

A special meeting of the Big Country Homeowners Association was held on Tuesday, October 19, 2010 at 7:00 p.m. at the home of Ruth Intelkofer. The meeting was called to order at 7:08 p.m. by Ruth Intelkofer.

***** **REGULAR BUSINESS** *****

Attendance: The following homeowners were present: Ruthie Hall, Roger Madry, Rick & Kathy Stevenson, Henry Miller, Robin Barton, Ruth Intelkofer, Bill Craft, and Tom Helsel. Proxy forms were received for Paul Stearn, Kris Rattini, Sue Bennett and Sue Brown. 11 lots were represented, which is 35% of lot owners.

Approval of Minutes: (Secretary: Robin Barton) The 2010 Annual Meeting Minutes could not be approved for lack of quorum, but there were no questions. A correction from the original printed and mailed copy was noted: all references to Sue Bennett are changed to Sue Brown.

Financial Report: (Treasurer: Henry Miller) The financial report through 09/30/2010 was reviewed and discussed. It will be mailed to all homeowners. It was noted that the figures for income (from assessments) and water included everything that has been billed and does not reflect whether or not it has actually been paid. As of the time of the meeting, we had \$3600 in outstanding invoices over 30 days old. All costs for the road sealing project are taken into account. The report also contains projections for year end 2010 and estimates for 2011 expenses.

- o Ruth Intelkofer will get bids from three companies for our trash service because our contract is up with Waste Management.
- o The following concern was received by proxy and answered. "We may owe back taxes on Real Estate of Common Ground if "Non-Profit" status has been changed. Tax bill may have not shown up due to address of lots at time of non-profit status. Answer: Our status has not changed and we are still a non-profit entity, so real estate taxes will not be an issue. We do file a form 120-H (U.S. Income Tax Return for Homeowners Associations) annually to report any interest income from bank accounts and assessment finance charges received.
- o In the interest of saving money, Ruth Intelkofer will make calls to ask for volunteers to periodically weed-whack the [common] area around the pump house, as it can get very unsightly near the road.
- o Henry Miller was publically thanked for taking on all the billing himself, saving us \$1140 over the last two years, which would have been paid to Wheaton Association.

***** **NEW BUSINESS** *****

Assessment Amount: There was discussion regarding the amount of our annual assessment, from CCR Article VIII, Section A (The initial annual assessment shall be \$600.00 per lot beginning in 2010, billed quarterly...). Since we have many homeowners who are struggling financially and some who have negative balances, the issue at hand was whether or not the assessment could be lowered.

- o Since the road sealing project is now complete, we are estimated (assuming no unexpected repairs) to have a net gain in 2011 of approximately \$8000 from our assessments. This assumes that every homeowner pays their 2010 assessment and catches up what is owed from prior years.
- o Discussion ensued regarding the difference to homeowners between saving for large projects in advance vs. paying for them after the fact, as was done with the road project years ago, using a NID (Neighborhood Improvement Design).
- o Since our bank balance is currently low, it was suggested that we leave the assessment amount as is (\$600 annually) for 2010 so that we are able to meet the financial need of any emergency repairs. If all is well and we sufficiently build up the projected cushion, we can consider lowering it for the following year.
- o No motion to change the assessment was made.

CCR Article VIII, Section B: Since CCR Article III, the second paragraph G was changed at the annual meeting to include a quorum of 75% and a majority of 66%, it was suggested by Ruth Intelkofer that CCR Article VIII, Section B also be updated to include the same (and remove the words "unexpected repair" just in case there is some sort of

emergency, like a cave in of the road). Since there was not a quorum present to vote, a motion was not presented at this time.

Voting by Ballot: There was much discussion about how to get agenda items passed when there is not a quorum at an annual or special meeting. Most large homeowners associations allow voting by ballot. Our CCR mentions ballots in some places and not in others, but never specifically prohibits them. In order to overcome this discrepancy, it was agreed that we ought to get authorization from homeowners to use ballots. One idea was to mail a ballot to homeowners which includes an initial authorization option for the ballot. Homeowners will still be encouraged to attend all meetings so that adequate discussion can be held on any issues up for a vote. *Post-meeting update: specifics regarding how this will be done are still being worked out and will comprise an additional mailing later in the year.*

CCR Article VIII, Section B: The following motion was made by Ruth Intelkofer and seconded by Rick Stevenson, to be presented to the homeowners on a future ballot:

Change CCR Article VIII, Section B **FROM**

- B. In addition to the annual assessment authorized herein-above, there may be levied a special assessment for the purpose of defraying, in whole or in part, the cost of a construction or reconstruction, ***unexpected repair*** or replacement of a capital improvement within or upon the common property or any easement, street, drive, walkway, or other right-of-way provided for the benefit of the lots subject hereto, and including the provision, of necessary fixtures or personal property related thereto ***upon the approval of a majority of the lot owners voting thereon***, in person or by proxy, at a meeting duly called for this purpose, written notice of which shall have been sent to all lot owners at least thirty (30) days in advance, setting forth the purpose of the meeting. In the event of such approval, the limitation hereinabove set forth shall not apply to the assessment made under the provisions of this paragraph.

TO

- B. In addition to the annual assessment authorized herein-above, there may be levied a special assessment for the purpose of defraying, in whole or in part, the cost of a construction or reconstruction, or replacement of a capital improvement within or upon the common property or any easement, street, drive, walkway, or other right-of-way provided for the benefit of the lots subject hereto, and including the provision, of necessary fixtures or personal property related thereto ***upon the approval of the required quorum and majority of the lot owners as defined in Article III*** voting thereon, in person, by proxy or by ballot, at a meeting duly called for this purpose, written notice of which shall have been sent to all lot owners at least thirty (30) days in advance, setting forth the purpose of the meeting. In the event of such approval, the limitation hereinabove set forth shall not apply to the assessment made under the provisions of this paragraph.

Anyone wishing to have further discussion on the above motion may do so in the online forum for the Facebook group "Big Country Acres".

CCR Article VIII, Sections D&E: Originally, it had been suggested that paragraph E be deleted due to redundancy, but it is actually quite different from paragraph D. The difference was explained. Basically, D outlines when an invoice becomes delinquent (day after due date) and E describes when interest would be applied (not until 30 days later, but then accrued since the delinquency date). No changes were suggested.

8:35 PM Adjournment

If you have any questions or need further clarification on the above, please feel free to contact a member of the 2011 Board – Robin Barton (332-9960), Henry Miller (327-9447), or Ruth Intelkofer (327-0657).

Respectfully submitted,
Robin Barton, Secretary

WATER TESTER NEEDED!! We need someone to volunteer for this important role as soon as possible. It involves a short amount of time once per month, on a Monday or Tuesday, to collect water from one home and deliver it to the lab at St. Joseph's West Hospital. Please call Robin at 332-9960 for more details if you think you may be able to help. Thanks!!!