

**LAKE POINTE HOMEOWNERS' ASSOCIATION**

**ANNUAL MEETING**

**August 31, 2021**

**EAGLE BEND YACHT HARBOR CLUBHOUSE**

***Call to Order:*** President Tom Nicewarner called the meeting to order at 10:00 a.m. and welcomed all homeowners who were in attendance. Last year the Annual Meeting was not held due to the COVID restriction.

***Establishment of a Quorum:*** According the CC&R's of LPHV a quorum is 36 lots, represented either in person or by proxy. The total number present for the meeting was 24 lot owners with 5 proxies. Because a quorum was not reached the Annual Meeting was an informational meeting with no election of officers.

***Financial Report:*** Tom reviewed the Balance Sheet for the calendar year of 2020. LPHV ended with a balance of \$219,800 in the checking and savings accounts. Tom said that when he came onto the Board in 2018 the total in the checking and savings accounts was \$169,000, and LPHA assets have grown \$10,000 a year. The Board is trying to make sure that we never have a cash problem that would require a special assessment.

An overview of the budget for 2021 was presented showing a balance of \$257,840 in the checking and saving accounts as of June 30, 2021. Tom explained that the income from the yearly dues is broken down by 19% going to the general fund; 21% for repairs; 28% to landscape and roads and 20% into the Reserve fund. A motion was made by Cherie Hansen to approve the financials and seconded by Rudy Frames. This motion passed with all in favor.

***Presidents Report:*** In the past Affordable Lawn Services provided our lawn maintenance, but the owner tragically passed away last year. LPHV has now changed to Erin Black's company, Black Landscaping and the front of our subdivision looks wonderful. There was a learning curve for Black Landscape in mowing of the grass, there was some confusion of the complete area, but it is now getting done and looks good.

The split rail fencing has some section that need repairs. There are some rails down as it is an old fence and goes all the way to the Boat shed

A homeowner raised a question regarding the smaller beds that are not being weeded and the bed along the rock fence that has not been attended to this year. Tom thanked the owners for their input saying please let the Board know if you see something that needs to be attended to and Black Landscape will be contacted.

***Pond Operations and Irrigation:*** The pond is a challenge for all the Eagle Bend area. The water came in late this spring due to the water being used to generate electricity at the **Seli's Ksanka Qlispe' Dam** near Polson. The water to fill the ponds is brought in off the river and the water levels were low this year with the lake not reaching full pool until June 15. LPHV gets our water from the pump house on hole #8 of the golf course. We installed a pump in 2016 in that pump house and Eagle Bend Golf Club moves the water to the water hazard pond on Osprey hole #2. From there it is transferred via a LPHV pump to the center pond in Lake Pointe. That pond, at the proper height, gravity feeds the pond to the left of the entry way to Lake Pointe. We started getting water from the golf course by the 15<sup>th</sup> of June but only at the levels that would have been achieved in May. LVHV has an agreement with the golf course that states that the beginning of the service begins June 15<sup>th</sup> and ceases November 15<sup>th</sup> of every year.

We have had difficulty with algae and a large part of this comes from the golf course, and everyone fertilizing their lawns. We have sprayed and it has deterred the growth of the algae. The Eagle Bend Pond off Osprey golf hole #2 is heavy with algae due to the low water levels. Currently we are getting grass growing in the center pond by the front entrance. Jim Lynch discussed a certain repellent called "aqua shade", that can reduce the growth of the algae as they change the color of the water which provides a shade. A possible solution would be to install "bubblers" that would aerate the water and somewhat move it which would keep the algae growth down. In the past we have installed water fountains. One fountain was in the small pond by entrance and the other was in the water hazard on the golf course by the Osprey #2 hole.

In the past LPHV had a problem transferring the water from golf course to the center pond and it added to the issue of the incorrect levels. LPHV is running the pump six (6) hours a day and it takes 24 hours to replace what was use

d within six (6) hours from the golf course. If we install the fountains, they will drastically increase the evaporation which will appreciably increase the amount of water that both the golf course and Lake Pointe will have to transfer to keep the ponds at an acceptable level.

