proven themselves to be untrustworthy. He also noted that the former Treasurer, Dorothy DeBorde did not hold PMI accountable for retaining historic records for the HOA. Only after Brenda, Larry, Mike, and Karen took action to acquire these records from the previous management company (HOA Management) were the old records found and obtained.
- Regarding the records, Brenda noted that previous PMI minutes noted that former president Janet Bassett had 3 crates of documents. Stacy acknowledged he was given 1 crate and a jump drive by his predecessor Jene Holcomb. It was unclear what had become of the 2 unaccounted for crates.
- Jene Holcomb questioned the Board about not having a management plan in place and on the changing from fiscal accounting to a calendar year. David stated that is actually required in the By Laws to be on a calendar accounting year. Dorothy expressed her displeasure concerning the change from fiscal year to calendar year.
- Jene complained that in her opinion covenant compliance is not being performed by the Board. Board members objected to this complaint stating that the Board has been upholding their compliance responsibilities although perhaps not to the degree she might want. David referred to the covenant enforcement process approved by the Master Board in 2018 and updated in 2021 that prohibited "policing" of the neighborhood. Additionally, it was noted that without a change to that policy PMI began stringently "policing" the neighborhood along with the "compliance officer", Jene Holcomb.

Examples were provided. Objections persisted that there is not a plan presented which the board stated was the purpose of this meeting.

- Renne persisted that a full plan should have been in place before the contract was terminated. Resident JC?? responded that the Board made the decision because of the theft of funds by PMI. David and Stacy reiterated that making the management plan is the purpose of this meeting.
- John Pierson Expressed concern with a volunteer board doing these tasks rather than a management company. His concern is that a “working” board will be a deterrent to bringing new people onto the board especially when it comes to enforcing covenants. His concern is whether future Boards will be willing or able to take care of all these duties.
- Renne asked if it is possible when this Board turns over, that the responsibilities of the Board will discriminate against and prevent some from serving on the Board. Stacy responded that not every Board member needs to volunteer in every capacity, and that changes in how things are managed could be made. But these are unknown decisions to be made by future Boards.
- Lisa Neal from the Cottages said she was on the original Master Board that hired the first management company. She did not question the Board’s authority to make the change with PMI or the banks. Her biggest concern was over the lack of notification. She had a few maintenance concerns:
 - Tree on Elm across from duplexes that is dead and needs to be removed.
 - Fence section around the Cottages that is falling down.
 - Bushes by the Cottages keypad are also dead and need to be removed.
- Dorothy defended PMI’s raise in rates as they have not been increased previously.
- At this point the majority of residents left the meeting so that the Board members could proceed with their meeting business.
- Grievances with PMI – Refer to the attached list of grievances identified by the Master Board members.
- Management Plan
 - Responsibilities of sub-HOAs – Currently the sub-HOAs collect the HOA dues from their residents and then remunerate the portion due to the Master Association. The Villas and Cottages are solely responsible for the resealing of their streets, managing and maintaining their gates, and paying their electric and telephone bills.
 - Bonding of Board Members – Janet Basset (former Master Board President) had asked whether Board members are bonded. At present they are not, but the suggestion will be taken under further consideration by the Board. It was agreed this is a good means of protecting the interests of the residents and of the Board members.
 - Accounting – Brenda will continue to keep the books for the Master Association, and as Treasurer for the Villas Association, just as she has been doing.
 - Communications – Stacy agrees to be the main point of contact for residents and then assign duties to Board members as needed. Larry and Karen agree to handle reports of covenant violations. All phone numbers for Board member are available on the website and have been recently provided in the May newsletter.
 - Gates – Gates and gate software were discussed. Brenda has agreed to be the gatekeeper in the Villas; Richie was asked to be the gatekeeper in the Cottages however he suggested Mr. Barlow for the role although Brenda reported that Mr. Barlow declined to run the software. Mike noted that the Master Board will support the Cottages until a resident is identified to assume that responsibility.
 - Pond Fountain Pumps – Larry and David will continue to maintain the pumps and fountains.
 - Landscaping – SLK will continue to serve as landscaping vendor with Stacy as the point of contact.
 - Transfer of Property – Brenda and Mike will handle creating and sending the requisite form letter to the closing companies as needed when properties are bought and sold.
 - Collection of Dues – the plan is to make it possible to pay through the website. Mike agrees to be the admin on the Website. Brenda will work with Mike to set up the accounting portion for the receipt of dues.
 - Website – Mike will serve as webmaster.

