

LAKE POINTE AT HARBOR VILLAGE

ANNUAL MEETING

August 17, 2022

EAGLE BEND YACHT HARBOR

Call to Order: President Tom Nicewarner called the meeting to order at 10:05 a.m. and welcomed all homeowners who were in attendance. Also in attendance was Property Manager Dave Roberts of Western Mountains Property Management.

Establishment of a Quorum: There were 22 homeowners present either in person or by proxy. A quorum is defined in the CC&Rs as 35 lots and because this number was not met the meeting would continue but there would be no election of officers and the group could not vote on any items.

Introduction of Homeowners: Tom introduces himself and wife Carol and then all member introduced themselves giving their addresses.

President Report: Tom had produced a report which was issued online, and many items were discussed in further detail. There were questions from the homeowners regarding the communication with the front gate on their cell phones. Some had not been able to talk with people calling from the gate. Dave will investigate this and see if there is a solution as some homeowners had not had an issue.

Pond Operation: Tom explained the water levels in the ponds and the increase of evasive aquatic weeds. The treatment of the weeds was discussed, and Tom said that the mitigation of the weeds will be a long process and one that will be done every year to keep weeds abated. There is a green film that suddenly appeared on the top of the water, and this will also be killed with the weed treatment. The chemicals used to treat the aquatic weeds will not hurt any of the wildlife that

inhabits these areas. There is a budget for the improvement of the ponds and the long-term goal of adding fountains to the center pond. Bigfork Water and Sewer will begin sealing every manhole cover, and this will not allow water to flow down into the sewer system. So now, when water hits the pavement, it will be forced to go into the ponds and there is not a solution of expelling water out of the center pond. Not a problem right now but everyone needs to be informed.

Architectural Control Committee: Tom reported that this has been a very challenging year and LPHV had one contractor who has chosen to ignore the covenants. He has deviated from the submitted, approved plans, and continued to not comply. He had agreed to fix things and in the process defaults in other areas which have been fraudulent. LPHV did not have any other alternative but to stop the sale of the property and put a lien for failure to complete. the subsequent fine for deviation from approved property and funds to complete the plans as submitted was approximately \$40,000. The contractor made a commitment which the Board has agreed to. Tom wanted the members to know that the ACC is here to protect them, and they are not to give in when the architectural rules are not followed.

Cherie reported it has been a pleasure being on this committee and everyone has worked hard. A few contractors been warned and have complied when reminded of the rules. All new homeowners and their contractors are met personally, and the architectural forms are reviewed. These forms are then signed by both parties in which they have agreed to follow the guidelines and they acknowledge the fines that can be administered if they do not follow them. Due to the substantial number of new homes being built at one time it is especially important for all contractors and their subs to follow the rules. One of the largest problems is the parking of the vehicles. Some chose to park on both sides of the road, which is not allowed in the ACC guidelines, and this block the roads. The ACC wants to protect their homeowners incase an emergency vehicle need to enter the road. There are 15

empty lots left to be built on and the parking in the future will become a problem. Set back and placement of the home are all reviewed before final approval is given.

Streets: The streets in LPHV measure 24 feet wide and $\frac{3}{4}$ miles in length. The price to chip seal a road is always fluctuating and if it cost \$2.00 a square foot that would cost would be Approximately \$190,000, If the condition of the road is deteriorated further an overlay may be required. If an overlayment is necessary, the approximate cost of \$5.00 per square foot would require an investment of \$490,000. We need to save for the future and budget an amount that exceeds more than what we spend. Tom does not want a special assessment and that this is what the Board is trying to budget over time an amount that will alleviate that large expense.

Concerns: Tom talked about the property across the street which many have called the "Rock Quarry". The homeowners all agreed that they need to know when the County Commissioners would be discussing this development and the members need to be present at the meeting to express their concerns. There is limited water and sewer access at the time but not sure if the Commissioners would allow more at a future date. This property is for short term rentals. Access to the already busy Holt Road was discussed. Please write your concerns to the attention of Erik Mack emack@flathead.mt.gov referencing your concerns about the project being built==Adam Britt 615 Holt Dr. Bigfork. MT . The File number I have through the Bigfork Water & Sewer to reference is FCU-21-04

There are two acres on the far side of the boat storage and the owner is proposing to build a home and large storage shed and asking for permission to build the home at a height of twenty-three feet. They are applying for a water and sewer permit.

Covenants: These were written in 2006 and amended in 2007 and Tom would like to have a committee begin updating these. Rudy Frame and

Jim Lynch volunteered and will report to Tom. The homeowners will all be able to vote on the final document.

Financials: Tom delivered the report, and the members were given a copy of the financials. Total equity at the end of 2021 was \$239,853, and there was \$287,645 in the three checking and saving accounts which includes reimbursables. It was asked if LPHV would receive better interest with CDs. The Board will investigate this along with the time period required on each CD.

New item for 2023 is the weed control budget of \$10,530. The Board has decided to increase dues by \$25 a quarter, and this will increase the income by \$5200 a year bringing total dues income to \$72,800. LPHV is slowly building the Reserves to cover the chip sealing of the roads. If in the future the Reserve does not need more money, then LPHV can reduce the dues.

If damage is made to the sidewalk or lots during construction, then the contractor pays for that repair. Cherie said if a contractor damages the road, then the architectural deposit fee is assessed. The ACC keeps and deposits \$1000 from the architectural fee into the reserve account to pay for the wear on the road during construction.

Major Maintenance: There was a major hailstorm on July 9, 2022, and at least 10 homes have some hail damage. If you are just replacing the roof and gutters and not changing the colors, ACC will drop the deposit fee to \$1,000 which is a retainer for damage. If you are changing colors, then you need to get the appropriate ACC form and show the colors. Please remember that roofers will need to apply with the construction hours of 7:00 a.m. to 7:00 p.m.

The homeowners thanked Tom for his tireless work for the homeowners. This is voluntary position and a thankless job. He does not get paid and trying his best and reaching out to the owners from time to time.

Adjourn at 11:40 p.m. Bussy Yarbrough Recording Secretary