

Southern Hills Community Improvement District
April 17, 2018 at 7:00 pm
St James Church
2645 East Southern Hills Blvd
Springfield, MO 65804

The meeting was called to order at 7:08 p.m. by Carl Price at the St. James Church, 2645 E. Southern Hills Blvd, and a quorum was declared present. Introductions of all were made.

Present: Carl Price, Justin Foss, Gail Noggle, Jane Earnhart, Denise Heintz, John Heitz

Excused: Jeffrey Fenwick

Guests: Refer to attached sign in sheet

The various documents discussed were provide to the proposed CID Board Members via email prior to the meeting for their review.

New Business

Bylaws – Gail Noggle presented an overview of the Bylaws, and handed out Draft copies to those present.

John Heitz made a motion to approve the Bylaws, Denise Heintz seconded, and the motion was approved by the following vote: Ayes: Carl Price, Justin Foss, Gail Noggle, Jane Earnhart, Denise Heintz, John Heitz. Nays: none. Abstain: none.

Officers – Carl Price presented the slate of officers listed below:

Chair – Carl Price
Vice Chair – Justin Foss
Secretary – Jane Earnhart
Treasurer – Gail Noggle

John Heitz made a motion to approve the slate of officers as presented, Justin Foss seconded, and the motion was approved by the following vote: Ayes: Carl Price, Justin Foss, Gail Noggle, Jane Earnhart, Denise Heintz, John Heitz. Nays: none. Abstain: none.

Intergovernmental Agreement – Carl Price presented an overview of the Cooperative Agreement between the City of Springfield, and the Southern Hills CID.

John Heitz made a motion to approve the Agreement, Justin Foss seconded, and the motion was approved by the following vote: Ayes: Carl Price, Justin Foss, Gail Noggle, Jane Earnhart, Denise Heintz, John Heitz. Nays: none. Abstain: none.

Resolution 2018-1 – Carl Price explained the process of the upcoming vote. Ballots will be mailed from the County to the *registered* voters within the limits of the CID. Registered voters may not necessarily be the same as the property owners. Each registered votes will receive a ballot. They will vote, and then mail the ballot back to the County by the specified deadline. The results of the vote are based on the majority of ballots *returned* to the County. If this can be completed by September, the tax will be within the 2018 tax bill, and the CID will receive the tax funding in early 2019.

Bob Smith explained the importance of the vote passing, the simplicity of the collection of funds by the County, and the deposit of the funds into the CID account for the lake maintenance as outlined within the Special Ordinance approved by City Council.

Denise Heintz made a motion to approve the Resolution, John Heitz seconded, and the motion was approved by the following vote: Ayes: Carl Price, Justin Foss, Gail Noggle, Jane Earnhart, Denise Heintz, John Heitz. Nays: none. Abstain: none.

Transfer of Lake Ownership – A private LLC purchased the lakes from the John Q. Hammons shell corporation that had previously held ownership of the lakes. This purchase occurred prior to the bankruptcy filing by John Q. Hammons. Now that the CID has been formed, the ownership of the lakes may transfer from the private LLC to the CID.

John Heitz made a motion to approve the transfer of ownership to the CID. The transfer will occur following the establishment of the Liability Insurance and Director Insurance for the CID. Justin Foss seconded, and the motion was approved by the following vote: Ayes: Carl Price, Justin Foss, Gail Noggle, Jane Earnhart, Denise Heintz, John Heitz. Nays: none. Abstain: none.

Liability Insurance and Director Insurance – Carl Price explained what the liability insurance can cover, and that the CID assets are only the lakes. Denise Heintz explained the single purpose entity of the CID (owning/maintaining the lakes/easements) protects the District from individuals within the CID being directly impacted by a claim. The CID purpose is documented within the Special Ordinance approved by City Council.

Bank Account/Financial – Carl Price noted that two signatures will be required on checks. Gail Noggle will speak with the following financial institutions regarding their account policies, and ability to provide a loan (if needed) for the CID. She will provide a summary to the Board members, and they will vote on the preferred bank via email.

Central Bank of the Ozarks
State Bank of Southwest Missouri
Springfield First Community Bank

Lake Use Policy – Denise Heintz explained the use of the Lakes/Easements. The CID can't infringe on the rights of private ownership. CID resident access to the lakes will continue to be along the streets: Southern Hills Blvd for the north lake, Edgewater and Cedarbrook/Avalon for the middle lake, and Skyline/Rocklyn for the southern lake. Fishing will be allowed along the public streets, and catch-and-release will be encouraged. Parking is allowed along the public streets. However, homeowners may petition City Council to create No Parking areas if there are nuisance/safety issues. Some neighbors mentioned a concern for fishing hooks that end up injuring the geese. Another concern is how to distinguish CID residents from the general public. Signs will be posted along the street access to indicate *Private Property Owned by Southern Hills CID, for resident's use only*. All CID residents, on behalf of the CID, may police the lakes. If a problem arises, the resident may call 911 on behalf of the CID. John Heitz explained that if the CID tax isn't approved (for maintenance of the lakes) the City has said their only means to address the algae issue would be to drain the lakes, and alter the outlet structures to function only as dry detention basins (not as wet ponds).

John Heitz made a motion to approve the Lake Use Policy as presented, Justin Foss seconded, and the motion was approved by the following vote: Ayes: Carl Price, Justin Foss, Gail Noggle, Jane Earnhart, Denise Heintz, John Heitz. Nays: none. Abstain: none.