LPHV has a well on the center island and has been there forever, but we have discovered it is 315 feet deep. The previous landowner set the pump for irrigation at 40 feet which obviously is not a prudent level for operations of a well with its' hydrology. LPHV had used this well water in the past for irrigation, but it stained the concrete at the entrance. The water has a high level of magnesium however the water is clear in color. We stopped using this water and transferred money to the Eagle Bend golf course to use some of their irrigation water. The Board has decided to test the water at 160 to 180 feet. Our goal is to get 30 gallons a minute. Many unknowns right now but if we could achieve this much water, LPHV could perhaps be able to eliminate our pump and water agreement with the golf course and or change our modes of operation. A question was raised as to how much we pay the golf course for the use of their water. Tom said LPHV paid for the pump and the electricity to run this pump and the golf course has gifted us the water, but this could change in the future.

Dog owners, please do not let dogs swim or drink from pond. This water is full of chemicals and some algae is especially toxic.

**Front Gate Operation:** A letter has been mailed to all lot owners explain the need to more closely manage the front gate codes. Many of the gate codes existed back in 2008 and LPHV is trying to reduce the use of the kiosk at the entrance. We have changed from a landline-based communication system to a cellular phone system which has greatly enhanced our ability to remotely program and operate the entry gates. We are ready to wipe the slate clean and are registering the code from your key bobs. The code is located on the outside of your key bob and on the inside cover of your key bob. You must have a key bob with a code to enter and if you do not have one, please notify Dave Roberts who is in the process of ordering more. Dave said the number will start with either a "0" or "4" or "5".

We have found out that old owners are using their old codes to enter, and contractor are using past codes. In the future when a contractor is done after two (2) months the owner will need to register a new code as even sub-contractors will have the old codes. Danae Hanson at Western Mountains Properties is trained and will be able to change your code. Real Estate Company's also give out the code to potential buyers, so many people have the code into the development.

We want to drastically reduce the use of Kiosk codes for entry and encourage all lot/homeowners to acquire the remote controllers to help eliminate the need for digital entry codes. Dave Roberts and his staff will manage the codes. This kiosk is wireless, and this will allow Dave to open the gates for a short period of time or if a contractor violates the work hours Dave could shut the gate and discontinue that individuals code. Once this process is done, the Board will investigate a periodic wiping away of old codes and everyone getting new codes, this will eliminate people using your codes.

There was discussion asking if it makes sense to leave the gates open during the day to avoid the wear and tear of the gates. Some owners do not agree with this, and after discussion it was agreed to leave the gates closed as our normal operation.

The gates have been repaired as they were sagging and touching in the middle making them bind and automatically open and stay in the open position. The exit traffic detectors sensitivity has been increased to detect small vehicles such as a golf cart. So existing with a small vehicle should no longer be an issue

**Architectural Control Committee:** Cherie Hansen reported that there have been several complaints regarding the contractors. Some are coming at all times of the day starting at 4:00 a.m. and then leaving at 11:00 at night; some are bringing their children with them; some are parking on both sides of the road and traffic cannot get through; supply trucks come, and they completely block the road. Having children coming to the jobsite with their parent is a liability to all the homeowners, if you see this, please report it immediately. Cherie and her committee have begun imposing fines to those who do not abide by the rules. This is still a large problem but hopefully with the fine structure it will deter them from continuing to disregard the rules.

**Street Repairs:** The largest issue is the cul-de-sac at the far west corner of the HOA where a water main broke in the past. The front entrance is a decorative concrete, and this is taking a beating with the large trucks. We are starting to feel the pain of nine (9) homes being built at one time. The roads will need to be chip sealed in the future and LPHV have an estimate, but that figure is always changing depending on the price of petroleum. The roads are a big issue that will need to be address in the future and therefore we have \$219,000 in the bank and are trying to grow that fund.

**Architectural Control Committee:** Cherie Hansen reported that there are nine (9) new homes under construction and four (4) getting ready to start. Cherie and Karen Sykes are working at enforcing the rules. There are contractors who do not pay attention to the rules and as a homeowner if you see someone who does not abide, please let Cherie or Karen know and they will assess a fine. The committee is trying to enforce the contractors to park on one side of the street. They are also patrolling the job sites and asking contractors to clean up after themselves as there has been garbage blowing throughout the neighborhood.