- Compliance Communications – Justin volunteered to draft a friendlier form letter to be sent to residents when a compliance issue is identified. This will be reviewed at the next meeting.

V. Landscaping Report – Board Member(s) TBD

- Updates on Luke’s insurance coverage. – The certificate provided is not the certificate of insurance from his carrier issued to the Master HOA. Stacy will follow up with Luke to acquire the appropriate document.
- Cost of controllers was quoted as \$400-\$500 by SLK, but the actual charge submitted was \$790. It was noted that bids in writing are necessary going forward.
- Update on fountain repairs – fountains have been cleaned and electrical outlets replaced as needed.
- Flowers recently planted are acceptable.

VI. Old Business

- Website and Social Media – tabled in interest of incoming bad weather and facility closing time.
- Newsletter – quarterly with input from Master, Villas, Cottages will be discussed at the next meeting.

VII. New Business

- Community Volunteer Spring Clean-up – 9:00am on Saturday, May 11th by the L-shaped pond. Will address issues identified by homeowners. Notification posted on the website, the unofficial Facebook page, and in the recently distributed newsletter.

VIII. Next meeting date

- Date and Time: June 12th at 6pm.
- Location: Battle Creek Clubhouse Grill

IX. Adjourn

- Move to adjourn and Second: Brenda moved to adjourn; Larry seconded. Unanimous approval.
- Adjourned at: 7:21 p.m.

Grievances Against PMI

1. Refusing to acquire our historical records upon taking over operations from HOA Management, our previous management company.
2. 2023 Tax Return correspondence never came to the Treasurer and were actually signed by the Vice President instead of the President.
3. Listing of Board of Directors on their portal unprofessionally.
4. Multiple emails excluding some Board members after being notified previously of same mistake.
5. Multiple times going against Board directions concerning the Violation process. Upon reading prior years Board minutes, it should be noted this was also a problem with the previous Board.
6. PMI Portal has had multiple problems with Architectural Committee and Violation process reporting. PMI never gets back to the Board with the outcome of calls to the portal software company or that system is working.
7. PMI has not advocated on behalf of our HOA to save us money. Examples of their failure to advocate for the Master HOA and the sub-HOAs include:
 - Allowing the City of Broken Arrow water bills to be charged monthly for EMSA services.
 - At the July 2023 Board Meeting, PMI failed to tell our Board, who was getting ready to vote to spend \$2,000 to remove a fallen tree, that it was not the HOA's liability. An attending homeowner spoke up and stated it was actually the homeowner's insurance who should pay and only then did PMI agree this fact was correct, as though they already knew that but it wasn't their money so it seems they didn't think they should share their knowledge.
 - In 2022, neither PMI, nor our previous Treasurer, caught the fact the Villas paid the Master \$2,592 too much in reimbursements of dues owed. This error was only found when the new Treasurer, Brenda Urner, conducted a review of the books.
 - PMI failed to alert the Villas Board they could file an insurance claim for their keypad replacement damage from some sort of power surge in 2023. Villas Treasurer, Brenda Urner, was able to recover \$3,100 for the HOA by submitting claim without PMI's assistance.
8. PMI has been shown to not keep the homeowner list updated for the HOA as revealed by an April 2023 sale of a home. PMI failed to update their records until notified by this Board in March 2024 after noticing an old neighbor's name on the aging list as being past due.
9. Ultimately, PMI gave themselves a 26.7% raise, and paid themselves an additional \$800 without renegotiating the terms of the contract with the HOA Board or even alerting the Board to the increase.
10. PMI has taken weeks to respond to homeowners about gate problems at the Villas. Only when the complaint was made public on social media did PMI respond to the issues.
11. And more financial malpractice, encouraging Board misspending outside of covenant allowance. For example, the unauthorized Villas' Christmas decorating contract paid for by the Master Board of \$3000, plus \$1600 which this Board overturned, and the Cottages' fence repairs that were wholly funded by Master Board for \$3500.
12. Policing for violations when Board policy was to not police. Refer to the Covenant Enforcement Process enacted in 2018 and updated in 2021.
13. Charging homeowners who were purchasing and/or selling a "transfer fee" of \$200 for which there is no covenant allowance to collect, and the Board who approved PMI to make these collections had no right to authorize. If PMI charged both parties, they would make \$400 just for changing the names and contact info. And then there was a \$200 charge for the Assessment Paid Letter. It is arguable whether that is reasonable. A neighboring HOA charges only \$35.