

MINUTES FOR 9.16.18 ANNUAL MEETING

The meeting was called to order at 6:03 p.m. Lot owners in attendance: Barton, Brown, Buchheit, Christiansen, Dierks, Gilley, Goforth-Olson, Hanna, Miller, Ottinger, Pearia, Pineda, Rattini, Roe, Smith, Strassner. Proxies were sent by Groneck and Stern.

1. Approval of the minutes from the 2017 annual meeting

Ryan Strassner motioned to approve the minutes; Helene Buchheit seconded. A vote was taken. 18 votes to approve; zero votes against.

2. Treasurer report

Connie Smith, treasurer, announced there will be no increase of the assessment for 2019, save for the annual small adjustment based on the CPI (Consumer Price Index) that allows the assessment to keep pace with inflation. However, due to significant road repairs (see below), current assessment levels won't cover our operating costs by 2020.

The audit committee—Helene Racine and Tonya Goforth-Olson—met with Connie on August 20th. Nothing out of order was found. They made two formatting recommendations for the financial spreadsheets. Connie asked for volunteers for next year's audit committee. Pat Hanna and Megan Strassner volunteered.

Connie distributed two documents: Projected Quarterly Operating Expenses, and Big Country Acres Financial Review. She pointed out:

*The reports now separate out road repairs from road maintenance, to provide residents a clear explanation of the costs of the significant repairs being undertaken in the neighborhood.

*The residents who provide our snow plowing/salting (Kevin Powell) and mowing (Gary Pearia and Tim and Abby Roe) services have not raised their prices. However, the cost of purchasing salt has increased.

*The monthly cost for trash service that Waste Management (WM) charges BCA is decreasingly significantly, from \$600 to \$330. Connie had received a bid of \$220/month from Grace Hauling and presented that competitive offer to WM. However, since we just renewed our contract with WM last year, BCA would have to pay a \$4,000 contract cancellation fee to switch from WM to Grace Hauling. WM responded with the \$330 rate. After six months, if we decide to switch to Grace, then our cost to cancel the WM contract would instead be around \$2,000, since the fee is based, in part, on our monthly rate.

Rose Ottinger asked if there was any discussion about reinstating the recycling dumpster. Connie responded that we had to drop it due to the steep contamination fees BCA was charged when people mixed recycling in that dumpster – an action beyond BCA's control and beyond our budget.

Secretary Kris Rattini read the legally required tax statement: *The association resolves that any excess membership income over membership expenses for the year ended December 31, 2018, 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.

A. CULVERTS

The committee has been monitoring the condition of the neighborhood's culverts for a long time. Because they are all made from galvanized steel, they have varying degrees of damage due to rusting. Some are collapsing in the middle, others have rusted out on the bottom. A few weeks ago, Travis Dierks happen to inspect the

16-inch culvert under the power lines and noticed that the dirt on the downhill side was washing away. Water was working its way around the culvert underneath the road and creating a void, creating a significant risk that the road could collapse.

Robin called six companies to solicit bids. Only two responded: Cannon, which repaired the culvert over the lake, and ICC Services in Troy. Cannon bid \$7200 for a 24-inch galvanized steel culvert; a coated steel culvert would cost approximately another \$1,000.

ICC bid \$5820 for a plastic 24-inch culvert. Robin and Tim Roe commented that the state of Missouri is now using plastic culverts on its road projects, so it is a widely accepted material. The trustees met with the road committee to review the bids for this emergency repair, and decided unanimously to accept the bid from ICC. The work is scheduled to begin the next morning, Sept. 17.

ICC will cover the culvert with gravel and advised to let the work area settle for a year before paving it over. Connie received a bid from Ford Asphalt of \$2900 to \$3450 to cover the patch with asphalt. ICC indicated that our neighborhood could save that cost by instead choosing to fill that area with concrete ourselves, if we have residents knowledgeable in that line of work. Several residents in attendance indicated that they do.

The next culvert that will likely need to be replaced is the culvert between the Brown and Helsel properties. A hole is developing on the top, and the uphill end of the pipe is bent and curled in. The ground has shifted so that the valley floor is now four feet higher than the culvert end. The road committee has dug out a bowl at the mouth of the pipe, but the curled part needs to be cut away and the area excavated. Ryan Strassner said he has a contact who will likely be able to help us with this project.

B. CRACK SEALING

It's recommended to seal cracks every year. Ford Asphalt conducted our most recent crack filling in April 2017. The road committee and trustees have accepted Ford Asphalt's bid of \$11,900 for the next round of hot-rubberized crack sealing. We have enough money in the savings account to cover both this expense and the culvert repair; no special assessment will be needed. But we will be running leaner in the savings account for 2019 as a result.

We also have asked Ford for a bid to fill in the low spots on the road that are on their way to becoming pot holes. However, we will likely not have enough money in the account to pursue this work this year.

