

**Minutes of the Eagle Creek Ranch Owners Association  
Board of Directors Annual Business Meeting  
December 7, 2024**

**1. Call to Order and Establish Quorum:** The Annual Business Meeting of the Eagle Creek Ranch Owners Association was called to order at 1:08p.m. at the Wilson County ESD #2 Emergency Services Bldg. Present were Peggy Kimble, President; Matt Demmer, Vice President; Linda Miller and Penny LaMaestra, Directors. A quorum of the Board was declared. The President introduced the Elections Committee, Sarah Gella and Kitty Phillips. A quorum of the ECROA membership was declared and the President thanked everyone for coming.

**2. Items on the Ballot.** The Vice President gave an overview of the purpose of this annual meeting, which is voting on the three items on the ballot; the annual budget, the Board members, and proposal to raise the annual dues. He went on to say the reason for proposing the dues increase was because of the parks and noted that in the past park maintenance was all done by volunteers which is no longer the case. He said he has reached out to maintenance companies and has received quotes for their services. Based on those quotes and worst-case scenario of two cuts per month, we are looking at \$17,000 per year just to cut the parks. He said that does seem high and if anyone wants to volunteer their time and equipment, we would gladly welcome it. He went on to list all the other repairs, thefts, trash clean-up and expenses in the year since he became Vice President. He reported the Board is not trying to deny anyone access to the parks with the gate locks, but only trying to cutdown on some of the illegal trash dumping and etc. in all the parks. He described all the downed tree issues at all three parks. He reported quotes for the clean-up and removal of debris at the parks as well as the entrances alone is around \$3,500. This is the reason the dues increase is being proposed. There is also a problem with the dam at the Boulevard Park which will eventually erode and need to be repaired. He has no idea what the expense for that would be, but assumes it would be way outside our budget at this time. He stated that even if our dues were collected 100%, our annual budget would still be in arrears. He noted if at any time there was a surplus in the budget, improvements such as a playground and stocking the ponds with fish, could be voted on by the membership. He was asked if all the past dues were collected would we still need to raise the dues. The Vice President answered yes it would for a while, however in a year or maybe two, we would be back here with the same problem."

**3. Membership discussion regarding Ballot items.**

3.1. Member1 asked about maintenance at entrances. The Vice President ask for clarification as to which entrances Member1 was referring and she replied the one coming off Hwy 181 and the Misty Bend one.

3.2. Member2 asked about the mowing quotes. The Vice President stated he has received two quotes. He said he was forecasting having the parks mowed twice a month, but they would not have to be done twice every month if not needed. He went on to say that if we ever had a surplus in the budget, it could possibly be refunded to those Members who are in good standing or voted on for a different purpose.

3.3. Member3 expressed complaint about potholes in the roads. The Vice President stated the Board has nothing to do with getting the roads repaired, but the County Commissioner should be contacted for that problem. Member3 also asked about mowing the easements between the road and our properties. The Vice President replied that is also a county function, but we are seeking a contract for it, but without any funds, we will not be able for do that. The Vice President stated on the website, there is a document called the Articles of Incorporation which lays out the POA's purpose which is basically the responsibility for the parks.

3.4. Member4 asked about getting rid of the parks. Vice President referred him back to the Articles of Incorporation which lists our responsibilities as a POA and invited the Member to attend our regular Board meetings and to bring up the issue there.

3.5. Member5 stated that according to the September Board Meeting minutes, the 2024 budget for mowing was only \$2,850 and asked if that amount was used for mowing. The Vice President replied yes it was, but all that entailed was mowing. There was no tree trimming, weed eating, picking up debris or anything other than simple mowing. He explained the current bids he received were \$600-\$700 per cut. Member5 stated that was reasonable for all three parks. Discussion ensued regarding on-demand mowing and asking for volunteers to be on the Parks Committee to help manage some of these tasks and issues.

3.6. Member6 voiced her concern about if the dues were raised, and, if there happened to then be surplus funds, that they might be spent on other things.

3.7. Member7 stated that having lived here for 20 years, nobody really needs or wants the parks, so why not get rid of them. He asked why it was going to take some time to put this issue to the membership for a vote and would like to see it expedited. The Vice President stated that according to the Articles of Incorporation, which is a legal document, should the membership vote to dispose of the parks, we would have to change the Deed Restrictions on each property owner's Deed. A Director spoke up and said there had been discussion earlier in the year at one of the meetings and those in attendance stated they did want and use the parks and that is why the Board has not had further discussion about getting rid of the parks. It was noted the Board will have to consult our attorney regarding the Articles of Incorporation about disposing of the parks. Member7 asked that the Board make it a priority. It was said if the Board does get rid of the parks, the Association would probably get sued by those landowners that live around the parks as they paid a premium for those lots near the parks. There are many legal ramifications to getting rid of the parks due to the Articles of Incorporation and there would be legal fees for the Association to pay should the membership decide that's what they wanted to do.

