

**EAGLE BEND WEST COMMUNITY ASSOCIATION INC.**

**ZOOM BOARD MEETING**

**January 17, 2024 1:30 p.m.**

**Western Mountains Property Conference Room**

**CALL TO ORDER:** President Dena Brunskill called the meeting to order at 1:35 p.m. Board members present via ZOOM was Vice President Chris Walthall and Treasurer Dave Conti. Also present at the meeting was Property Manager David Roberts.

**APPROVAL OF MINUTES:** The minutes of the last meeting held on October 25, 2023, had been emailed to the Board for their review and approval. The Board members, through email had voted to accept the minutes as presented. Former Board member Bill Whitsitt had requested that the minutes be signed before they are posted on the website. The Board discussed how to make this happen. The Board discussed having the recording secretary Bussy Yarbrough add that President and Secretary officers signature is on file, and on behalf of the President and Secretary of Eagle Bend Community Bussy has signed the minutes. Chris made a motion to allow the signing to be done by recording Secretary Bussy Yarbrough after the Board approved the minutes. Dena seconded the motion and the motion passed with unanimous approval.

**PRESIDENTS REPORT:** Dena discussed an additional invoice from attorney Paul Sandry that she had thought was a mistake for \$201.50, but on further review found that it was correct and is waiting to be approved for payment. This invoice was for telephone calls to Chris and a review of work done by Randy Snyder. Chris made a motion to pay the invoice and Dena seconded the motion. The motion passed with unanimous approval. Chris would like to see a reduction in legal fees as EBWCA in the past has paid for work that now seems to be incomplete.

**RENSCHLERS PROPERTY:** Dru Renschler sent Dena an email stating they had spoken with Christopher Manuel, by phone on December 19, 2023. He is the adjuster assigned to their Claim. They arranged for him to examine their home and crawlspace but have not heard back from him.

**FIDELITY:** There has not been a good transition for the new Board. Fidelity is asking the old Board members to sign off on the accounts and introduce the new Board members which will give the new Board the right to buy and sell the existing Certificates of Deposit. The previous Treasurer feels all the documentation is with Dave Roberts. Dave Conti and Dena were told the retired Treasurer transfers his rights to the new Treasurer by signing on the new Treasurer or the retired President signing on the New President on the accounts. So far this has not happened and Fidelity needs the correct forms signed by past and present Treasurer, or President. Dena got through to an agent through their personal account with Fidelity who connected her to an agent who provided a Secure Document System to send the request for instructions for a

change without help from the past President or Treasurer as neither one of them has been accommodating. The Board will wait one week to see if any results of this effort have helped. Dena also stated she did get through to an agent in the end of November who advised her to write a letter to an address in Cincinnati, Ohio requesting the same information. She sent the letter on December 1, 2023, and no response was received. David Conti has also tried several times to get through, but they will not talk to him. This has been very frustrating for the Board as both Certificates of Deposits have matured. One on November 20, 2023, and the other on December 28, 2023. Dave Roberts has notaries in the office who would be able to notarize the documents.

**VICE PRESIDENT REPORT:** Chris discussed the clear title to common areas and the roads within Eagle Bend West Community. Chris reviewed the minutes from the June 19, 2023 Board meeting where previous President John Cannon said that Randy Snyder had finished up all the legal work on the roads and common area and that they were in the Association's name. Previous Board member Bill Whitsitt had questioned President John Cannon and Bill was not sure that this was true. Chris said the prior Boards have been working on this for 14 years and now the roads and common areas are still not owned by the Association. The new Board hired Paul Sandry to look into the matter and he has come back to the Board saying that there has not been any transaction conducted that would give EBWCA deed to the roads and common area.

Chris has asked legal counsel Paul Sandry what the cost would be to get a clear title. Mr. Sandry said the cost would be between \$4,500 and \$7,000. He would initiate a "Quiet Action" where he would go to court and explain the situation to a Judge. The Judge would then make a ruling. The Board has tried to meet informally with Bill Whitsitt and wants to ask him what he knew about the findings from Randy Snyder, but this has not happened. The Board asked Dave Roberts to review all the bills from Mr. Snyder and see how much money has been spent to get clear title to the common areas and roads. Dave Roberts was also under the impression that this transaction had been completed in June of 2023.

Dave Roberts asked if anyone had seen any documentation from Randy Snyder that it was done and if Paul Sandry had offered any documentation to show it had not been done. Did anyone on the prior Board offer any evidence that this had been done. Chris said that Mr. Sandry had gone to the Flathead County plat room and was not able to find where any documents had been filed. Chris has a letter from Mr. Sandry with his findings that he will forward this to the Board for their review.

David Conti has been working on the budget for 2024 and asked if the legal fees need to be adjusted before the budget is finalized on February 1, 2024. At the present time Mr. Conti has put \$5,000 in the budget for legal fees but it appears that this figure may not be high enough. The Board discussed whether the membership would need to be informed that the Association did not own the roads and the common area. Dena suggested Mr. Conti would need to adjust the legal fees to reflect the new charges to get title to roads and common area and write a letter/addendum to the final Budget to inform the membership of the reasons.

David Roberts asked Chris what the conversation was between Randy Snyder and Paul Sandry. Christ said that Mr. Sandry told him that Mr. Snyder said the transaction was completed. Dena asked if the Board should be asking Randy Snyder to prove that the transaction is done as EBWCA paid him for his work on this project. The Board needs to ask him to provide the supporting information and documentation. Dave Roberts will go to Randy Snyder's office and talk with his replacement Brant Beaudry and ask him to provide the information to support their claim that the transaction has been completed. Chris had written a letter to Mr. Snyder on January 3, 2024 asking for documentation regarding the roads with no response. Dave Roberts will go to the office and see if he can obtain some information. Mr. Conti suggested that the Board waits for Dave Roberts to talk with Mr. Beaudry and secure documentation from Randy Snyder before we pay Mr. Sandry or notify the Homeowners. Chris withdrew his motion to hire Paul Sandry and give Dave Roberts time to investigate the matter with Mr. Snyder's office.

Dena had not received any of the letters that Chris had written to Mr. Sandry and asked Chris to please forward these to her. She also asked all the Board to send all written letters and the responses to all the Board members.

Due to a time factor the Board scheduled an additional meeting to be held via ZOOM on January 23, 2024, at 3:00 p.m. Dave Roberts will report his findings from the law office of Randy Snyder and Chris will send a letter to Mr. Sandry asking him to forward his documents that support his claim that the transaction is not complete.

President Dena adjourned the meeting at 3:10 p.m.

Signature on file \_\_\_\_\_

Dena Brunskill President

Signature on file \_\_\_\_\_

David Conti Treasurer

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Recording Secretary Buggy Yarbrough