

Below are the minutes of the meeting. I was not able to catch all of the comments made. I apologize to anyone I missed. -Tres

Stone Mountain POA

Special Meeting

POA Building

June 11, 2022

Meeting Purpose: Called meeting to have discussion on possible POA land annexation.

Board Members Present:

Russell Clark

Tres Davis

Billy McGinnis

Laurie Shannon - Treasurer

10:00 Russell Clark called the meeting to order.

Karl Kupecz – established a Zoom Meeting and checked that people online can hear.

Alan Williams gave a presentation and handout on the 23+ acre property. The presentation included the following:

The Williams and Robertson families want express that this is an amazing community and that is most important. They hope annexation of the 23 acres helps unite this community and will not divide it (this was repeated a few times during the meeting).

The Williams and Robertson families will subdivide the land into 4 lots

\$10k will go towards the POA general fund

The Williams and Robertsons will pay the POA legal fees

Currently the 23 acres are landlocked so they want to bring it in as part of the subdivision. Kim and George Brummer have offered access through their property.

Aqua states that the water system has plenty of capacity to service the lots.

Property is currently deed restricted to no gravel pit and no mobile homes - anything else is allowed.

Ben Robertson - land is a good investment and has no desire to sell it. If financially they need to sell it they need to have that ability.

Jessica Robertson - we don't want to sell and having the property annexed into subdivision keeps control over the property.

Patty Barnum Are you going to split the property into 4 lots? Allan - Yes.

Mark Ocker - the property currently has no access from Stone Mountain Drive.

Alan Williams - access can come from other property owners.

Glen Hackler – what are we looking at risk wise? Our primary view is that lot. Are you receptive to putting a time period where you will not develop? Alan – no / Ben - open to the concept

Glen Hackler - Would like to understand the risk– legally can they actually develop? Thinks it is important and feels like this is rushed.

Alan Williams pointed out they just got a contract extension to August

Pamela Armour – real estate atty. If the Brummers provide an easement the lot can turn into anything. We need to get it in the POA to keep it residential. Do not restrict them on their timeline. Any requests need to be balanced against risk of not being in POA.

Glen Hackler - also a licensed atty. We need to know what could happen with the property and Alan and Ben may need to re-negotiate the purchase price.

Paul Rogers - I want to thank Ben and Alan for what they are doing for our community. There is so much greater risk to putting too many impediments. Let's work on the language and not make it too difficult. We don't want 30-homes or apartments on the property.

Kim Vernon – Put in a restriction clause that allows the association to have the right of first refusal. Are you splitting the lots ownership wise? Alan - Yes. Kim - \$2,000 limit may not be

enough for the POA attorney. Alan - we will cover a reasonable amount more if needed but our attorney has the documents ready for review so, hopefully it will not cost that much.

Richard Blount – why would the POA want to buy the property? Who cares if there is a house on the lot?

Patty Barnum – I will not support the association buying property (seconded by a number of people)

Marge Neis-Holmes – If at some point in time the property is built on, who pays the infrastructure fees? *I did not catch who gave this answer* - It is the developers responsibility.

Alan Williams - \$15k to bore under the road \$75 LF to run water to sell it will require \$40k an acre which is above current market value.

Pauline Frise - Why don't the Brummer's sell the land on the market? Alan – they don't want it to change very much.

Karl Kupecz – I want to thank Ben and Alan. That land could become anything, let's move with purpose. If we don't bring it in it will not have restrictions.

Dan Olson – the hill country is expanding. It does not matter why Kim and George want to sell, it is their property. Ben and Alan have stepped up and we need to back them up. He thinks we should get \$10k per lot but recognizes that re-negotiation is not realistic.

Richard Blount – Land should be subdivided prior to bringing it in. POA should not have to pay anything. The buyers will need to pay for the utilities. Annexed lots will be subject to all rules of the POA. 10k fee should not have to be paid upfront; it should be paid when it is developed.

Terry Jones – if divided into 4 lots, will having the cows on the lots break the minimum cattle per acre rule? Not a clear answer.

Mike Siegmund – will the 4 lots be paying dues when annexed? Alan - Yes

Inda Williams – How many cows are allowed per acre? Unanswered

Ben Robertson – we are trying to do everything above board and to not be divisive.

Shep Barnum – Thank you for doing this. As a past member of the board, having 4 more lots will help the financial situation of the POA

Harry Levine – Whatever the board decides should be paid needs to be paid up front.

Kim Levine – if anyone in the future wants to subdivide their lot will know the fee.

Mark Ocker – I appreciate what Alan and Ben are trying to do. We are looking at it a little differently. As far as impact fees everyone paid \$4,500 per acre to be brought into the POA in 2005. The impact fees need to be higher. A lot of us will see those four lots and this will change Stone Mountain forever. I feel like I am being held hostage. What are we being so protective of? Why not leave it as 23 acres? If we approve this proposal we will see 4 houses.

Patty Barnum – The places that have no restrictions are problems waiting to happen. We looked at a home where the lot next to it became an appliance graveyard.

Mark Ocker – The bylaws don't allow us to annex the property. The POA needs to consult its own attorney. It is not about trust.

Karl Kupecz – Yes, it is about listening and trusting what they say.

Alan Williams – George may give the land to his 30-year old grandson for an airstrip with hangers.

Pamela Armour – this has been a great discussion but we need to know the next steps and move on.

Alan Williams – We would like to get the vote in 30-days.

Pamela Armour – We need to vote then get the attorney involved.

Alan Williams – I think we need to know the exact wording of the agreement first.

Mark Ocker – Is this a “take it or leave it” proposal?

Pamela Armour – I suggest a vote to move forward then a second vote to determine the details.

Mark Ocker - Our bylaws and covenant documents do not agree on the percent needed to modify to let this proceed. One requires a minimum of 75% of the property owners to approve, one requires 66%.

Richard Blount *I missed who pointed this out* - State law changed everything to a maximum of 66% for a POA to pass a vote.

Pamela Armour - We need a vote before hiring an atty

Karl Ocker – Would you consider an impact fee in line with the original?

Alan Williams – The more expensive you make this the more likely I am to sell the north lot.

Pauline Frise – Will you agree to holding the property for a time certain? Ben is open to that Alan is not.

Ben Robertson – You cannot enforce anything unless it is in the POA.

Karl Kupecz– Our only protection is to bring it into the POA.

Mark Ocker – if we bring it in make sure it benefits everyone.

Glen Hackler – Let's be receptive to this and have the impact fee settled before we go to a vote.

Russell Clark – There are several in this room that have a tremendous amount of knowledge and you need to step up and help. The question is are you willing to accept the terms or not? We will try to answer the questions via email.

Inda Williams - George really wants to sell this property.

Russell Clark – Progress and change are coming this way. In the end there will be a vote. We do not want this to divide us. If it does, there is a risk this POA will dissolve.

Alan Williams – To the people who have been here and have made Stone Mountain as special as it is, “thank you”.

Peg Olsen – we need to show them who supports them so they know if they should go forward or not. Show of hands was strongly in the support category.

Alan Williams – we have had conversations with Jim Luther (County Commissioner) the county will approve if POA approves. Luther supports doing this so he does not get the phone calls if something unregulated goes in.

Harry Levine – making this part of SM makes the property more valuable since we will know what is going in there.

11:28 – Meeting adjourned.

Tres Davis