

MINUTES FOR 9.17.17 ANNUAL MEETING

The meeting was called to order at 6:05 p.m. Lot owners in attendance: Barton, Buchheit, Craft, Dierks, Goforth, Hanna, Mosher, Pearia, Rattini, Roe, Smith, Stern, Strassner.

1. Approval of the minutes from the 2016 annual meeting

Ryan Buchheit motioned for vote; Steve Smith seconded. A vote was taken and was a unanimous “in favor” vote.

2. Treasurer report

Connie Smith, treasurer, distributed two documents: Projected Quarterly Operating Expenses, and Big Country Acres Financial Review. Costs are staying fairly stable from 2017 to 2018. There is a small increase for Ameren and we’re allowing more for snow removal. Kevin Powell and Gary Pearia are keeping their rates the same for the snow removal and mowing services they’re providing. Abby Roe will continue mowing the pump house common ground.

There is no plan to raise the assessment for 2018, save for the annual small adjustment based on the CPI (Consumer Price Index) that allows the assessment to keep pace with inflation.

We will continue setting aside \$2,000 per quarter—no increase—to keep in reserve for larger scale road projects and other repairs, such as crack filling and culvert repair. Robin Barton asked if that amount would be large enough to cover our next crack filling. Connie said that Ford Asphalt—the company that sealed our roads this year—estimated that our next crack filling would cost \$10,000. When we did the sealing, we had enough funds to cover half of the \$18,000 cost. A special assessment was needed for only half the cost, \$9,000. We hope that when the time comes to do the sealing again, that we would only need to do an assessment for part of the cost.

The audit committee--Gary Pearia and Laura Dierks—met on May 6th. Nothing out of order was found.

Dana Mosher read the legally required tax statement: *The association resolves that any excess membership income over membership expenses for the year ended December 31, 2017, shall be applied against the subsequent tax year. Member assessments are as provided by IRS Revenue Ruling 70-604.*

3. Road issues

Robin Barton spoke for the road committee. We discussed crack filling. Ford Asphalt had estimated that crack filling might cost \$10,000. That was not the cheapest quote we’ve had for such services, but Ford uses the best quality product. The neighborhood has gone with the cheapest bid on crack filling the past couple times and the work didn’t last as long as expected. Gary Pearia and Tim Roe commented that they thought Ford did a great job on the road sealing. Steve Smith commented that it makes sense to stick with Ford for the crack filling because they’ll use material that will be compatible with what they used for the road sealing. Meghan Strassner commented that if we stick with Ford we might be likely to get a better deal.

Robin said that the road committee could use another member, especially as they prepare to examine the road for cracks before seeking bids for crack filling. Tim Roe volunteered to join the committee.

Dana Mosher said that we’re trying to keep up with all the regular maintenance so that we might further put off when the road will need complete overlay, which can cost in the realm of \$100,000 or more. It would be beneficial for us to plan for that. For example, perhaps we can make a distant future assessment that states each family will owe X number of dollars, and that will serve as official notice that if you sell your house the potential buyers will be aware that an assessment of X number of dollars is coming and they can budget for

that in their house expenses. Robin Barton said that some people don't like the idea of collecting that money up front. If I sell my house I won't get it back; I would have to increase the sale price of my house to cover that money.

Paul Stern asked if a budget was established to maintain the road after it was first put in. Robin Barton said that we're getting back to that system by setting aside \$2,000 a quarter for road projects, like crack filling and culvert repair. She said a number of culverts are caving in. The road committee last got estimates in 2013; the repairs are quite expensive. Those bids only included rock and back filling but not the road. If we ever do fix the culverts, it's most cost effective to do so when we replace the asphalt.

One of the 2013 bids did quote for slip-lining a culvert with a plastic sleeve, but that costs \$23,000 versus \$6000 with an asphalt patch. Paul said that concrete tubes would be a permanent fix. Robin said that for plastic slip-lining, they'd need to rip out trees in order to get the equipment and supplies in place. Dana said we'd probably have funds to repair one if we had an emergency fail, but the problem is that we have four culverts in need of repair.

A volunteer crew had experimented with the culvert between the Mosher and Stern properties; they manually cleared it out and put grass on top. Paul Stern replied that that step was putting a Band-Aid on a gaping wound. Tin pipes are only engineered to last 40-45 years max, and we have already gotten our time out of them. He compared the tin pipes to a cinnamon stick that twists around; that is what the earth is doing to the pipe. The center of the pipe is already rusted out; it's only matter of time before there's a casualty. Paul has been trying to keep his culvert cut and cleaned.

Tim Roe brought the conversation back to the road overlay. He thinks we need to be more serious about a plan. At the time the road was installed, a St. Charles County engineer said that the road would last 10 to 15 years, and then we'd need to add 2 inches to the road. We're coming up on 15 years since the road has been installed. Robin recalled estimates of \$130,000 for the overlay. Connie Smith said she'd asked Ford Asphalt to assess the condition of our road. They responded that we should be fine for a few more years before needing to do an overlay.

