

Meeting minutes
Stonebrooke HOA Board
Special Board Meeting
May 14, 2019

Location: 628 W. 79th Pl, Tulsa, OK 74132

Time: 7 PM – 8 PM

Call to Order:

Meeting was called to order at 7:00 PM by President, Harry Gordon.

Board members in attendance were: Harry Gordon, Debbie Mocnik, Nicole Greer, Wade Richardson, and Scott Hastings. In attendance by phone were board member Wayne Allen and Jan Farrimond of The HOA Group. Michael Fellwock was unable to attend due to a scheduling conflict.

Special Board Meeting:

This Board meeting was called for the purpose of discussing the petitions to change the covenants in each phase to allow basketball hoops. The board felt there had been some miscommunication and wished to address the status of the petitions. No other items were on the agenda for this meeting.

Waiver of Notice:

The Board agreed to waive the three-day meeting notice required for the board members.

Discussion:

The Board called the meeting to discuss the fact that some of the signers of the petition to change the covenants had not paid their HOA dues, fines and interest. While the number of homeowners who were in arrears was small, the petitions in Phase I (Stonebrooke Park) and Phase II (Stonebrooke Glenn) did not have enough signers once the homeowners in arrears were removed from the list of signers. Specific names and addresses were not discussed.

The Board discussed precedent with regard to voting rights of those who were in arrears, and that they are not allowed to vote at the annual meetings. We also discussed the fact that signing a petition might be considered different from voting. The language of the by-laws and the covenants allow some flexibility and could be argued either to allow or disallow homeowners' signatures if they are in arrears on payments.

The Board discussed the preference to provide notice and clarity regarding the suspension of voting rights (and other privileges) prior to actually suspending them. In this case, we did not specifically communicate in advance that homeowners in arrears would not be included in the signature count. In that regard, we felt some responsibility for the fact that the raw signature count was different from the verified signature count. We felt those gathering signatures may have stopped once they reached an adequate raw signature count to pass the petitions. The board also acknowledged the effort that went into gathering the signatures, and wished to respect those efforts.

There was also discussion about the desire to honor the voting rights of those who are current on their HOA dues. Suspending the rights of those who are in arrears would honor that. We agreed that

payment requirements need to be enforced generally, and what was done regarding the petitions would either diminish or enhance this enforcement.

Several options were discussed at this point:

- Allow the petitions to pass as satisfying the required number of signatures by not suspending the rights of homeowners not current on their HOA dues.
- Enforce the suspension of the voting rights of those not current in their dues and ask the petitioners to seek additional signatures from HOA members in good standing.
- Allow the petitions to pass as satisfying the required number of signatures by not suspending the rights of homeowners not current on their HOA dues, and publish a clarification to which HOA member rights and privileges are automatically suspended in the event of non-payment of HOA dues.
- Offer a limited time during which the HOA members in arrears could bring their accounts current by payment in full, at which time their signature would be counted. At the same time, notify the petitioners that they are free to gather more signatures, and the petitions would be recounted two weeks after the notices were sent out.

A motion was made, seconded, and passed by a 4-2 vote to take the last option. Harry Gordon will draft a letter which will be sent to all homeowners in arrears on dues specifically outlining the need to bring their accounts current and the privileges that will be suspended if accounts are not brought current. Harry and Nichole will also contact those who brought the petitions to the Board and inform them of the status of the petitions and the Board's actions regarding the signature counts for the petitions.

Next Board Meeting:

The next Board meeting is scheduled for May 21st, 2019 at 6 PM at the Clubhouse.

Meeting adjourned:

The meeting was adjourned at 8:05 PM

Respectfully submitted,
Scott Hastings
Secretary, Stonebrooke HOA