3.8. Member8 stated the ACC Inspector is not doing his job and should not be paid, and indicated that money could be used elsewhere.

3.9. Member9 commented there were four lots at the parks, two at Misty Bend and two elsewhere. They were given to the POA as they were not suitable to be used for home lots, so the Association would probably not be able to sell them.

3.10. Member10 said according to the budget only 70% of members are paying their dues and the other 30% are not. He asks why we are not putting liens on their properties. The Vice President replied we are currently working with our attorney to obtain the legal policy



documents that have been needed for the past ten years to do so and recently those documents have been filed with the Court. We are working towards that end. Member10 asked if his assumption of the 30% nonpayers are out-of-town property owners and was told we do not have those demographics on-hand. Member10 asked why the postage cost can't be lowered by getting the postage metered at the post office and he was given a short explanation of how many certified letters and etc. go into the lien process.

3.11. Member11 stated he had never been to the parks but why not turn them into a natural habitat and not have to mow the entire park. He also mentioned we want to raise the dues but do we think those that aren't paying now will pay if they get raised. He asked if it is the HOA's responsibility to get the County out here to mow the easement areas. He was told no, basically the only responsibility the HOA has is to maintain the parks and the information could be found in the Articles of Incorporation. Member11 made a statement about the secretary and others on the Board getting paid, but the answer was quickly replied "No", that the only paid board member was the Treasurer with everyone else on the Board being volunteers. The Vice President described the areas of the parks where the mowing is done, but does not include all parts of the parks. There was discussion about needing Parks Committee volunteers and equipment needed for park maintenance, and members were asked to please indicate their willingness to serve on the sign-up sheet. A Member spoke up and said she doesn't use the park but maybe those who do should clean it. Another Member talked about the debris in the park and that she doesn't see hardly anyone using the park. The Vice President replied we do put out announcements and requests for help all the time on social media and yet we do not get any volunteers, so if members want to help, contact any of the Board members.

3.12. Member12 wanted to know if the County had to be contacted to do the mowing that was mentioned earlier. There was discussion on how to contact the County Commissioner.

3.13. Member13 asked if we no longer had the parks whether the POA would be disbanded. It was stated that disbandment of the POA could be brought to the membership, but legal advice would have to be sought from the Association's attorney and the process would be lengthy as each Deed would have to be amended. The membership would have to continue to pay their annual dues during that time until the disbandment is finalized.

3.14. Member14 asked, regardless of the outcome of the vote, if the issue of the dues increase could be postponed and a committee formed. The Vice President described what would happen if the dues increase did pass, that it would not go into effect until October 2025 and the possibility exists, we could nullify the dues increase if we get enough volunteers to maintain the parks.

3.15. Member15 started discussion about necessity for volunteers and a description was provided about volunteering for the Board (maximum of 9 positions) or Committees (unlimited number of positions).

3.16. Member16 voiced his concern about the Board having the responsibility for not only the parks but also for enforcing the deed restrictions, especially those regarding commercial properties and activities. The Vice President addressed the issues Member16 raised. The President conveyed the date the letter was sent regarding the commercial business in question.

3.17. Member17 voiced his concerns about being told last year a commercial business going to be around only three months but is still here a year later. He said he called the Board about the issue and was told "If you don't like it, move." The Board denied anyone said that and requested the Member give us the name of which Board member said it. Member17 then made a statement about the board members which was disrespectful and does not warrant being reported in these minutes.

3.18. Member18 expressed her appreciation for what the Board does and asked if a motion could be made to remove the \$17,000 mowing line item from the budget. The answer was not at this time. The Vice President talked in general about what the Board can and can't do and that we are trying to fix what we can but it is a slow process with all the legalities involved.

3.19. Member19 had a question about how many Board members could be voted on and was given a general description of the process.

#### 4. Election Results:

A. Budget did not pass. (For 29 -- Against 31)

B. All six Candidate Directors for the Board were elected:

Demmer, Matt	Miller, Linda
Kimble, Peggy	Nye, Donna
LaMaestra, Penny	Turner, Paul

C. Annual Dues Increase did not pass. (For 11 -- Against 53)

5. **Adjournment.** Motion was made to adjourn, seconded and carried. Annual Business Meeting was adjourned at 2:35p.m. Board moved into Executive session to vote on Board positions at 2:39p.m.

Note: The newly elected Board of Directors met in executive session after the Annual Business Meeting was adjourned and voted on the Officers for the Board as specified in the By-Laws.

Results:

President – Peggy Kimble                      Vice President – Matt Demmer

Treasurer – Heather Vela                      Secretary – Donna Nye

Director – Penny LaMaestra                      Director – Linda Miller

Director – Paul Turner

BOARD APPROVED  
JANUARY 26, 2025  
Donna Nye  
ECROA SECRETARY