Dana Mosher said that a few years ago the neighborhood did look into having the county take over our road. The county said we'd have to bring the road up to county code first in order for them to take it over. Robin Barton said that would have required making the road two feet wider and installing concrete culverts. It would have needed a \$23,000 assessment per house, which would be put on the county tax bill, with so much paid up front and the remainder over X years. They would pay to salt it – hardly worth the \$23,000 cost per homeowner. Then once the roadwork was done the county would maintain the road, but that we'd be at the end of the list for clearing the snow. At least now with our current system, Kevin Powell is here in the neighborhood, he is on the ball and ours is the only neighborhood he plows.

Steve Smith pointed out that if the road goes public then we would be required to provide public access to the lake, because the road would be a public entry point.

Helene Buchheit asked if we need any more rock work on the side of the road. Robin replied that we shouldn't; that it seems the rock is staying in place nicely. She thanked Paul Stern for the use of his truck and trailer and all those who volunteered on the project.

Dana Mosher pointed out that between our water fees and assessments, it only costs \$65 a month to be in Big Country Acres. That covers water, trash and road maintenance. That is much cheaper compared to living in the suburbs and the city – plus you have the land and trees and solace.

4. Discussion of motion requiring advance notification for proposed CCR changes

Kris Rattini made the following motion:

Add the following sentence to the end of Article I in the CCR: "These bylaws may be amended by affirmative vote by 66% of eligible voting members at any annual or special meeting of the membership, **provided written notice of the proposed amendment is given to a trustee three weeks prior to an annual meeting and six weeks prior to a special meeting, to allow for inclusion in the mailed agenda.**

Kris explained how important it is for residents to have time to consider any changes to the CCR, which is a legally binding document for all BCA homeowners. When one resident shows up at a meeting to propose a CCR change—with no advance notice and no paper copies of the proposal to share with others—it puts all other residents at a great disadvantage. It significantly raises the risk of rash amendments being passed and residents having to vote on something they don't completely understand. The time frames listed in the proposal—three weeks before annual meeting, six weeks before special meeting—allow proper time for the secretary trustee to abide by the notification requirements already in the CCR.

Steve Smith seconded the motion. A vote was taken and was a unanimous "in favor" vote.

5. Discussion of water system issues

Kris Rattini explained that Lincoln County Pump—the company that services our pump house and water system—strongly suggested that we install a new dehumidifier in the pump house. The previous one, which had been donated by Robin Barton, stopped working after rodents chewed the cord. The high levels of humidity in the pump house were a contributing factor in our last service call. Lincoln County Pump suggested suspending the dehumidifier from the sealing to make it more difficult for rodents to reach it. Paul Stern said that would be an easy enough project to complete cheaply, using Unistrut. Ryan Strassner, Steve Smith and Paul volunteered to work on that project. Several residents offered ideas for catching the rodents in the pump house.

Robin Barton mentioned that her water pressure has never been better. She mentioned that there is a grant available to assist public water systems in communities, if anyone is interested in looking into it.

6. Dumpster issues

This was put on the agenda because there had a significant problem with one resident filling up the dumpsters with construction debris immediately after they'd been emptied on Wednesdays. The trustees have met with that particular resident about the issue, and that the problem has abated since then.

Ryan Strassner said that we have surveillance signs but no actual surveillance. He proposed looking to a small closed-circuit TV and camera system. It could be run off power from the pump house and have two cameras set up, so that if one is knocked off there is redundancy. He has priced a system with two cameras with night vision that are motion activated; the price is around \$300. When asked where the data would go, he said hard drive could be housed in the pump house, and we could use a cheap laptop to view the data as needed.

Steve Smith thought the humidity in the pump house would kill the hard drive. Ryan wondered about a secure housing outside under the eaves of the pump house, but wasn't sure how it would do during winter months.

Ryan said another option was to buy fake surveillance cameras as deterrence. You can put three or four out; they're less than \$20. Discussion then moved on to game cameras, which could be hung on a post or tree nearby. Decent ones cost \$100, but would need replace batteries or buy a solar model.

Robin Barton said that a game camera was put up awhile back. It would catch images of some people but the image wasn't good enough, with sufficient lighting, to identify them, if they were too close to the dumpster.

The Hannas asked why the locks used last year were broken. Dana Mosher responded that we don't know for sure, but a theory is that it was done by a resident who didn't like the locks. Connie Smith said she believed the lock charge had been removed from our trash bill but that she would confirm that.

Dana Mosher said that a gate around the trash area had been considered, but wouldn't be much of a deterrent. People would drive around it or just leave their trash outside the gate. She said that a resident who lives near the trash dumpsters has reported trucks coming and going from the dumpsters at midnight. Gary Pearia asked everyone to keep an eye out; he has seen suspicious parties dumping stuff at the dumpster, too.