C. ASPHALT OVERLAY

When the road was put in 15 years ago, the contractor said the overlay should last 10 to 15 years. When Ford Asphalt did the crack sealing last year, it said the road was in good enough shape to put off the overlay for a few more years. However, when the time comes, and we need to put a new layer of asphalt over the entire road, it will be a significant expense. Robin recalls getting a quote of \$130,000 several years back. Tim Roe pointed out that any repairs we can do in the interim—such as crack sealing—to put off the overlay will be worth the money, but at some point we will need to do it.

D. OVERGROWTH ON ROADS

Gary Pearia inquired about the brush overgrowth that is affecting visibility at some spots along the road. Our road does have an easement that allows the neighborhood to clear away obstructive brush. Travis asked for volunteers to spearhead the trimming effort. Gary Pearia, Ryan Strassner, Ryan Buchheit and Henry Miller volunteered to work together to trim. Kris Rattini will call Ameren to ask about trimming where power lines are being obstructed by overgrown trees.

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

President Travis Dierks 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.

Ryan Strassner seconded the motion. A vote was taken: 18 votes in favor, zero against.

5. Dumpster issues

Kris Rattini reminded the new attendees that trash is picked up on Wednesday, so please plan your trips to the dumpster accordingly. Henry Miller, who lives across the dumpsters, encouraged residents to check the dumpsters on Tuesday, because they're usually only half-full. That means it's better to bring your trash up on Tuesday afternoon/Wednesday morning to round up the dumpsters before they're emptied.

6. Lake Committee report

Travis announced that the lake committee had made one modification to the fishing limits: The bluegill limit is now 10 per person. The other limits remain the same:

Bass under 12 inches: keep as many as you want. Don't put them back in the water. There are too many and that stunts their growth as well as lowers the population of the blue gill and crappie. **Bass over 12 inches:** catch and release.

These new limits will be posted on the sign at the lake common ground.

Robin distributed new hanging fishing permits that are easier to spot from the road. She also distributed "Lake Notices." These can be placed on unfamiliar vehicles in the lake common ground. The lake committee requests that people post a description of unfamiliar vehicles on NextDoor.com and even take photos of unfamiliar vehicles and their license plates in case further action is necessary for repeated violations of private property.

If anyone knows of a trapper who can help us with our beaver and muskrat problem, please get in touch with the trustees. Ryan Strassner mentioned that the Missouri Department of Conservation might have a trap loan program; he will look into it. Robin stressed that beavers are extremely smart and anyone wishing to trap them should get training.

7. Trustee Election (treasurer)

Connie Smith agreed to continue on for a second term as treasurer. Robin Barton motioned to appoint Connie Smith as treasurer. Ryan Strassner seconded. The vote was 18 votes in favor, none against.

8. New Business

Helene Racine asked what should be done to lower the quorum from its current 75 percent to a lower percentage to be able to conduct business. Robin Barton said that she had gone through the past 10 years of meeting minutes. Participation has been anywhere from 19 to 61 percent. A quorum of 50%, the same as is used by the U.S. Senate and House of Representatives, would be much more effective at getting adequate participation yet allowing us to do business. The idea of a quorum is to ensure enough people are representing the organization to make the decision.

Robin presented the following motion:

Effective November 1, 2018, change CCR Article III-I to reduce the quorum required to 50 percent instead of the 75 percent currently required.

Tonya Goforth-Olson seconded the motion. A vote was taken: 18 votes in favor, zero votes against.

In other new business, the question was raised if the well is every shocked with chlorine. Robin Barton explained that BCA pays a professional water tester to conduct our required monthly water testing and to evaluate the chemistry of the well.

Tonya Goforth-Olson asked about Jaxson Estate's water supply. Darryl Gilley said that subdivision is on a well, too. He and other BCA residents attended the St. Charles County meetings regarding the subdivision. The provision for multi-family units was removed, so the development is less dense than it was originally planned. But it still draws on the water table as BCA does.

With business being concluded, Travis Dierks motioned to suspend the meeting. Tonya Goforth-Olson seconded. The meeting was suspended at 7:45pm.

ADDENDA:

The culvert repair was completed by ICC by mid-day on Tuesday, September 18.

The trustees received a bid of \$3900 from Ford Asphalt for milling of the low spots on the road. They declined to pursue this work because of insufficient funds. They aim to schedule the crack sealing for some time this fall.

ADDENDA TO MINUTES - BCA

Kris Rattini, Henry Miller and Ryan Strassner counted ballots at the pump house at 6 p.m. on Tuesday, October 9th. Six ballots were returned, making total participation 24 residents (18 at the meeting, 6 ballots), which meets the quorum requirement of 75 percent.

The vote totals for each motion:

- 1) Approve minutes from 2017 Annual Meeting:
23 "for" votes. 1 abstention. **The motion passes.**
- 2) Effective November 1, 2018, change CCR Article III-I to reduce the quorum required to **50 percent** instead of the 75 percent currently required.
22 "for" votes, 2 against. **The motion passes.**
- 3) Add the following paragraph to the end of Article I of 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.**
23 "for" votes, 1 against. **The motion passes.**
- 4) Appoint Connie Smith to the role of trustee, treasurer.
24 "for" votes, zero against. **The motion passes.**