

BMHOA Annual Meeting July 26, 2016

Mike Wilke opened meeting

Introductions of all board members

All owners in attendance introduced themselves

Mike provided overview of road progress, repair of entrance columns (first gate is complete, second gate is in progress). Improvements to small building on property to make it usable and weather tight. 30x24 foot building. Mowing of property is ongoing, fill was brought in for free to fill in pool area. New gate, new keypad, emergency entrance mechanism for EMS, automated exit feature opens gate from about 100 feet back.

Owner asked about gate code. Reiterated format that was mailed to all owners. Email your Board if you need specifics.

Mike reviewed each line item of proposed budget for FY 2017

Paving should proceed in fall at price locked in until end of 2016. Owner vote to date is in favor or proceeding with paving second lane of Brush Mountain Circle. Voting is 45 for and 1 against. Voting closes on August 1.

Owner asked if side roads will be paved. Mike discussed budget constraints and possible committee to strategize priority of which roads should be prioritize.

Some roads will not be paved based on topography.

Bill pointed out that large gravel was placed on many roads. This gravel is not conducive to driving especially in poor weather conditions.

Next paving might be done on roads that are washing out onto BM Circle.

Jesse: ERC is bank who loaned money to Chris Gibbs. ERC now owns all unsold lots. Original developer sold lots that had been turned back over to ERC (in lieu of foreclosure) using false titles.

Common properties are owned by ERC and they are responsible for taxes. However, BMF owners have rights to use these areas due to Kentucky law.

A resident within the community is involved in a lawsuit against the HOA due to hitting the entrance gate. BMF's insurance is handling this matter and has retained an attorney on our behalf.

Jesse and Bill asked owners to send in anything in writing that they may possess regarding community amenities, paving, water, electric, etc.  
Owners can call Bell County and ask for a reevaluation of value and taxes.

Wildlife preserve is slated for development across from Brush Mountain Farms. Link is on website for more information.

Attorney Allen Lewis and Attorney Bishop Johnson arrived for presentation and questions from owners.

ERC is a designator or holder of lender East River Opportunity. ERC wants to sell the property. Would like to sell all at once. Bill asked about potential buyers. No action has been taken against Chris Gibbs to date. Litigation is still ongoing with lots sold fraudulently. ERC is holding properties as the Developer. However, ERC only wants to sell, not proceed with development of the community.

Declarations will designate what Developer is required to do. ERC is taking the position of successor Developer after Diversified.

Developer status went away when Chris Gibbs transferred ownership to ERC.

Bell County has no zoning requirements.

We would like ERC to contribute to some maintenance within the community. This would be mutually beneficial when ERC wishes to sell.

ERC was formed just to hold these lots in BMF.

Jesse described option for Bell County to use tax dollars from BMF for installation of water lines throughout the community. More information will be provided as this discussion continues between BMHOA and Pineville Water.

Meeting adjourned.