

Hello Colby!

Just following up from our discussion with a few questions that I'm hoping you can answer for us.

Can you provide a list of what the Green Country HOA manages vs what the neighborhood HOA Board is responsible for? This way we know who to contact for different concerns.

HOA BOARD ANSWER: WE WORK CLOSELY WITH THE MANAGEMENT COMPANY ON ALL AREAS. THE MGMT CO. PAYS UTILITY INVOICES, AND OTHER BILLS ON OUR BEHALF, COLLECTS ANNUAL DUES, MANAGES POOL ACCESS, AND ANSWERS GENERAL QUESTIONS FROM RESIDENTS. THE HOA BOARD IS RESPONSIBLE FOR SETTING ANNUAL DUES, PLANNING, SOCIAL EVENTS, ETC.

Do you know when the next Annual HOA meeting will be?

HOA BOARD ANSWER: IT WAS CHAOTIC LAST YEAR WITH THE CHANGE IN MANAGEMENT COMPANIES, AND WE CARRIED THE 2024 ANNUAL BUDGET FORWARD TO 2025. WE ARE WORKING ON THE 2025 ANNUAL MEETING, AND IT IS TENTATIVELY SET FOR JULY 23RD. INFO IS FORTHCOMING.

Can you send the HOA budget and expenditures over the last year?

ANY RESIDENT CAN REQUEST THE BUDGET AND CURRENT EXPENDITURES. I HAVE LET THE MANAGMENT COMPANY KNOW TO FORWARD IT TO ANYONE THAT REQUESTS IT. HOWEVER, RESIDENTS ARE NOT PRIVY TO ANY OPEN BALANCES DUE TO PRIVACY LAWS.

Do you have the minutes for last year's HOA and the minutes from the last HOA Board of Directors meeting?

HOA BOARD ANSWER: I BELIEVE WE ONLY HAD 12-13 RESIDENTS SHOW UP TO THE LAST ANNUAL MEETING, AND THE PRIOR MANAGEMENT COMPANY WAS RESPONSIBLE FOR THE MINUTES. i AM NOT SURE IF THEY EXIST.

Can you please send a link to the HOA covenants / rules?

I searched facebook <https://www.facebook.com/groups/twincreeks1and2> where evidently most information about the HOA is communicated, but did not see them.

I then found this out of date website <https://bixbytwincreeks.com> and came across the Deed of Dedication and Restrictive Covenants and the Amendments. Are these still valid? I did find the bylaws, but not sure if these are still the most accurate representation of the covenants.

HOA BOARD ANSWER: THIS IS THE CORRECT WEBSITE. IT IS VERY BASIC, HOWEVER, IT IS FREE AND MANAGED BY ONE OUR OUR RESIDENTS. YOU WILL FIND THE COVENANTS AND BYLAWS THERE, AS WELL AS POOL RULES. YOU CAN ALSO REQUEST THEM FROM THE HOA MANAGEMENT COMPANY, AND THEY may also be on FACEBOOK, AS WELL.

If the links I provided are the covenants, I have even more questions that I've listed below based on the above covenants:

Assessment & Fee Powers

Context: The covenants let the board levy regular and special assessments—and charge late fees and interest—without a clear cap or detailed notice / ballot rules.

Questions:

What annual percentage cap (if any) applies to increases?

HOA BOARD ANSWER: WILL NEED TO RESEARCH THE BYLAWS.

Do owners get a separate vote on every special assessment?

HOA BOARD ANSWER: YES. AN ASSESSMENT REQUIRES A SEPARATE VOTE OF 51% APPROVAL NEEDED TO PASS. THE LAST AND ONLY ASSESSMENT WAS WHEN WE REPLACED THE FENCE ALONG MINGO AVE WITH A BRICK WALL. THAT PASSED AND EVERY RESIDENT WAS ASSESSED \$430 PAID IN TWO (2) INSTALLMENTS.

Will the board adopt a written collection policy covering grace periods, interest rates, and payment-plan options?

HOA BOARD ANSWER: NO, HOWEVER, WE WORK WITH RESIDENTS THAT NEED A PAYMENT PLAN FOR WHATEVER REASON. DUES COME EVERY YEAR, SO IT SHOULD NOT BE A SURPRISE. WHILE WE WILL WORK WITH RESIDENTS, IT IS ULTIMATELY THEIR RESPONSIBILITY TO PAY THEIR ANNUAL OBLIGATION. FAILURE TO PAY WILL RESULT IN A LIEN, FOLLOWED BY LEGAL ACTION AS NEEDED.