Lake Treatment – Carl Price informed everyone the dredging of the middle lake is nearly complete. There are approximately 21 days remaining. The peninsula has been reconstructed

utilizing dredged material. The dredging alone isn't sufficient to remove the algae. The dredging has stirred up dormant algae from the bottom and we could have a bloom this year that is worse than previous years until we get ahead of the process by utilizing a lake treatment. Justin Foss noted that three lake management companies have been contacted to discuss treatment. Solitude Lake Management has risen to the top. They have visited twice. Once with Bob Smith, and another time with several neighbors. Solitude has provided a proposal for their treatment services. The treatment will be customized for the issues specific to our lakes. Since the CID doesn't currently have money, funds will be transferred from the Southern Hills CFO account to cover the treatments until the CID has funding (or can borrow against anticipated tax funding). Solitude is considering phosphorus treatment as well. Funds from the CFO account will also be needed for legal funds, as well as remediation of the dredged material. Additionally, the residents within the CID will need to be educated regarding lawn fertilizers, erosion control, etc. Good practices include a 20' zone next to the lake that is not fertilized, and a vegetative buffer along the lake that will filter sediments and nutrients, which will also discourage the geese. Jane Earnhart will coordinate with Carrie Lamb at the City of Springfield regarding residential water quality practices. Justin Foss is researching a website for the CID to share educational material as well as Board information and documents.

John Heitz made a motion to approve the contract for Solitude Lake Management, Justin Foss seconded, and the motion was approved by the following vote: Ayes: Carl Price, Justin Foss, Gail Noggle, Jane Earnhart, Denise Heintz, John Heitz. Nays: none. Abstain: none.

Neighborhood Signage – Bob Smith explained that one of the CID residents has proposed designing/fabricating signs as an in-kind donation. The signs are intended to delineate the physical limits of the CID, designate the lakes are owned by the CID for the benefit of the CID residents, and indicate what uses are not allowed on the lakes. Bob will continue to coordinate with the sign company owner and provide an update to the Board.

Other business

CID Website – Justin Foss will coordinate the creation of a website that will share Board information/CID documents, lake management practices, before/after dredging photos, and yard maintenance education related to the water quality of the lakes.

Remediation of Dredged Material on Lake Bank – Carl Price explained the remediation process which includes: opening the bags, removing the soil, disposing of the bags, spreading the soil and seeding the soil. Two proposals were previously provided, and the proposal from Your Choice Lawncare LLC was the preferred proposal.

John Heitz made a motion to approve the contract for Your Choice Lawncare LLC, Denise Heintz seconded, and the motion was approved by the following vote: Ayes: Carl Price, Justin Foss, Gail Noggle, Jane Earnhart, Denise Heintz, John Heitz. Nays: none. Abstain: none.

Action Items for Board Members, and others, to complete:

Jane Earnhart - type minutes, scan documents, coordinate with City regarding petition for vote
Carl Price - request check from CFO for remediation work
Justin Foss - check on Director insurance with Crowley, transfer liability insurance to CID;
research website and google share; issue agreement to Solitude Lake Management
Denise Heintz- obtain P.O. Box for CID

John Heitz- issue signed Remediation agreement to contractor; ask attorney to prepare transfer lake ownership document (coordinate process with insurance transfer)

Gail Noggle- finalize Bylaws document

Bob Smith- coordinate sign design (content, graphics, sizes) for "limits" of CID, no trespassing, and CID use areas

Old Business

None

Adjourn – With no further discussion, the meeting was adjourned at approximately 8:17 p.m. John Heitz made a motion to adjourn, Gail Noggle seconded, and the motion was approved by the following vote: Ayes: Carl Price, Justin Foss, Gail Noggle, Jane Earnhart, Denise Heintz, John Heitz. Nays: none. Abstain: none.

Minutes prepared by: Jane Earnhart, Secretary, Southern Hills CID

Carl Price, Chair

Address: 2440 S. Skyline Dr., Springfield, MO 65804

Phone: 417-848-7222

Email: prifam@mac.com

2 year term beginning 2018

Justin Foss, Vice Chair

Address: 2527 S. Catalina Ave., Springfield, MO 65804

Phone: 417-861-0747

Email: justin.cfoss@gmail.com

4 year term beginning 2018

Gail Noggle, Treasurer

Address: 2524 S. Cedarbrook Ave., Springfield, MO 65804

Phone:

Email: Gnoggle1@gmail.com

2 year term beginning 2018

Jane Earnhart, Secretary

Address: 2712 E. Crestview St., Springfield, MO 65804

Phone: 417-299-5502

Email: jkearnhart@sbcglobal.net

2 year term beginning 2018

Denise Heintz, Board Member

Address: 2800 E. Covington Cir., Springfield, MO 65804

Phone: 417-300-4050

Email: denise@oreillydevelopment.com

4 year term beginning 2018

John Heitz, Board Member

Address: 2971 E. Southern Hills Blvd., Springfield, MO 65804

Phone: 417-224-5555

Email: jaheitz@aol.com

2 year term beginning 2018

Jeffrey Fenwick, Board Member

Address: 2457 S. Edgewater Dr., Springfield, MO 65804

Phone:

Email: Jeffrey.Fenwick@coxhealth.com

4 year term beginning 2018