

Fox View Land and Homeowners' Association

2022 ANNUAL MEETING

Tuesday, October 25, 2022 – 6:30 p.m.

Lewis & Clark Public Library – 120 S. Last Chance Gulch

Board of Directors present:

Donna Fischer, President; Vicki Turner, Vice-President; Trish Bodlovic, Secretary; Jacqui Sedivy, Treasurer

Sign in, quorum verification, call to order and welcome:

Upon arriving, members signed in and proxies were collected. Board President Fischer then called the meeting to order at 6:35 pm. After review of the sign-in sheet and tabulation of the proxies, a quorum was verified with 28 eligible members present or by proxy.

Donna welcomed everyone to the meeting. Each of the Board members were introduced and Donna then asked all homeowners present to introduce themselves. Once introductions were completed, Donna asked the members to use the time wisely to discuss all items since the meeting had to be over by 8:00 pm per Library hours.

Review and Approve 2021 Annual Meeting Results

Donna reminded members that the 2021 annual meeting minutes were posted to the Fox View Estates website and recently emailed to each member to review prior to the meeting asking for any comments or changes to be submitted. Donna stated no comments had been received Steve Lewis motioned to approve the 2021 Annual Meeting minutes as written and seconded by Christine Edwards. The motion carried.

Treasurer's Report

Jacqui Sedivy presented the Treasurer's Report showing the 2022 Income and Expenses, and then presented the proposed 2023 budget based upon setting the annual dues as suggested by the Board at \$300. Jacqui thanked Patti Herzog for her help throughout the year. A few items tonote in the report: a few items were received late and were not included in the emailed budget prior to the meeting thus the updated budget handout. This year we had extra weed spraying expense to keep the trail in shape. Jacqui also noted that she tried to be conscious of the increased prices for items for chip sealing and even weed spraying when developing the 2023 projected budget.

Approval of the 2023 Budget and Set Annual Assessment for 2023

After some discussion on the budget presented, a motion was made by Bill Efinger to approve the budget and was seconded by Robert Fischer. The motion carried.

Donna discussed the Board's recommendation to keep the Annual HOA Assessment at \$300. A broad estimate for the road chip sealing was done a few months ago. We can anticipate in the next few years increased bids from previous estimates. Price increases for maintenance of the walking path and road edges are expected to be included as well. In anticipation of chip sealing the road in the next couple of years, the Board felt it necessary to keep the dues at the current amount. A motion by Susan Suter was made for the Annual Assessment to remain at \$300 and Steve Lewis seconded. The motion was carried. Dues notices will be emailed out in November and members were reminded to make sure their correct email is on file with the HOA.

Old Business:

Walking path and road edges were sprayed for weeds - The walking path and road edges were sprayed twice in the spring by Loren Beto. However, this did not help to clear the path of weeds so the path was sprayed by Nitrogreen in September and will be sprayed again before the end of the year. Vicki also noted that the Board has asked for a bid from Nitrogreen to spray the road edges to see if we can get them done to mitigate for next spring.

Reminder to refrain from watering the road & controlling weeds on edges – Vicki asked the members to please adjust their sprinklers next spring so they are not watering the road and edges. Vicki stated that the Homeowners are responsible for the road edges along their property. The road is the HOA's biggest asset. Watering the road will break down the road faster and may lead to additional road maintenance.

Architectural Review Committee (ARC) – The ARC Committee received 6 requests for review and all were approved. One (1) of the requests was carried over from the previous year, and 2 of these requests will carry over into next year. Vicki also mentioned that installation of solar panels can be requested in an email and would not need an application submitted. Patti Herzog noted that she would like to have the current form updated to match the covenants. Vicki will work with Patti on drafting an update to the ARC forms/guidance for ease in use via the form or an email.

CCR Complaints – Vicki went through the list from the past year on complaints the Board has received on covenant violations. There was a total of 6 formal complaints that included boats, pull campers, RVs, utility trailers, and signage and all the complaints have been remedied. However, Vicki stated that the Board has already received formal complaints for FY2023 regarding lot maintenance, boat, and pull camper violations. Vicki mentioned that these complaints have kept the Board very busy. The Board has been trying to be proactive in preventing covenant violations by sending out general emails to homeowners reminding them of the covenants and encouraging homeowners to personally talk to neighbors to achieve a solution before going to the Board with a complaint.

New Business:

Parking vehicles on non-paved/non gravel areas of property is prohibited – Vicki reminded members that parking vehicles on non-paved/non-gravel areas of the property is prohibited as stated in #7 of the Covenants, Conditions, and Restrictions (CCR) and that this is especially risky for fire during the hot summer months.

