

RCMC BOARD OF DIRECTORS MEETING
Monday, August 21, 2017

President Ben Andrews called the meeting to order at 6:31pm.

Present: Ben Andrews, Marc Rosenthal, Sam Stanphill, Sandy Stratton, Laurel Taylor, Darin Zumwalt and Myra Zumwalt. Absent: Kevin Craine and Paul Garner

Residents Attending: Betsy Hochgesang, Gary Beavers, Todd & Lisa Lanphere, Michele Working, Jason & Virginia King, Harold & Sharon Main, Dick & Mary Baggett, Bryan Harbuck, Bob Moore, Fred & Carol Dickey, Allie Nicoletti, Craig Schooler, Mike & Jeni Palmer, Ernesto Garcia, and Adam & Lisa Acosta

The Pledge of Allegiance led by Ben Andrews started the meeting.

Ben stated that the minutes from the previous board meeting had been circulated by email. Ben asked if there were any other changes than those already sent in. With no additional changes to the minutes **Ben stated the minutes are accepted as presented.**

Myra gave the Treasurer's report. She stated we continue to receive money in catching up the past due accounts. We had two rentals last month, three resale certificates and two transfers of ownership which also brought funds into the association.

Admin Committee- Laurel stated that the Ice Cream social went well there were 40 in attendance. Movie Night at the pool is scheduled for Friday, August 25th at 8:30pm, proceeds to benefit the playground fund. Next event will be National Night Out on October 3rd- Theme is County Fair- Help will be needed for this event. Idea for this year is to have various games and face painting for kids outside the clubhouse and inside will host tables for entities such as Fire/EMS, CCSO, etc. for people to rotate around.

Laurel stated that no one signed up to rotate once a month to help with locking and unlocking clubhouse for parties so we will go back to doing what we use to. Next newsletter will go out September 8th with articles being due by the 1st.

Laurel researched new lock system for pool. Estimate came in for a key card at \$6326.39 and if we go to a pin pad system cost is less expensive at \$2800.43. The company did recommend putting in a mesh screen on pool gate to alleviate someone putting hand through and opening gate with the push paddle exit from inside. Sandy asked how many codes can we put in and Laurel said she is not sure. Laurel stated that we would need to hard wire in the system. Decision was made to table until we can get further information.

Laurel reported an incident of furniture being dumped on Marlys. The sheriff's office was called. Carl Cecil and Laurel offered to pay to have furniture hauled off but found out that the county will do it for free when it is a dumping situation.

ACC Committee- Ben reported in Kevin's absents that 3 new homes, 1 deck, 2 fences and 1 other was submitted for approval, which is down from last year.

Rules Committee- No report.

Finance Committee- Sandy distributed the financial statement for June. Reports we reviewed.

Operations Committee- Sam stated that the pool is good. Chlorinator is running out so an extension tube was installed. Pool Company has left us with extra tablets to fill if we run out on a weekend. Pool Company has reported that there are a few rust spots that need to be repaired. They will send us a bid on the repairs.

Laurel asked if we were going to have the rugs cleaned. Darin offered to bring a commercial rug doctor for the maintenance person to use to clean the carpets. Sam reported that the repairs to the volleyball court are on hold until October when we have cooler weather. Sam explained why we needed to work on the volleyball court to those in attendance.

Sam asked about rule enforcement and how do we keep people out of the pool that doesn't belong. He explained there was a recent episode where some contractors were seen using the pool. Laurel stated that she doesn't think the Board should be enforcers, that the pool is owned by everyone and it should be everyone's responsibility to speak up and say something when we see things that aren't right. Ben suggested putting an article in the next newsletter about the rules again.

Ben stated that the pool company had to come and replace the pool light and add a timer so that they light comes on at dusk.

Bryan Harbuck from PEC gave a presentation of how a homeowner can receive free mulch when PEC is in the area cleaning up the roadsides. He did say it is not landscaping quality mulch but it does make a great base layer and that they would drop right on your property. Each load is about 20 yards. He also said they are giving away old telephone poles for free. PEC will cut them to your length if you come by the office in Sattler. These will have to be picked up but they will load them on your trailer for you.

Ben stated that there is a change in our liability policy with the insurance carrier for 2018. He stated our deductible went up. He called around and could not get another quote in time so the decision was made to stay with same company.

New Business

Ben stated that we received a notice that Don Anderson is resigning because he is moving out of the area. Ben asked if the Board had any suggestions as to who to fill the spot with. Laurel Taylor suggested Craig Schooler. She mentioned that he ran in the last election and came in with next highest vote. Sandy motioned to accept the nomination of Craig Schooler for the Board position, seconded by Marc, all in favor motion carried. New Board Member is Craig Schooler.

