

MEADOWBROOKE HOA
ANNUAL MEMBERS MEETING AND ELECTIONS
BOARD OF DIRECTORS MEETING

August 6, 2020

ATTENDANCE: BOARD OF DIRECTORS

Walter Wilkinson, President
Diana Cameron, Vice President (via phone)
Shea Hicks, Secretary
Wendy Blankenship, Treasurer

ATTENDANCE: HOA MEMBERS

Bob & Wendy Alvarez	Don & Amanda Staggs	Clyde Raborn
Scott Cameron	David & Leona Roberts	
Spencer Hale	Anita & Stu Hillis	
Jerry & Vickie Wiech	Jeremy Feldmann	
Sam & Laura Cox	Perry Birky	
Dick Abel	Corey Bowman	
Jim & Carol Duval	Bret & Kimberly Bullock	

Meeting called to order at 6:30 pm by Walter Wilkinson. Walter noted that the meeting will be recorded in order to obtain an accurate record of all HOA business and member's discussions.

NEW MEMBER RECOGNITION – Walter introduced the names of new members and asked them to stand if they are in attendance. Brian & Kristy Eagan; Cameron Gillette; Byron & Lisa Barr; Dan & Julie McPhee; Kimberly & Bret Bullock (in attendance); Wendy & Bob Alvarez (in attendance); Carol & James Duval (in attendance). Walter noted that there are also currently two properties in escrow. Two homes under construction and possibly two homes in the works to start construction as soon as possible. With the new property sales and new homes being built in the HOA, it will create more security within the HOA. We now have over one half of the lots with homes. Walter asked if any of the new members would like to say anything. There was no response.

APPROVAL OF MINUTES FROM JULY 23, 2020 MEETING - Wendy made a motion to approve the July 23rd meeting minutes, seconded by Shea. Board members approved. Walter noted that our last several months of BOD meetings have been held via phone conference due to the Covid-19 issue and our Vice President Diana Cameron being out of state.

FINANCIAL REPORT

- a. Beginning balance in Operating Checking Account as of July 2020: \$21,915.99
- b. Bills paid - Flathead Electric \$73.00 (auto pay); U.S.P.S. \$56.00 (one year box rental); U.S.P.S. \$41.75 (postage annual meeting packets & stamps); Jackola Engineering \$570.00 (plan review Duval & Gillette); Wendy Blankenship \$156.22 (reimburse GoDaddy website & domain renewal); August bills paid – Shea Hicks \$10.10 (postage expenses); Marion Fire Hall \$35.00 (annual meeting rental)
- c. Ending balance in Operating Checking Account - \$20,973.92
- d. Road Maintenance Account: Beginning balance June 2020 - \$21,515.00
- e. Deposits - \$1,060.00
- f. Ending balance in Road Maintenance Account: \$22,575.00

Wendy stated that the current Treasurer's Report, current Balance Sheet, previous year comparison Balance Sheet, current Profit and Loss statement and previous year Profit and Loss comparison sheet were all attached to the Annual Meeting Agenda for members review and were self-explanatory. Walter asked if any members had a question about the Treasurer's report.

Stu Hillis stated that "in 2018 we had \$15,537.00 in a CD Balance, where did that money go?" He was reminded that when he was on the BOD that money was transferred into the checking account. The roads were cracked sealed in 2017 for a charge of \$7,080.00 and again in 2019 for a charge of \$7,935.00, plus our usual annual operating expenses. Wendy explained that all of this year's annual dues were deposited into a newly created Road Maintenance Account and that our current balance in the HOA Operating Checking Account should cover our annual operating expenses for the next two years. Stu continued to express his concern that there was only \$20,000.00 in the checking account, but Walter clarified that the two combined checking accounts have over \$43,000.00.

Stu went on to say he is concerned about the "increase in dues of possibly \$100.00 to \$125.00, and where will that money go? We don't have a clubhouse or pool." Walter explained that the funds will be going into the road maintenance account, and that we can do a gradual yearly increase in the dues or we could possibly end up with a \$5,000.00 to \$6,000.00 one-time capital improvement cost. Stu suggested that we take money out of the regular checking account and put in the road maintenance account, but Wendy reiterated that the regular checking account money will be needed to cover the HOA's annual expenses. Walter reminded Stu that he was a member of the BOD when we discussed the issue of the road maintenance and seal coating vs chip sealing the roads. Walter spoke to four companies that did seal coating and they each stated that seal coating would last a maximum of two to three years at a cost of \$30,000.00 to \$40,000.00. Member Dave Roberts said he spoke to Double Diamond and they said "chip sealing is a better product, but you still have to seal coat it, so we pay \$100,000.00 plus \$30,000.00 to \$40,000.00 on top of that?" Walter stated, "I was involved with an HOA in Whitefish much bigger than this and the properties were less expensive than the ones in here and we chip sealed and it lasted 10 years." Stu stated, "One thing people here need to realize is we are a small rural Montana HOA and not a gated community." Walter stated the Whitefish HOA was also a rural HOA and not gated.

