

Thursday April 30, 2020

Emory Creek Property Owners Association

Delayed Board Meeting due to Covid-19

Using Virtual GoToMeeting

Emorycreekranchpoa@gmail.com

The meeting was called to order by Theresa Bishop at 6:30.

Theresa welcomed all that joined the meeting. She hopes everyone is doing well and staying safe during these trying times. Please bear with us as we try this new technology.

Board members present Theresa Bishop, Jake Shirk, Cindy Frazier, Rick Ebbinghaus and Ginger Mackiewicz.

16 members joined the virtual meeting, including the board members.

MINUTES: Minutes read by Ginger Mackiewicz. Meeting minutes for February are posted on website and the reasons for canceling the March meeting are also posted. Minutes were voted on and approved.

FINANCIALS: Cindy Frazier reported on the financials. There has been a real effort for residents to catch up on dues and sewer payments. In February the accounts receivable was \$29,000 and as of this date accounts receivable was \$19,341. It seems as though everyone is making an effort to bring things up to date. Of the accounts there are 7 accounts that are chronically late and that makes up about 60% and equals about \$11,000. Because of covid-19 we will be giving some leeway on paying accounts. If anyone is having a problem please contact us and let us know so we can make arrangements for payments.

2019 tax returns have been filed. And no taxes were due.

Currently we have 220 owners of lots besides the Bank of Missouri.

Sewer income for March was \$5,700. Sewer repairs for February were \$5,978 and for March were \$4,363.48, so there was a small decrease in expenses. The White River Electric was \$1081.15, RMMC (the accounting firm) was \$450.00 and Attorney's fees of \$3,825.00 (that was before the insurance took over) and other miscellaneous items.

Anyone wanting a copy of the financials can email us and we can mail you a copy.

Just a reminder if you mail your sewer bill to our PO Box it will take longer to post to your account. We have to go to our Box and get the payments then mail them to RMMC. If you mail them directly to RMMC, 4035 S. Freemont, Springfield, Mo. 65804 your payment should be posted to your account sooner.

Motion was made to approve the financials. All approved.

PERMITS AND BUILDING: Rick Ebbinghaus giving report on permits and new building. There were 7 new project permits issued in April, 3 houses are almost finished, and 3 new home builds were approved in March.

Mowing contract was approved to Will Wicker. He gives us a little more than other contractors give us and it's nice to support someone that lives in the community.

We approved the contract for Huff Asphalt to repair Timberland Trail. They have done previous work on Emory Creek Blvd. The estimated date to start the project will be mid-May, weather permitting. A letter has been sent out notifying every one of the roadwork being done in mid-May.

DRIVE THRU AND VIOLATIONS: Jake Shirk says the board tries to get out at least once a month to check projects that are going on and things that need to be repaired. Because of the covid-19 going on we have tried to extend the time to complete the repairs to the end of May and some in June. There are about 11 issues with mold on houses, mold can deteriorate the siding plus it looks bad and that is why we would like to see it cleared up. There are at least 24 houses that need fences or decks that need to be stained or sealed and or repaired. Not only does it look better it also preserves the wood. There are all so instances where

car parts, firepits, wood and personal items are piled in the front driveway and cars or trucks and trailers are parked in the yard and not in driveway. Also, boats are parked in drive way and that goes against the CCR's. We are trying to give a little leeway because of the Covid-19. We are still trying to do our drive throughs however it is difficult as we normally do it as a group instead of just 1 person. We want to thank everyone for their continued effort to make our community a great place to live.

We are trying to be compassionate with the hard times we are going through right now. As we said before if there is a problem getting things done please contact us by email so we can have a conversation about what is going on so we can help you.

PLANNING AND ZONING: There have been questions asked about the new subdivision next to us Ranch View subdivision. Some property owners have gotten a letter from planning and zoning letting them know about the subdivision. There will be 18 lots in the subdivision. 5 or 6 will face Emory Creek and they will have a driveway on Emory Creek. There will also be a partial road by the water tower to access 3 more houses. Also, there will be a road off of 248 to access more houses. It is expected that about a third of the traffic will be on Emory Creek. Every home will have at least a 2 acre lot and will have their own septic systems and water well. The meeting on May 11 will be for requirements for the subdivision and not for asking questions about the type of house or how much they will sell for, etc. There is not a start date to build.