Enforcement & Fines

Context: The board can impose fines and even cure a violation itself, but no due-process steps (hearing, appeal, notice period) are spelled out; fines may also become part of the assessment lien.

Questions:

Will the HOA publish an enforcement policy that includes notice, hearing, and appeal rights?

HOA BOARD ANSWER: NO, BECAUSE THE HOA DOES NOT ISSUE FINES. LETTERS ARE SENT OUT FOR VIOLATIONS AS A REMINDER TO TAKE CARE OF THE ISSUE.

How will one-time versus continuing violations be distinguished for escalating fines?

HOA BOARD ANSWER: NOT APPLICABLE. THE HOA DOES NOT ISSUE FINES.

Will fines automatically attach to the assessment lien, and how is that documented?

HOA BOARD ANSWER: NOT APPLICABLE. THE HOA DOES NOT ISSUE FINES.

Architectural Control Committee (ACC)

Context: The ACC may approve or deny any exterior change, yet no decision deadline or requirement to give written reasons is stated.

Questions:

Can the ACC commit to a fixed review window (e.g., 30 days) with automatic approval if missed?

HOA BOARD ANSWER: NO. WE ARE A NON-PROFIT ENTITY AND WILL FOLLOW THE ESTABLISHED GUIDELINES IN THE EXISTING BYLAWS AND COVENANTS.

OTHERWISE, IT HAS NOT BEEN AN ISSUE. FOR EXAMPLE, COVENANTS REQUIRE A CERTAIN SHINGLE THAT IS NOW OBSOLETE IN TERMS OF QUALITY. WE ALLOW LIKE SHINGLES INSTEAD OF THE SHINGLE CALLED OUT IN THE COVENANTS. MOST ITEMS ALLOW FOR ACC, WHICH IS THE HOA BOARD, TO RESERVE THE RIGHT TO REVIEW, APPROVE, MODIFY, ETC.

Will written design guidelines be published so owners know the standards up front?

HOA BOARD ANSWER: GUIDELINES FOR WHAT SPECIFICALLY? WE WILL FOLLOW THE BYLAWS AND ALREADY ESTABLISHED COVENANTS. IF A RESIDENT HAS A SPECIFIC QUESTION ABOUT A SPECIFIC ITEM, WE ARE RESPONSIVE AND HAVE ALLOWED MODIFICATIONS SUCH AS EXTENDED DRIVEWAYS, ALLOWANCES FOR ONLY ONE TREE WHEN A FRONT YARD IS TOO SMALL TO SUPPORT TWO TREES, ETC.

Will denial letters include specific reasons and cite the applicable guideline?

HOA BOARD ANSWER: YES, AS REQUIRED

Use-of-Lot Restrictions

Context: Leasing rules, home-business limits, and vehicle/RV parking language are vague or outdated and may not address short-term rentals or modern work-from-home needs.

Questions:

How will the HOA handle short-term rentals and is there a rental cap or minimum lease term?

HOA BOARD ANSWER: SEVERAL PROPERTIES ARE RENTAL PROPERTIES. THERE ARE NO COVENANTS THAT RESTRICT A PROPERTY FROM BEING OWNED OR RENTED. THE PROPERTY STILL FALLS UNDER THE SAME COVENANTS, EITHER WAY.

Will the parking rule be clarified to allow short guest stays and define “commercial or recreational” vehicles?

HOA BOARD ANSWER: WILL NEED CLARIFICATION ON THE QUESTION. THE HOA DOES NOT OWN THE STREETS, SO THERE IS ZERO JURISDICTION AS FAR AS THAT GOES. OTHERWISE, I AM NOT AWARE OF ANY "GUEST" ISSUES. THE POOL AREA SHOULD ONLY BE USED FOR THOSE USING THE POOL OR THE GREENBELT. OVERNIGHT PARKING IS NOT ALLOWED, HOWEVER, NOT MONITORED. IT IS ONLY AN ISSUE WHEN VEHICLES HAVE BEEN PARKED THERE FOR WEEKS AT A TIME WITH NO MOVEMENT.

Maintenance Boundaries

Context: Duties for fences, drainage swales, and perimeter landscaping are unclear, and storm-water maintenance can become a city issue.

Questions:

Can the board provide a matrix showing who (owner vs. HOA) is responsible for each item (lot fence, common fence, street trees, detention pond, etc.)?