Open Forum

Ben stated the rules for Open Forum. He wanted it known before starting the Open Forum that there has been a lot of work by Kevin on the house in question and that everyone involved has assured us that the home is a modular home and not a mobile home. Ben stated that the mortgage lender has qualified it as a modular home and that the Deed Restrictions for the phase does allow modular homes.

Gary Beavers asked for the definition of a modular home versus a manufactured home. Ben stated that a manufactured home is not tied to the land and it can be moved at any given time. A modular home by local standards is intended to be placed on a permanent foundation and is a part of the real estate.

Todd Lanphere stated that if it comes in on wheels and on a metal chassis that is not removed then how could you call it a modular home. He also stated that if the ACC is the ones who give approvals then why could they not given the approval to keep this home out of the subdivision. Ben explained it does not violate our deed restrictions. He stated that a modular home is allowed in that phase and the home that came in is rated as a modular home.

Lisa Lanphere asked who created the laws. It was explained to her that the developer had made the deed restrictions. She asked why we could not change them. It was explained to her that the Board had tried to get the deed restrictions changed in the past but could not get enough participation to get things changed.

Bob Moore explained he has lived here for 9 years and that 7 years ago the Board tried to change the deed restrictions but could not get enough property owners to vote to change them.

Ben stated that the developer is the one who set the deed restrictions and that the board has to go by what they say unless we can get the stated 51% of lot owners to vote and changed the deed restrictions. He explained that anyone can start a petition to bring before the board, then the Board can put it out to vote. He explained that you would need 10% of the lot owners to sign the petition.

Betsy Hochgesang stated that she thinks the house is tacky and that once we let one come in then there more will come bringing down the value of homes in our subdivision.

Allie Nicolette asked if they get a petition started what would it accomplish.

Ben said if you get the required 10% of lots owners to sign a petition then the Board could send it to the Association then if the Association voted and had the required 51% of lots owners to vote yes to the changes presented then we could change the deed restrictions to reflect that. He suggested to give specific facts of what you want changed for each item that you want changed.

Fred Dickey asked what the definition of who can vote on a deed restriction change. It was explained that for a deed restriction change you would need 51% of lot owners to change the deed restrictions. If you own one lot you get one vote if you own three lots you get three votes but if you have combined your lots with the county then you only get one vote.

Mike Palmer stated he thinks the manufacturers have found a loop hole on how they can call a manufactured home a modular.

Ernesto Garcia stated that he purchased his home as a future investment and if we allow modular homes in then it brings down the value of his property.

Mary Baggett stated she sees both sides. She feels that this property owner did nothing wrong they followed the rules in place and she would like to see a petition sent around to change it so in the future no more are allowed in the subdivision.

Carol Dickey stated she just moved here and had been looking for a long time. Her realtor said to steer away from a mixed neighborhood, which means they have built home and mobile homes. She said real estate agents don't like to sell in mixed neighborhoods.

Darin Zumwalt answered by saying they showed you houses here and we have a mixed neighborhood. He explained we already have a modular home in this subdivision. He also stated he talked recently to a real estate agent that stated it recently sold for top dollar and that they believed it would not de-value the homes around the new modular coming in.

Jason King stated he thinks we need to move forward and get the petition. He asked how many votes would be needed for the petition. It was stated that as of right now with the property owners we have, 10% would be 48 signatures. It was explained that it is one signature per owner and a husband and wife would be one owner not two.

Sharon Main stated she saw the triple wide coming in and asked on nextdoor. She wanted to say sorry for the uproar she did not know asking was going to cause a stir.

Gary Beavers asked if the Board can't do anything to enforce rules they why even have a HOA.

Jennifer Palmer asked if there was so much research about this home then why wasn't it told to the Association that a modular was coming in. Ben explained that we don't tell everyone that there is someone

from California moving in so why would we tell everyone what type of house is coming is if it meets the ACC guidelines.

Dick Baggett stated that the house is close to the fence and asked who permits the septic. He asked is there a rule about where it can be placed. It was explained that there are two things that are controlled one being the septic and the other driveways.

Betsy Hochgesang asked if a petition was formed could we have the Attorney for the Association look at it. Board did not see a problem with that.

It was asked if Roper has anything to do with the subdivision any more. Ben replied other than owning property still in Rocky Creek ...no.

Next meeting scheduled is for Monday, September 18, 2017 at 6:30pm.

Laurel motioned to adjourn the meeting at 8:05 pm, Darin seconded, motion carried.

Respectfully submitted,
Myra Zumwalt