Member Carol Duval mentioned that she lived on Homesteaders Way in another subdivision and their dues were \$150.00 a year, less than a third of our dues. ***(Please note: it was verified by another source that the actual dues in Country Bourne are \$640.00 a year HOA fees).***

Walter again stated that the seal coating of roads was nixed last year and it was decided that we would not throw away \$35,000.00. Member Sam Cox asked, "How much activity is on our roads? We are not like Hwy 2". Member Stu Hillis suggested that we hire a Certified Civil Engineer for a consultation that shouldn't cost more than a \$1,000.00. "Hire a State Certified Civil Engineer, not a friends and family BS that goes on in this community sometimes." ***(Please note: this has never been done by any member currently serving on the BOD and not sure what Mr. Hillis was referring to.)***

Member Spencer Hale spoke up and made a reference to a crack in the siding of your home, you don't patch it, you replace it. He referred to the subdivision where his parents live and they did an asphalt overlay on their roads and it is flawless.

Walter reminded everyone that the original dues in the subdivision were nearly \$450.00 when the HOA was first established and the first BOD reduced the dues and we haven't made up for those lost years and built up our capital like we could have. Stu said if a previous BOD had not thrown away \$27,000.00 on a gate 6 years ago, we would not have this problem. ***(Please note: actual cost for gate infrastructure was \$12,775.00 and portions of that infrastructure were then destroyed by another BOD.)***

Member Scott Cameron addressed Stu Hillis and said, "The gate is history and why do you bring it up every year?" Walter said "this BOD had nothing to do with that gate. What has happened, happened, it is water under the bridge." Secretary Shea Hicks addressed Stu and said "you were all for the gate when you thought you were going to get to build the gate".

Stu said "I wasn't for the gate, but wanted the gate for security until my credibility was challenged by Clyde Raborn over there, that's where the gate stopped. You're cutting our community in half by putting a gate in, we don't race through here". Shea stated "like when you tried to split the community when you were president!" Walter mentioned the racing and tread marks in here. Stu stated "I am going to be putting down some tread marks, because this is a private road and I can do whatever I GD (expletive) want!" Walter asked Stu "there are small children in here and you are gonna be running up and down the road like that?"

Member Carol Duval mentioned that there is a black truck racing up and down the road 50 to 60 miles an hour and it needs to STOP! Walter stated that "people are always cutting through the subdivision" and member Sam Cox also stated that "people are coming through here and things need to be buttoned up. Things are changing here, people moving in from all over the US and we have money tied up here in our homes and property. Some people are for the gate and some against". Member Don Staggs said "he has a 37' trailer and does not want a gate because he has to stop in road to open gate and does not like that".

Member Carol Duval said "the fees should not be raised. \$500.00 is plenty. It is not up to the BOD to do that". Don Staggs said "when we bought, fees were \$225.00. You can't just arbitrarily raise them". Carol Duval said "that's not the way an HOA is run. People are the HOA not just four members that make all the decisions". Stu Hillis stated that "Plum Creek is out of this and can't we revise the CC&Rs"? Walter said "you can with a two thirds vote". Duval said that "if you own three or four pieces of property, you have three or four votes, that's wrong! If I own 10 properties, I am just one person". Walter said "you have 10 votes". Duval stated again "that's wrong". Walter said "I disagree with you there." Duval said "I am sure you do. Where are you from?" Walter replied "Nashville, Tennessee". Duval replied "well that's good, you're not from Montana. It shouldn't be that way in Montana". Don Staggs said "so if a person bought over one half of the properties then you would never get anything over them, it doesn't work that way." Duval stated "so the board is pretty much a dictatorship. You having monthly meetings, making arbitrary decisions and we don't have a say in it, that's BS! We are the HOA."

Walter explained that every year members vote for a BOD to make decisions for the HOA. Duval again stated "you all have three or four votes and we only have one and you're all from California". Stu said 50% of lot owners don't care. Sam Cox asked "can we change that two thirds vote requirement" and Walter replied "yes with a two thirds vote".