HOA BOARD ANSWER: NO. THE HOA DOES NOT MAINTAIN THAT INFORMATION. IF THAT INFORMATION IS NEEDED, I WOULD SUGGEST THE COUNTY ASSESSOR BE CONTACTED.

Does the HOA have a reserve study, and do reserves cover future fence or pond repairs?

HOA BOARD ANSWER: NO. THE POOL FENCE IS NEW WITHIN THE LAST COUPLE OF YEARS AND SHOULD NOT NEED TO BE REPLACED ANYTIME SOON. ONCE IT IS DETERMINED A RESERVE IS NEEDED, ONE WILL BE SET UP. POND REPAIRS? WE DO NOT OWN A POND. THE CREEK IS A RIGHT-OF-WAY WITH THE CITY, AND WE DO NOT MAINTAIN IT. THE CITY HAS CLEANED UP THE AREAS AROUND THE SOUTHWOOD EDITION, BUT, NOT LATELY.

Insurance & Indemnity

Context: Owners may be required to carry certain liability limits and waive subrogation; the HOA's own coverage (D&O, fidelity) is not specified.

Questions:

What minimum coverage must each owner carry, and where is that documented?

HOA BOARD ANSWER: THE HOA MANAGEMENT COMPANY IS BONDED, HOA MEMBERS ARE COVERED WITHIN THE DEFINITION OF THE BYLAWS AND COVENANTS, AND WE HAVE OUR INSURANCE POLICY WITH STATE FARM FOR THE POOL AND THE COMMON AREAS AND HAVE THE HIGHEST COVERAGE RECOMMENDED.

Does the HOA's master policy include Directors & Officers liability, fidelity?

HOA BOARD ANSWER: I WILL REFER YOU BACK TO THE BYLAWS AND COVENANTS.

Will the full policy schedule be shared with owners annually?

HOA BOARD ANSWER: IF EASILY ASSESSABLE AND OBTAINABLE, FEEL FREE TO REACH OUT TO THE HOA MANAGEMENT COMPANY; HOWEVER, IF this is not within a resident's RIGHT, THEN PROBABLY NOT. ONLY BECAUSE EACH INDIVIDUAL REQUEST WILL MOST LIKELY REQUEST A FEE BACK TO THE HOA. HOWEVER, IF ALLOWED, AND THOSE TYPES OF DOCUMENTS INTEREST YOU, FEEL FREE TO ASK.

Amendment Procedures

Context: The declaration requires a high owner vote to amend (e.g., 75 %), and the newer amendment uses a different threshold, which could block future updates.

Questions:

What vote threshold applies today for each phase, and does the board plan to consolidate the documents?

HOA BOARD ANSWER: TWIN CREEKS I AND TWIN CREEKS II ARE CONSIDERED ONE IN THE SAME. THERE IS NO DISTINCTION BETWEEN THE TWO IN REGARDS TO VOTING. EACH LOT IS ONE VOTE.

Is electronic voting allowed to help reach quorum?

HOA BOARD ANSWER: NOT SURE. THAT WOULD BE A QUESTION FOR THE HOA MANAGEMENT COMPANY. HOWEVER, EACH ANNUAL HOA MEETING ANNOUNCEMENT INCLUDES A PROXY THAT CAN BE FILLED OUT IF YOU ARE UNABLE TO ATTEND.

Transparency & Record-Keeping

Context: Meeting notices, minutes, budget ratification, and access to records are not fully spelled out.

Questions:

Will the board adopt an “Owner Bill of Rights” covering meeting notice periods, open minutes, and document-inspection procedures?

HOA BOARD ANSWER: CURRENTLY, PROBABLY NOT AS THE CURRENT BOARD MEMBERS DO NOT HAVE THE RESOURCES, THE TIME, OR BELIEVE THE NEED IS THERE. HOWEVER, IF NEW BOARD MEMBERS JOIN THE TEAM AND WANT TO CREATE SUCH DOCUMENTS AND THAT WOULD BE GREAT.

Can annual budgets and year-end financial reviews be posted on the neighborhood website or facebook?

HOA BOARD ANSWER: FOR SURE! ALTHOUGH THE WEBSITE MIGHT EVENTUALLY GO AWAY ONCE OUR RESIDENT OVERSEER MOVES AWAY, IT CAN BE EMAILED AND IS ALSO DISTRIBUTED AT THE ANNUAL MEETING.

Thank you in advance!

Mika Ayenson, PhD