

EAGLE BEND WEST COMMUNITY ASSOCIATION INC.

BOARD MEETING

May 15, 2024, 3:00 P.M.

WESTERN MOUNTAINS PROPERTY BOARD ROOM

Call to Order: President Dena Brunskill called the meeting to order. Board members in attendance; Vice President Chris Walthall; Treasurer David Conti was available via ZOOM. Property Manager Dave Roberts was in attendance as well as bookkeeper Danae Hanson.

Approval of Minutes: The minutes of the March 13, 2024, Board meeting had been reviewed by the Board and approved via email.

President Report: Dena reported that Fidelity Investments continues to be a challenge. Fidelity Investments combined all the EBWCA Officers personal accounts into EBWCA accounts. EBWCA has two accounts with Fidelity Investments and Dena was only able to get into one account. In trying to gain access to the second account the wrong Tax ID number was used, and Fidelity is also asking for the Articles of Incorporation, the Board did not know this. Fidelity has approved the first account, with the wrong Tax ID number, but the Board is still waiting for approval on the second account. Dena has been able to get a direct phone number and a secure email account from their representative and Fidelity Investments is working on fixing the Tax ID number. The second account was set up with the wrong Tax Code, as a taxable corporation, this is also being corrected. The Board agreed that once this problem was fixed the money needs to be moved to a local bank and all accounts with Fidelity Investment need to be closed.

Requested reimbursement for the UPS charges. Dena and Dave will turn in their personal charges for the overnight charges to Fidelity Investments for payment. Chris made a motion to approve all overnight charges to both Dena and Mr. Conti. Dena seconded the motion and it passed with unanimous approval.

Pavilion Update: The Pavilion Board has determined that the use of the pavilion will be free to all members if it only includes their family. If outside guests are invited the member is required to pay \$400 plus a cleaning fee and obtain event insurance. An example was a wedding. If it is only family members (non-residents) then no charge but if non-members or non-residents are invited, there will be a charge. Farmers insurance has an online policy for events that are easy to obtain. Charitable organizations such as the Fire Department must have event insurance, but the Pavilion Board can donate the rental fee. The regular charge to use the Pavilion is \$400.00 per event. Some of the Directors on the Pavilion Board, which is made up of the five (5) HOA presidents of Harbor Village, are not all in agreement regarding the use of the Pavilion. Black Magic has provided a quote for the

planters. Dena is also reviewing the Operating Agreement which is required to be filed along with the Articles of Incorporation. This was never completed by any of the previous Boards and the Pavilion Board has re-hired Brant Beaudry as the legal counsel to finish what was started in June 2020 and file this with Flathead County. The insurance rates for the Pavilion have gone from \$600 a year to \$2100, this covers liability and the structure damage. In the past the Pavilion was on the insurance policy held by EBWCA, now the Pavilion will have its own separate policy. Western Mountains Property Managements will start charging \$200.00 a month to manage the Pavilion. This is a new charge.

The transfer pump is on the electrical box which is the meter for the Pavilion. Robert Green determined, and verified by Dena, there are four (4) months where there is a spike in electricity due to the activity of the transfer pump for EBWCA's filling of the irrigation ponds. The other four (4) HOA's are asking EBWCA to pay the first \$113.00 a month for July, August, September, and October. The rest of the charges will be split between the four (4) HOA associations. Mr. Green also stated that for 9 years EBWCA did not pay this and that they now owe \$2676.00 in back payments for their usage. He requested EBWCA to deposit \$450.00 by June 1 of each year for their usage and not a check of \$113.00 for the four months of activity. Dena has instructed Danae to write a check each month to the Electric Company for the billing months of July, August, September and October.

The Board reviewed Paul Sandry's bills for payment. One charge was for \$7.00 on a consent to disclose and the second invoice was for \$2,150.00 for the Quiet Title complaint. The Board had discussed with Mr. Sandry that they would not pay more than \$7,000 to obtain a Quiet Title. Dena made a motion to approve the payment of \$2,157.00 to Paul Sandry. This was seconded by Chris and the motion passed with unanimous approval.

Homeowner Kevin Kleckner has written a letter to the Board stating that they need to stop the effort to obtain a Quiet Title. The previous Board had tried to obtain this, and the past President had thought the job was done. This is not a new decision, only an action by the new Board to finish the job that did not get done. Dena read the minutes from a May 17, 2017, Board meeting where Bill Whitsitt who was the President had stated that he wanted to get a Quiet Title for the common areas. Chris made a motion that if they hear within 30 days from any other community members that wishes to express concerns with the Boards action to secure a Quiet Title then the Board will respond to the letter. Dena seconded the motion and the motion passed with unanimous approval.

