

EAGLE BEND WEST HOMEOWNER LLC

BOARD MEETING

November 10, 2025, 2:00 p.m.

Western Mountains Office

President Dena called the meeting to order at 2:10 p.m. Board members in attendance were Vice President Chris Walthall; Secretary David McIntyre; Property Management employee Dave Roberts and Recording Secretary Bugsy Yarbrough. On Zoom was Property Manager Lindsay Frietas; Board Member at Large Corey Thorson; Treasurer Stuart Cole; and President Dena Brunskill.

Approval of Minutes: A motion was made by Stuart to approve October 13, 2025, as presented. Motion was seconded by Chris. Motion carried with unanimous approval.

Presidents Report: Dena has been reviewing all the minutes and will have these ready to be posted on the website by Wednesday. Corey was also involved in the inspection of the trees that needed to be trimmed, and he sent the list to Lindsay and the entire Board. Dena wonders if the 10% discount still applies. David talked with Alec at Trees For Life and they trim trees into December. He is busy until right now and he could not have done it before now so David is comfortable in saying that the 10% discount would still be in effect. David said there were about seven (7) homeowners who needed to trim their trees. David will verify the 10% discount and then notify Dena who will send a letter to each homeowner. David and Dena will work on the letter to the homeowners.

Alec will need to evaluate homeowner's trees to determine if they need to be treated which can be done in the Spring. David will ask Alec to address the reasons for injecting trees for invasive insects. David has asked Alec to provide a letter that the Board can share with homeowners explaining why treatment is helpful/necessary. Once received, David will write a letter ~~now~~ so that the homeowners can think about this, and then in the spring the Board can follow up.

The extra wood has been picked up by Brian of Black Magic.

Pavilion Interior Lights: Lindsay said the lights have always been on photo sensors and they are on all night and off during the day. This has not changed as it requires an electrician to come and change the system. The Pavilion Board has now decided that they did not want the security lights on all night only the motion lights. Lindsay will contact the President of the Pavilion and get confirmation of this change and then contact an

electrician to change this out. The lights in the Pavilion also need to be labeled and where they are located in the structure.

Bridge to the Pathway and the Setbacks: The tree in question is not in the pathway but located on the property owner's lot. The only tree in question is on Stocky White's property, and the trunk is located on his property. The branches are over the property line, but the tree trunk is on his property. Dena asked if there were setbacks and the trees distance from the walkway. Dave Roberts will report on this at the next meeting. Dave is still trying to get Pinnacle Paving to come and do an overlay on this area.

Crack sealing bid from Double Diamond was for \$3800 and this could be done in April. In the past EBW used Crone Paving and were happy with the job. The Board discussed whether they should change vendors. After much discussion the Board agreed to say with Crone Paving to do the crack sealing in the spring.

Chris Walthall sent Chris Cruze phone number to David, and he has tried to reach him but at the time of the meeting no response.

Corey has been working on investigating different hydrologists. He has been in contact with WET and they will give the Board a bid to consult with their hydrologist. Dave Roberts said there is another business that he was familiar with and he will provide that information to Corey.

DRC Report: Chris reported that the DRC Committee reviewed EBW CC&Rs. Chris looked at EBWs CC&Rs and found on page 20 item X, that the DRC has the right to approve the joining of lots. The DRC Committee then voted to approve the combining of the two lots and making it one single lot for Riddles. The second item that the DRC approved was a new fence on Jack Bryant's property. David asked the height of the fence and Chris said it would be no higher than four (4) feet. Chris has also interviewed retired architect John Peterson, and he agreed to review construction plans for the DRC. He will charge \$100 for each plan that he reviews.

Stuart questioned if the DRC had the authority to retroactively grant the Riddle's dues abeyance on their second lot. Stuart had sent a letter to Legal Counsel Paul Sandry for opinion on the matter. He has called him three (3) times without response. The Board had requested that Paul meet via ZOOM with the Board of Directors on this issue.

David questioned the new fence and the DRC decision to grant permission without the Board's approval. David said the Board must sign off on all new fences this was put in the DRC Guidelines. The DRC said they wanted to have the Board sign off on all fences, but they were never given a picture of the new fence being installed by Jack Bryant. Dena said there was a meeting with herself, David, and Chris and they were asked to look at this. It is

a gray area as the new guidelines have not been approved. The two neighbors have signed off, and the fence is in the guidelines. The fence is four (4) feet tall, black metal like all others in the neighborhood and the question is, will the Board have permission to see all diagrams of new fences and give final approval in the future?

Corey said if the Board would be interested in hiring a new attorney, Brant Beaudry may be an answer. Corey said he is his brother-in-law. Stuart said Paul Sandry has a history with EBW and if we can't get Sandry to call then the Board can move on with Beaudry. The Board agreed that they needed legal counsel advice before moving on. Chris said the Board needs to read the current CC&Rs and the DRC guidelines and the Board will see that the DRC acted within their rights. The Board still wanted to hear from Paul Sandry and get his legal opinion. Lindsay has an attorney in Bozeman and many of the HOA's are using her service. Her name is Alana Griffith, and she has been in the Senate and easy to get a hold of. She has many HOAs in Kalispell, Whitefish and Bigfork. Her hourly rate is \$220 an hour. Lindsay will send her information to Dena to follow up with.