Stu Hillis stated "when Dave Roberts and I decided to run for the BOD we asked for a list of member's information. Walter said it was against HIPPA law." Walter said "I did not say it was against HIPPA law". Dave Roberts replied with "yes you did, you lying sack of s*#t (expletive)!!!!!" Member Scott Cameron interrupted and said "come on, knock it off". A multi member yelling match occurred and Walter said "let me talk. Did I not say that it is comparable to what I dealt with in the financial services world and it was indicated that HIPPA was not applicable?" Stu mentioned "the information has been in phone books for a hundred years" and Walter asked the members "how many here are listed in the phone book?" Two people raised their hands. Walter stated that most people do not want their information shared. Member Dick Able said "that was BS (expletive)!!!!!" Member Bob Alvarez stated that he is currently a member of an HOA and they contacted legal counsel on this same issue and were told you cannot give out a member's information without their consent. A form was sent to each member for permission to provide the information they want shared. Bob also went on to say that "Marion is my home, I am your neighbor. It shouldn't matter where I am from."

Stu Hillis then brought up CC&Rs in regards to animals in the HOA and predators. (His comments were directed towards Walter). "No goats, no sheep. People like Cory and his wife want chickens and can't have them because it's in the covenants." Walter stated he did not write the covenants. Stu replied, "You're guilty as everyone else here, you damn well don't want to change. You don't want to make changes in our community to make it a community of Meadowbrooke. Because some idiot attorney in Seattle wrote a boiler plate CC&Rs, this is what God said and gave to every GD (expletive) HOA in North America!" Walter addressed Stu and said "Stu, wasn't I part of the group that helped to make those changes to the CC&Rs that we tried to get through?" Stu's reply "Yea". Scott Cameron asked Stu, 'you were President, how come you didn't make the changes then?' Stu said "we tried". The CC&Rs can be changed with a two thirds vote of the owners in Meadowbrooke. Stu suggested that we "send harassing friggin letters to every member till they agree and we get a vote from them". Shea asked Stu, "You want us to harass the members?" Walter stated that we need to move on and get to our presentation from the Marion Fire Department.

FIRE PREVENTION PRESENTATION

Spencer Hale is a member of the Meadowbrooke HOA and the Medical Captain for the Marion Fire Department which covers the areas of Lost Prairie and Bitterroot Lake. Property taxes provide the major funding for the department. Spencer went on to praise the Meadowbrooke Subdivision for their fire preparedness by noting our Fire Suppression Pond, good roadways and access and no overhead wires (electrical and phone lines are underground). Spencer presented information to the members regarding the safe guarding of their properties against fire.

Do clearing of small trees and protect your homes ignition zones by not stacking firewood next to the house; no bark landscaping near house; keep decks, roof and rain gutters free of pine needles. Maintain a 30' green lawn area around home; 50' to 100' area around home should have selective clearing of trees. Keep the spacing between 8 to 12 feet and trim up the lower branches to keep fire on the ground and not allow it to get in the trees. Once fire reaches trees it can also enter house through attic vents.

Other items to be aware of to protect your home and safety of fire fighters is providing adequate driveway access, turn around areas for fire trucks, burying propane tanks and post reflective numbers of your address at the entry of your property.

Spencer informed the members of Meadowbrooke that Marion Fire Department has received a positive ISO rating which should allow each homeowner in the area to receive a break on their home fire insurance. Secretary Hicks asked what an ISO rating is and Spencer noted it is a National rating for Fire Preparedness. It takes a while for the rating to reach insurance companies. Member Bob Alvarez suggested that when the ISO rating comes out the BOD could contact the members and then the member can contact their insurance company. Spencer left his business cards for any members that may have questions.

NOXIOUS WEED CONTROL

The hiring of a licensed spray contractor appears to have been very effective in the control of noxious weeds within the subdivision road easements and common areas. Walter also mowed the easements. The control of weeds on individual member's property continues to be a problem. Most members living in the subdivision do an excellent job of controlling their weed issue, but the absentee owners seem to be a problem. Several absentee owners did contact the spray contractor to spray their property, but many did not. Walter clarified again that if a problem is brought to the attention of the BOD, the HOA has the right to spray a member's property and bill the member. He also noted that we had several members who objected to trespassing onto their properties and one member that stated they would shoot trespassers.

WILDLIFE MANAGEMENT

An initial email was sent to members making them aware that a bear was in the area. A second email was sent out to members that the bear had been spotted at 2 additional homes within the next 3 days. Walter explained that the

bear becoming comfortable in our subdivision was a problem and that all members needed to be aware of the situation so they could take precautions (keep your garbage contained, safety of children and pets). Two members sent negative emails regarding the BOD's emails, and Walter wanted to clarify that it is the BOD's responsibility to make our members aware of situations within our community and ensure the safety of the members. Member Sam Cox asked if Fish and Wildlife had been contacted. Secretary Hicks responded that her son had contacted Fish and Wildlife and that all of their traps were out in other areas, but to keep them posted if we continued to have a problem. Member Stu Hillis accused the BOD of constantly sending harassing emails to members, but it was not clear if he was referring to the weed issue or bear issue.