LEGAL UPDATE: As Cindy said we have paid attorneys fees up to when the insurance took over. The courts have put our lawsuit on hold. The courts are only hearing emergency cases and are using video conferencing. There is not an update to discuss at this time, when there is information, we will let you know.

SEWER UPDATE: Things are proceeding slowly with the sewer takeover with Taney County. Brad Allbritton said there are papers to be filled out by the DNR. All violation reports have been sent in to the DNR. With them changing offices because of the covid-19 it has slowed down communications and mail getting to their offices. The old sewer and the new sewer have been combined into 1

permit. We are still needing to have land surveyed at the old plant and find out how much land the county will need to service or dismantle the old plant. The survey needs to be done before all papers are signed. Everything is going as it should just a little slow because of everything that is going on right now.

MEMBER COMMENTS AND QUESTIONS;

** There was something mentioned about a pool. What is that? Some of the residents have asked about a community pool or questions about in ground or above ground pools. The CCR's do allow inground pools but not above ground pools. There have been postings on Facebook about pools. The pros and cons of having them.

** We are not in any financial shape to do a community pool. There is land at the top of the subdivision, however it is too close to the highway. Also, with all the rock it would cost a lot as they would probably have to blast to get one in. There would have to be sewer hookup, restroom, lights, water and professional maintenance. We all moved in here with a reasonable yearly assessment. What would our assessment be if we put in a pool? There are people for the pool and people against the pool. How would we handle the assessment? It would be a problem to solve. It will have to be on the back burner for now.

** The reason for the conversation for pools is because people have concerns and uncertainties that the public pools will not be open because of Covid-19. People are looking for a way to keep their kids busy and have more family time. Are there provisions that could be made just for this summer? I am open for everyone to voice their opinion on it.

** It's probably like everything we do with the CCR's some people do not want to support it and some do support it then there are the ones in the middle. This board took over this year and Bank of Missouri is the developer. There was a lawsuit over who was the developer of Emory Creek. The POA or Bank of Missouri. The Bank of Missouri was awarded the lawsuit so they are the developer and as the developer they have the voting rights to make that change. The first step is to ask them. They may say absolutely not or he may say have a

vote on it. Back in October there was a meeting and they said they were open to making changes. CCR's need to be tightened up. We would have to have a vote of the community then it would have to go to our attorney to draw up policy and procedure to support above ground pool so it doesn't become a problem and we can enforce the policy and procedure. That takes time. Even if we did that when would that happen. There would have to be fences around it with a locking gate so a child does not drown and we would have someone monitor the pools so they didn't become a green murky mess. These are a few things we have to take into consideration. If you want to go down that road then the board will see what the developer is willing to do to help us. Get a few more folks to help you. See if you can get a few more folks to help you and form a committee.

** As of all the issues how would an inground pool be any different than a above ground pool.

Theresa: There are other clauses in the CCR's that fall into the category of nuisances and maintenance. We wouldn't want an inground pool to become a mosquito nest either. You would need a fence and locks so that incident wouldn't happen. Cost is expensive. Maintenance and insurance needs to be considered.

The president of Bank of Missouri is David Cook and is representative of Branson.

** How many do you think would like to have an above ground pool? Maybe 6-8 people would be interested.

** We could take that first step for you and talk to our attorney and to Bank of Missouri. If you would like to give us time to make that call then we could have a conference call to find out what the next step would be. Get at least 3 or 4 home owners together then we could get things together for a vote and get a policy and procedure together. Maybe outline what needs to be done.

** There is the land owned by Bank of Missouri in phase 6 and close to highpoints. That would be a nice area. Maybe after all the expenses of sewer and lawsuits are taken care of it could be possible.

** We would have to purchase the land because, doubtfully the Bank of Missouri would give it to us. Then land cleared, playground equipment purchased, bathrooms, picnic tables, shelter built and insurance to mention a few things.

** Theresa said she would be willing to call and talk to David Cook and if he is open to it, we could get a committee together to get started on the project. Are there any more questions or comments? Then thank you all joining us.

Meeting adjourned at 8:00PM