Mr. Klecker also sent a letter to the 310 Permit people that Renschler's were moving forward with plans to fix their water issue and those plans would require a 310 permit. At this time no one has a clear picture of where the water comes from and flows into the crawl space of the Renschler property. The insurance company has been notified and an adjuster has been assigned to assess the situation. The Board felt this was harassment to them and the 310 organization.

Vice President: Chris reported that Paul Sandry has filed a Quiet Title complaint with the court it will have about a 60-day waiting period. The judge will review this and hopefully will be able to sign off on it and give the HOA clear title to all the common areas and streets. Once this is done then property line adjustments can be made.

DRC Report: Chris reported that the Riddle remodel was approved by Joe Magaddino. Mr. Magaddino has also submitted an invoice for \$100.00 and the Board approved payment of this invoice. Mr. Saunders has submitted drawings for a portico and Mr. Magaddino has approved this addition. Mr. Saunders is waiting for the Quiet Title to be settled before he is able to begin construction.

Property Manager: Dave Roberts has obtained a quote from Farmers insurance for the Pavilion. The price for one year will be \$2150.40 and this will be split with the 5 HOA's in Harbor Village. He also received a quote from Farmers Insurance for a 1-million-dollar policy for EBWCA of \$2397.00. For an addition \$485.00 on EBWCA could get an umbrella policy that would give EBWCA an additional 1 million that would cover liability. The insurance policy covers the Common Areas and Directors and Officers and errors and admissions. This policy starts in June 2024. This insurance rate is a \$900 increase from the previous year. With the umbrella the cover would be coverage of 2 million and 3 million. David Conti made a motion that the Board approve the purchase of the HOA insurance from Farmers Insurance and also include the purchase of the umbrella policy. Dena seconded the motion and it passed with unanimous approval.

Dave Roberts said the water leak at the pavilion will be addressed next week.

Renschler Update: At the time of the meeting there was no further communication with the Renschler's or the insurance company. Chris stressed that a meeting with the insurance company regarding the Renschler needs to be set up as the Renschler have not heard a word. Dave will call the insurance company, as EBWCA did file a claim in 2023 and the Renschler's have been assigned an adjuster Christopher Manuel of Custard Insurance Adjusters, Inc. To date he has not contacted them again.

Kirby claim has closed, and no money was received.

Treasurer Report: Budget and P&L and has reviewed these with Danae. The electricity bill seemed to be higher than previous months and Danae will research this and report back to Dave of her findings.

Follow-Up Report: Dena is continuing to work on getting updated emails for the homeowners. Conti has worked on the google storage and he will be in Bigfork next week and he will meet with Dave Roberts and Danae and give them a demo. A number of items were discussed that need to be resolved. Dave Roberts will look into the reindeer that a homeowner who is deceased had in her garage. Dave Roberts will work on getting this returned, and he will also work on the stump removal from Dompier property. The status

on fixing the drainage between Travis Flotre and McIntyre property was discussed and Dave is trying to set up a meeting with Travis to discuss the proposed drainage system.

Canal weed abatement has been fronted for by three homeowners in EBWCA and one in Osprey Homes HOA and it has been spread. This will be a yearly project to control the weeds in the canal. The three (3) EBWCA members will ask for other Canal owners to share the cost at our Annual meeting in August.

The new drain at the Garvina property was discussed. The new drain was plugged during a rainstorm. The Board discussed the need to have that drain cleaned out and a plan to have all EBWCA drains cleaned on a adequate frequency. We should have a budget for this, and they also discussed the frequency that this needs to be done. Dave will call Roto Rooter to clean the drains.

NEW BUSINESS

Potluck Party: Dave Conti discussed the June “walk about” and suggested that this may be a great time to have a potluck with the homeowners. The Board agreed and will schedule a date and contact all the homeowners. The Board would also like to have an event for the homeowners in July and this will be discussed further.

Newsletter: Chris will start the letter and forward it on to David Conti for his addition. Once this is done, they will forward it to Dena, and she will do the final draft.

Next meeting July 15 at 10:00 a.m.

Adjourned at 5:00 p.m.

Signature on File

Dena Brunskill, President

Signature on File

David Conti, Treasurer

Recording Secretary Bugsy Yarbrough