Treasurer Report: Stuart Cole has sent out the final Operation Budget to the EBW homeowners. He had one positive response, and another response from a homeowner who questioned some of the spending in the different categories. David and Lindsay had received an email from this homeowner and he would like the Board to respond to his comments. His comments were acknowledged by the Board regarding the Budget for 2026. The homeowner would like an answer to his question by or before December 1, 2025. David questioned if past Boards had this same problem or did the current Board set up the Budget in a way unlike past years to warrant this line of questioning. David stated that Stuart has been the Treasurer forever and Dena and Stuart know what they are doing. The Board agreed that if there are some items that seem out of line then Stuart can answer this. To answer all the questions then the Board needs to look at the past and see if this is a common practice to line by line go through the budget items with a homeowner. Dena said that Stuart may want to explain some of the items, but for all the years that he has been Treasurer no one in the past has ever questioned the Budget. Lindsay said we are always within Budget and Stuart does a good job of trying to keep the spending to a minimum. Chris asked Lindsay to answer the letter and Stuart will give her some input. Lindsay will draft a letter, and Stuart will review it. Stuart tries to get a global idea of what we will spend in a year, there are no guarantees, but the bottom line is he likes to see that EBW spends less than we took in. As to date Stuart is optimistic that EBW will come in under budget for 2025.

Stuart decided to place the median renovation project under Capital Expense. The Landscape Committee supplied a bid for the work to be done at \$6600 but to date \$20,000

has been spent. The new signage will be around \$1000. The total budget in 2025 for Capital Expenses was \$14,000 and EBW has overspent by \$6,000 to \$8,000. Should the operating budget come in under projection we can transfer funds from the operating budget to cover this. The final 2026 Budget represents a 3 ½ % increase. The dues notice will be mailed out after the November 10, Board meeting.

Discussion on Dues: Dena asked if it is financially feasible to have 57 lots paying dues and not 58 lots. Stuart said that the budget is set on 58 lots paying dues. The question is, do the Riddles pay for two lots through 2026? This is a legal opinion. Chris made a motion to increase the dues each quarter by \$15.00 per lot. Motion was seconded by David. Motion carried with unanimous approval. The Board agreed to leave the Capital Reserve and the Road Reserve the same.

QUESTIONS:

Irrigation Repairs: Dena asked about the \$2700 charge to replace the middle island clock-timer. Stuart said this is Young Bucs charge and it was part of the median repairs for the sprinkler system. The Landscape Committee called them to replace the existing sprinkler system, and the final charge was \$7,000. This money came out of the Capital Reserve. Dave Roberts said the problem started when the tree stump was removed. The roots were tangled in the sprinkler system wires and now were sticking up out of the ground. Instead of trying to identify all the wires, Young Bucs said it would be less expensive to start over and put in new wires.

Vacant Lot Mowing: Dena did not understand how the billing and payment for the vacant lots was done. Dave Roberts explained that at the end of the year all the homeowners who are affected by the mowing and spraying of their lots receive a bill and they individually pay for it and that it is a wash at the end of the year. Stuart would like to have this removed from the financials and Danae can provide a record of who is billed and when they pay. Dena said she would rather see the billing of the Vacant Lot and the mowing when it is paid on the financials. She also questioned the billing and payment of the Vacant Lot Spraying and that should also appear on the financials.

DRC Guidelines: David McIntyre and Dena have been working on these and they will be sent out in one revision to the DRC Committee and the EBW Board. Once that is done then a ZOOM meeting will be set up to get the final approval. After that, it will go out to the neighborhood.

Question to be answered in the DRC Guidelines:

1: Role of the Committee: The CC&Rs say that the DRC Committee can have an outside member on the committee. This has been questioned. The architect can be on the outside, anyone else.

2. Lighting: There are many residents who have added new lighting to their outside. Some of the new lighting is very bright and there is language called light pollution. David has been looking into the Montana State law on this but the CC&R's and DRG's the DRC and Board direction on what is appropriate lighting.

3. Flags: We can have flag poles and currently there is no restriction on flags. Can we write language that allows only certain flags. Lindsay said the attorney said we cannot restrict the flying of all types of flags. David said that Federal law allows a homeowner the right to fly an American flag and Montana law prevents restrictions against the Montana state flag and military flags being flown for commercial buildings but does not address residential properties. The question is can we restrict "devise" flags or banners and we can do this in the CC&R's? After some discussion the Board agreed that this is not a problem and should be tabled.

New Business:

Christmas ornaments are going up on Thursday and David will be there to help coordinate the set up. He will take pictures and send them out to the Board

Adjourn: 3:45 p.m.

Dena Brunskill, President signature on file _____ David McIntyre Secretary signature on file