Ryan Strassner asked if we could attach a security camera to the power pole near the dumpster. It might possibly get a shot of a license plate as the vehicles wheel into the dumpster area. Tim Roe suggested looking into a camera with cellular capability so it could email pictures taken.

The discussion of a gate around the trash area led to a discussion of an entrance gate on High Sierra. Several residents reported seeing unfamiliar vehicles hanging out at the bottom of High Sierra. Tim Roe reminded residents that in previous years, when there has suspicious activity in the neighborhood, that the St. Charles County Police encouraged residents to phone it in and they would come investigate.

Dana Mosher asked Paul Stern, a Fed Ex employee, how Fed Ex handles deliveries to gated communities. Paul said that the community notifies UPS, Fed Ex, Waste Management, etc. of the entry code and that is programmed into the computer system for drivers to access. The public authorities would use an emergency code number built into system.

Dana Mosher said that, based on her knowledge in the real estate business, being a gated community typically raises property value. The gated neighborhoods in the Wentzville/Foristell area have homes valued between \$500,000 and \$1 million.

The conclusion was that we have other spending priorities for the neighborhood that would come before a gate, but that it remains a topic of interest for many residents.

7. Lake Committee report

Robin Barton said the lake and dam are in good shape. Lowering the spillway was a very positive action; even in high rains the water hasn't come close to topping the dam. The drain does get clogged with debris when it rains heavily, so volunteers are welcome to clear the drain of debris. Debris needs to be hauled out in a 4x4 or tractor, so volunteers are needed to remove it to a neighborhood burn pile.

The front of the dam does need to be sprayed regularly, in order to keep an eye on muskrat activity. It does look like there is a little leak about the bottom of the dam. Gary Pearia mentioned that we need to be careful about the spraying affecting the fish. Robin said that they're mindful to do it in the early morning on non-windy days.

Robin brought up that in a 2013 survey that 27 families do fish or would like to fish. Travis Dierks talked a plan to restore balance to the population of fish in the lake. Right now there are a lot of bass that are 12 inches or less. The easiest way to fix that is to keep them. Because of their overpopulation, they eat everything they can and crowd out other species. He announced the new fishing regulations:

Bass under 12 inches: keep as many as you want. They pull down the bluegill and crappie population.

Bass over 12 inches: catch and release.

Bluegill: catch and release. If we reduce the bass population, the bluegill will have a better chance to reproduce and grow stronger.

The catfish and minnow populations seems good.

In the spring, the lake committee will restock the lake with green golden shiners up to 7 inches long. That will fill a gap in the lake population.

Travis said that a fun way to get rid of the bass stock would be to have a fishing tournament with a BBQ afterward. Travis offered to organize the cleaning of the fish at the end of the tournament. Tanya Goforth and Helene Buchheit offered to help plan the tournament.

Robin reminded us that there are fishing permits for residents and guests to use; she distributed them at the meeting. They're an alternative to requiring decals on residents' boats. She also distributed "Lake Notices." These can be placed on unfamiliar vehicles in the lake common ground. The say: "This private lake and common ground are only for use by RESIDENTS/GUESTS of Big Country Acres. If you meet this requirement, we welcome you. If you aren't a resident or their guest. Please do not come here in the future or you will be trespassing."

Several neighbors have noticed a larger number of unfamiliar vehicles in the lake common area. Dana Mosher said that several of them are friends of residents. Steve Smith said it is important to have signs up stating that the lake is private property; that provides legal ground for keeping outsiders from fishing here. Robin pointed out a new sign just put up in the lake common ground and said that there is also a sign on High Sierra.

8. Trustee Election (Secretary)

Dana Mosher nominated Kris Rattini to a second term as secretary. Tanya Goforth seconded. Kris said she would be willing to serve another term. A vote was held and was a unanimous "in favor" vote.

9. New Business

Robin Barton presented the following motion:

Effective November 1, 2017, change CCR Article III-I to reduce the quorum required to 66 percent instead of the 75 percent currently required

To help the new homeowners in attendance understand our situation, Robin explained that our current 75% quorum makes it impossible to get anything done. She went back through five years of meeting minutes; participation has been anywhere from 19 to 61 percent. If all residents were present at meetings and voting we could get things done, but that does not happen. Whenever an attorney has looked at our CCR, the response has been, "How do you get anything done?" The idea of a quorum is to make sure enough people are representing the organization to make the decision. But what has happened is that our quorum rate is higher than the percentage that is required to vote on things. Some people purposely don't participate instead of voting no on things so that quorum is not reached. It only takes 25 percent of residents to not pass something. While that is legal, she it seems unethical that the minority of lot owners is affecting the majority of lot owners.

Steve Smith seconded the motion. A vote was taken and was a unanimous "in favor" vote.

In other new business, Gary Pearia wondered if the neighborhood would be able to switch electrical service from Ameren to Cuivre River Electric. He offered to look into it. ADDENDUM: After meeting, Ameren told us no switch is possible.

Dana Mosher motioned to suspend the meeting. Tanya Goforth seconded. The meeting was suspended at 7:45pm.