NEW CONTRACT WITH JACKOLA FOR BUILDING PLAN APPROVALS

Jackola submitted a new contract to the HOA for the Architectural Review process. Initial fee will continue to be \$285.00, but if a complete plan set is not submitted at the onset of the project, then Jackola will begin charging on a time and materials basis. The Board will review plans prior to submittal to Jackola, but it is the members' responsibility to read the CC&Rs and familiarize themselves with the requirements for plan submittal. Member Kimberly Bullock asked if Jackola had a checklist. Member Anita Hillis said the checklist is 20 years old. Walter made a note that the BOD will help the Bullock's with the checklist/requirements.

SHOOTING WITHIN THE HOA PROPERTY (Article IV, 14)

Walter explained that excessive shooting within the subdivision is against our covenants, but that most of the shooting we hear is coming from the quarry southeast and behind our subdivision. Member Anita Hillis asked Walter to read the Article that refers to the shooting issue. "No noxious or offensive activity shall be carried on or permitted upon any Lot, nor shall anything be done thereon which is or may become an annoyance or nuisance to the neighborhood. By way of illustration and not limitation, the discharge of firearms and excessive noise shall be nuisance with the meaning thereof." Member Stu Hillis then accused Member Clyde Raborn of having a shooting range on his property. Member Raborn told Stu "as usual Stu, you are delusional." Stu then stated "your deceased wife told me you had a shooting range." Secretary Hicks asked Raborn's neighbors Jerry and Vicki Wiech and Don and Amanda Staggs if they have ever heard shooting going on over at Raborn's property. Both parties replied that they have never heard shooting.

REQUEST FOR CONTACT INFORMATION

As noted in earlier conversation, members' contact information will not be given out to other members without the express consent of the individual member. The BOD sent out a Release of Personal Information form in the voting packet that went out to all HOA members. The form will allow members who choose, to share their contact information in the form of a member's directory. Members can share what information they like or decline to have any of their information shared. The results of the signed forms will be made available as a "Members Directory" and will be emailed to participating members who request it. Member Amanda Staggs suggested that besides mailing out the annual meeting information packet, the complete packet should also be emailed to the members. Walter made a note of that for next year's annual meeting.

COMMUNICATION BY BOARD TO MEMBERS

A couple of members have made the accusation that a Board member is responding to member's emails without the input of the other Board members. Walter assured the members that all correspondence that is received from any member is reviewed by every Board member and all return correspondence is agreed upon by the Board. Walter stated, "There are no Lone Rangers sending out information without the Board of Directors approval."

POTENTIAL SALE OF SPRAYER

Walter asked the members if anyone would be interested in buying the spray rig that the HOA owns. The cost of the rig was \$680.00 and was only used for two seasons. If a member is interested, they may submit a bid to the BOD. Now that we have hired a professional spray contractor to control the noxious weed issue, it would be good to sell

the sprayer and put funds into the HOA account. Member Stu Hillis said we can get the same chemicals that a contractor uses, but several other members said no we cannot and also we do not have the license to spray or the knowledge to know what chemicals to use in the wetlands area. Someone asked what the spraying had cost and Treasurer Wendy Blankenship noted it was just over \$1600.00. Member Amanda Staggs wanted to know if that was just one pass through, but Walter and Wendy confirmed that the contractor had been back several times to spot spray. Member Don Staggs said he would be interested in purchasing the sprayer if someone wanted to go in on it with him. Member Laura Cox suggested that since the sprayer belongs to the HOA that the members be allowed to use the sprayer. Walter asked "who would be willing to store the rig and manage it"? No response. By way of illustration, Walter said "Bob takes the rig out and breaks the boom, who is going to fix it"? Member Amanda Staggs suggested that we could require a rental deposit to cover damages. Walter once again asked "who would be willing to manage it and take care of the rig"? No response.

OPEN FORUM

Walter announced the end of Meadowbrooke BOD business and asked if any members would like to address any subjects in an open forum. No response.

Walter asked that we adjourn the meeting before the election and counting of ballots for the new Board of Directors for 2020/2021.

Member Dick Abel made a motion to adjourn the meeting, seconded by Member Don Staggs. All in favor. Meeting adjourned at 7:58pm.

ELECTION OF BOARD FOR 2020/2021

Ballots were counted by Shea Hicks, Amanda Staggs and Wendy Blankenship. Results were posted on a whiteboard at the Fire Hall, are listed below and will be posted on the Meadowbrooke website.

Walter Wilkinson, President
Diana Cameron, Secretary
Jerry Wiech, Representative

Bob Alvarez, Vice President
Wendy Blankenship, Treasurer