

# CRUMBACHER ESTATES OWNERS ASSOCIATION

COMMUNITY NEWSLETTER - JUNE, 2020

## IN THIS ISSUE

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**This month's newsletter** is one of our more significant notifications, providing updates on several major issues that have impacted our association in recent years! Please take a minute to read through all of the information presented here regarding accounts in arrears, water system repairs, road work, and planning for an annual meeting. We, your Board members, hope you will be as excited about these recent developments as we are!

## ACCOUNTS IN ARREARS

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**For the past** six years, the Board has been attempting to collect dues and water charges from Lots 3 & 4, Pine Cone Estates, located at 64 Oakes Drive. The prior owner had not made any payments since 2014 and the Board had initiated foreclosure proceedings per our covenants. This added substantial legal fees to the outstanding bill, but our covenants are clear that these costs are to be passed to the customer in arrears.

The foreclosure process was interrupted when the prior owner filed a lawsuit against the Association. That lawsuit was eventually thrown out of court and monetary sanctions were issued against the owner. Crumbacher Estates was free to resume the foreclosure process but we learned that Wells Fargo bank had initiated their own foreclosure proceedings while the lawsuit was being resolved.

At that point, the Board decided to put our own foreclosure on hold and see what happened with the bank proceedings. We were confident that our covenants protected our financial interests because they state that the debt runs with the land, transferring from one owner to the next. Although our lien would be dissolved with the bank's foreclosure, the debt would remain on the books and was still owing.

Wells Fargo challenged this position, stating that they were only liable for charges after they took possession. The Board refuted this, providing copies of the Association documents for review. There were further challenges from the bank's legal team and again we asserted that the water would not be turned on until full payment was received.

On Tuesday, June 30<sup>th</sup>, two checks were received from Wells Fargo totaling \$27,801.08, constituting payment

in full on the account. This payment brings to a close a very difficult, stressful, and time-consuming effort by all the Board members and leaves us all very thankful that our covenants are as strong as they are.

## ROAD MAINTENANCE

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**The road maintenance** work is scheduled to begin on Friday, July 3<sup>rd</sup> with Rains Contracting of Malott. The project had been on hold, first due to COVID-19 restrictions and then due to financial concerns. The Board was hesitant to commit funds while there was a possibility of more litigation with regards to the property in foreclosure. With that issue resolved, we feel confident in making this much-needed expenditure of Association funds.

Several chronic problem areas have been identified for reconstruction. These areas will be ripped and recontoured to create a crowned center with ditches on both sides. The Board has allocated \$15,000 for the completion of this project.

Please use extra caution while driving on the roads during this time as you may encounter heavy equipment and uneven, muddy, or soft road conditions.

## PUMP REPLACEMENT

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**The Board voted** to replace the existing turbine pump with a new submersible pump. This work is also tentatively scheduled to begin July 3<sup>rd</sup>. O'Connell Drilling of Brewster will be installing the new pump, new pipe in the well, and new electrical cable. This project is expected to cost approximately \$23,000.

Although this was a few thousand dollars more expensive than a direct replacement, the Board felt that this alternative was a better decision for the future. A direct replacement would have required using the old pipe and old motor, both of which could require repair or replacement in the near future. Additionally, the direct replacement would have required 40 hours of labor, versus only sixteen hours of labor for the submersible pump. This means a savings in the long run if we ever need to pull the pump out of the well again.

Thank you to all who have reduced watering schedules or limited other water uses to help ease the demand on

our system. It's this kind of community spirit that makes Crumbacher Estates a "good place to live."

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## ANNUAL MEETING

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**It doesn't appear** that in-person meetings will be possible any time in the near future. As of this writing, there were 22 new coronavirus cases in the county over the past four days and this trend seems likely to continue for some time. The Board is contemplating an annual meeting in September using the online Zoom app. This would allow members to log in and participate from a location with an Internet connection or to call in from their cell phone.

There are some issues that would need to be resolved, such as how to submit proxies. This would likely need to happen by mail before the meeting and then be announced once the meeting began. Voting would likely have to be done by a roll call.

We realize that this is not a perfect solution, as there may be some members who would not have convenient online access. If you have concerns or suggestions for the Board to consider, please feel free to call or email at the numbers or address below.

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## UPCOMING BOARD MEETINGS

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**The Board will** continue to meet via Zoom for the foreseeable future. The next meetings will be held on July 22<sup>nd</sup> and August 31<sup>st</sup>, 2020 at 7:00 p.m. If you would like to attend the meeting via Zoom, please contact the Board and we will send you instructions to sign in.

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## FINANCIAL REPORT – 6/30/20

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<b>Bank Accounts:</b>	<b>\$74,441.24</b>
Checking – Operations	\$34,155.45
Savings – Association Dues	\$15,900.38
Savings – Capital Improvements	\$12,382.99
Savings – Emergency Reserve	\$12,000.00
Savings – Unallocated	\$2.42
<b>Accounts Receivable:</b>	<b>\$8,326.00</b>
<b>Undeposited Funds:</b>	<b>\$0.00</b>
<b>Total Assets:</b>	<b>\$82,767.24</b>

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## CONTACT YOUR BOARD

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**As always, we** value your input and support. Please use any of the following options to contact your Board.

Doug Hale, President	509-826-1653
Craig McCoy, Vice President	509-671-0392
Ken Radford, Secretary/Treasurer	509-826-1977
Rennie McCormick, Director	509-826-8034
Chuck Metteer, Director	509-826-7101

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