Cherie explained that according to the Guidelines, warnings are not given before fines are levied. Homeowners and their contractors have signed construction forms that they acknowledge they have read and will abide by them. Often Cherie and Karen will give warnings but cannot in all cases. It was brought to attention by a homeowner that a contractor was pumping water out of one of the center pond. Cherie, Karen, Dave, and Tom will follow up on that infraction. According to Dave Roberts, an ensuing fine from the state can be as high as \$10,000

Architecture fees were discussed as they had changed in the past year. There is a \$500 fee to review potential building plans. There is a \$3,000 deposit to build a new home which may be used by the DRC to pay any outstanding fines for violations of the Design Guidelines, repair damages to roads or shoulders, damage to trees caused by construction, site cleanup, adjacent property clean up, removal of material from roadways or unauthorized storage areas and any other reason the Committee deems necessary to guarantee correction damages caused by Construction. Additional funds. over and above the initial deposit amount, will be

required if out of pocket expense exceeds \$3000. Any portion of the construction deposit shall be returned upon completion of the project.

***Sidewalks:*** This is the same as last year with many sections taking a beating. Construction pickups; trailer; and concrete trucks are parking and driving on these sidewalks. These walkways are not designed to take this type of weight and LPHV are fining and charging contractors for the repairs. If you see something while you are walking, please let the Board know and we can get this corrected.

In the past LPHV has maintained the vacant lots at our expense and the Board has decided that the HOA will no longer pay for this service as of January 2022. If you own a vacant lot, you will be required to maintain the lot. You can contract with Black Landscape to have them mow your lot or you can mow your vacant lot yourself. Lot owner Rudy Frames objected to this. Empty lot owners are not using the gates, driving on the roads, or needing snow removal. Mr. Frames felt that for the small expense of mowing the lots it is a courtesy to the vacant lot owners as their dues are the same as lots with a home on it. Ms. Long pointed out during the discussion that maintenance of the vacant lots cost the LPHV \$3475 in 2020 which is about 7% of the 2021 budget. Furthermore Mr., Lynch also noted that the Covenants specifically require all lot owners to maintain their own lots. Tom said that in the covenants it states you are responsible for the maintenance of your lot, the Board is just now enforcing this and the LPHV will no longer pay for the service in 2022 and beyond.

***Lake Pointe Website:*** This site will be updated in 2022 or 2023 when existing construction has been completed. It will have current pictures and LPHV will have the ability to post the minutes versus having them in a file. Dawn at Western Mountains Property Management will be taking this over from Matt Brekke.

***Security:*** There have been a couple of incidents that have happened in 2021. During the 4<sup>th</sup> of July there were 346 vehicles parked on Holt and you could barely drive down the street. An emergency vehicle could not have navigated this stretch. The garbage that these people left was incredible. The Labor Day weekend is coming up and we are expecting the same problems. The homeowners need to complain and call the sheriff's department to evaluate the parking of cars along the road. Lot owners asked if they could get the County Commissioners phone number and call them when this is a problem and send a

letter to the commissioners. Cherie took a video over the 4<sup>th</sup> of July of 184 boats and over 1000 people on the beach. Rudy said we should also do this over Labor Day to get the attention of the commissioners.

There was also discussion regarding the building of four (4) tiny houses that will be rentals along Holt and are only five (5) feet off the roadway. The builders have destabilized the soil, flora, and fauna such that when there are heavy rain and snow, the soil above and the trees will possibly come tumbling down.

Tom thanked Jim Lynch for addressing the parking of cars at night on the federal land off Holt. He has taken pictures of the license plates and forwarding these to the government which in turn will send them a ticket.

**2022 Budget:** The Board is proposing a slight increase in the dues of \$25.00 a quarter. They are looking at some security issue such as a camera at the kiosk and this will take some money in the future. We are also trying to budget for some issues that we know will happen and we just do not know the date. The Board is also aware that we will be needing money to repair the concrete in the entrance and for the roads in the HOA. Our irrigation system also needs works, and this all takes money. A motion was made by Stewart Paulson to accept the 2022 budget and quarterly dues increase. This was seconded by Debra Barnes and the motion passed with all in favor.

Motion to adjourn by Rudi Frames and seconded by Cheri Hanson at 11:40 a.m.

Bugsy Yarbrough Recording Secretary