Weeds and Unkempt Lawns – Vicki noted that according to CCR #12, lawns need to be kept nice and neat, and without weeds, and this has become a problem over the past year and she asked that members to please maintain their lawns.

Path Refurbishment and Maintenance – Vicki noted that we were asked to include this topic to the annual meeting by Michelle and Steve Lewis. However, this item has been addressed by having Nitrogreen spray the walking path in recent weeks, and the plan will be to have Nitrogreen back in the spring a couple of times using a weed and preemergent. While there was comments that the path looks much better than it had discussion from the members on using a weed and feed and preemergent on the path instead of killing everything. It was noted that sterilizer cannot be used near the canal. The Board agreed to visit with the sprayers about keeping the canal in mind as well as keeping the natural grasses growing. Vicki also thanked Don and Jacqui Sedivy for pulling and mowing the weeds along the entire path.

Engineer's Opinion on when to Chip Seal Road – Vicki stated in September we had a cursory review of the road by an engineer at Stahly Engineering at no cost to the Association. The engineer indicated that chip sealing for our type of neighborhood road and use, typically is needed every 10 years. He recommended having an assessment done in the Spring of 2023 (after winter) to determine if we should pursue the chip seal in 2024 or 2025 which put us over 10 years since the last chip seal. Vicki also stated that Helena Sand and Gravel was contacted to get an idea of chip seal costs. At the current rate quoted July 31, 2022 (good for 30 days) it would cost \$50,050 for the chip seal plus \$5,500 for pick up broom. This did not include putting the chips onto the walking path, which we anticipate being another \$10,000. The Board will need to have a majority of the homeowners to decide when the chip seal will be done likely at the 2023 or 2024 Annual meeting. Cracking sealing will be done in 2023.

New Sign at Entrance to Walking Path/Emergency Vehicle Access – Vicki noted that two new posts and the original signs were reinstalled to clearly mark the Walking Path/Emergency Vehicle Access between lots 29 and 30, and across lot 42. These were installed to let people know that this is a walking path and to stop delivery trucks from driving through. Vicki stated that this entrance is for emergency vehicles only.

HOA Board Member Nomination/Election – Donna Fischer stated her Board term is up. No nominations were received prior to the meeting. Donna and several past board members mentioned the importance of taking part in the Board. Donna asked for nominations from the floor for a Board member. After discussion, Stanley Jaynes and Bonnie Vonderhaar volunteered to jointly fill the Board position that is open. A motion was made from Donald Herzog to elect Stanley and Bonnie to the Board. Bonnie Vonderhaar seconded. The motion was approved. Also during this discussion Bob Guardipee suggested that the HOA re-establish the Welcoming Committee for meet and greets with new homeowners. Covid had suspended this effort over the past couple years. Through the secretary's email, an "ask" for volunteers will be sent out.

Administrative Rules to the Covenants – Trish stated that due to the numerous covenant violation complaints that the Board received and the how the CCR's are written that allows each homeowner to interpret them differently, the Board did a considerable amount of research looking at other area HOA bylaws and CCRs as well as had a discussion with a lawyer to obtain guidance on how to more clearly define the existing CCR's so there can not be various interpretations which leads to violations. It was recommended that the Board develop "Administrative Rules" that clearly define specific words

in the current HOA CCR's to define the purpose of that Covenant more clearly. This would not cause a change in the Covenants and would therefore not need a 2/3 vote but would require a majority vote at a meeting that had a quorum. Trish stated that the Board drafted a set of Administrative Rules which were previously sent to each member for review. She then went through each of the Administrative Rules that were proposed and asked for a discussion and vote on each one individually.

The first draft Administrative Rule presented defines Recreational Vehicles. A motion was made by Angie Beuthien to accept the definition as written and was seconded by Steve Lewis. Further discussion indicated that a much more thorough discussion and more time was needed than available to have a vote on each of the proposed draft rules. No vote was taken as the library staff interrupted notifying the members, we had to vacate the room as the library was closing. It was decided that a committee would be formed to address some of the language ambiguity within the Covenants. Steve Lewis offered to head the committee. However, first, prior to the committee convening, a survey would be sent out to the members to get a sense if there is interest, or not, in working on these issues, and the results would determine whether or not the committee would move forward.

Meeting Adjourned:

The meeting was concluded abruptly due to the library closing and officially adjourned at 8:00 pm.

Note: An order of business for the 2023 Annual meeting, there is a motion on the table for the body to pick up and vote on relative to the first draft Administrative Rule.

Trish Bodlovic
Secretary