

## ELK MEADOWS HOMEOWNERS ASSOCIATION MEETING and Notes

DATE: Saturday May 29, 2021 around 3pm

RSVP TO KURT

### ITEMS:

- (1) As usual plant trees on your lots, common space and old roads – come and pick up the trees any time at my place at the end of Mule Deer. I've left a few trees in a water bucket for people who would want to pick them up around the next weekend. I'll be at it first thing Saturday morning. We can meet after the trees are planted.
- (2) Outside Meeting (covid). Bring chairs. Can do it at Tom's under cover if it is raining or at the cul de sac on Mule Deer. We need NEW members (HOA and board of directors). If enough people RSVP we can picnic outside and cook out at 413 Mule Deer Lane. – bring something to grill and anything else. Or just stop by and talk.
- (3) As I type this we have about \$37,000 and another \$10,000 in a CD. We have had a lot of people selling property so the title company is collecting a lot of past dues. In past meetings I suggested a ski lift in the common space below Tom's but no one has seconded that idea.
- (4) Weed issue. We did the roads and some common area last year. This is usual around July. Will be using Jeff Carney. If you want him to do your lot – call him at 460 -560-4642. If you're not local I can interface with Jeff for you.
- (5) County sprays the roadway once a year. With Jeff's spraying we will see how we did last year. I will talk to Tom and see how the grass did.
- (6) Bunch of people buying property – just thought I'd mention we do own a keyed mailbox done at Lakeside (old Brown Derby). You can get a key from the Postal Office.
- (7) Trail maintenance. We could also take people out about 1pm for a hike if you need to see the trails.
- (8) VRBOs

Other ideas?

Expenses (off the top of my head) –

Liability Insurance. About \$1,000,000 of coverage for \$1,000.

Trees - \$400.00.

Georgetown - Vol Fire Depart \$600.

Echo Lake Ski Club - \$200.

Montana Sec of State - \$25.

Legal \$550.

Weeds \$400.

Mail to:

EMHA (lot #)

c/o Kurt Krueger

9 Contour Road

Missoula, MT 59802

Dues: \$200/year.

As of 2021: You owe: \$200 \_\_\_\_\_ Email your address if you getting this by land mail?

In the past year we have 15 new owners with an additional 2 maybe in the works. I don't know how always know how each title company is working homeowners. Sometime dues are collected. Sometime the title company gets us a part of a year (I also get calls when I'm on vacations and away from my laptop). So make adjustments as you see fit.

Need new board members!

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So the VRBO issue:

Bill Wilmot tried to make a change in the covenant in 2005/6 but it didn't pass the 80% needed and was never filled with the county.

Here is what's in the covenants:

Article 2 Restriction on use of lot and common areas

Section 2.1 Restriction on nature of use of the Lots. (a) The Lots in the Subdivision may only be used for single family residential purposes, recreational purposes, and associated purposes. The term "single family residential purposes" means use by a single housekeeping unit, operating on a nonprofit, non-commercial basis between its Owners and/or Occupants, cooking and eating with a common kitchen and dining area.

(b) The owner of Occupant of a Lot may engage in business activities in that Lot, provided that the Owner of Occupant is occupying the residence on the Lot as his or her residence, the business activities are carried on inside the residence, and the business activities do not involve (i) visits to the Lot by customers, member of the general public, or more than one employee, (ii) manufacturing or other industrial activities in the Lot, (iii) significant deliveries and/or pickups of materials or inventory to the Lot, and (iv) storage of materials, inventory, or work in progress outside of the residence on the Lot. We have received several emails and official copies of a 2005 amendments of protective covenants for EMHA. The pointed to Section 2.1c to support VRBO: "rent or lease to a third party". Amendments need 80% of the lot owners to pass. Only 6 owners voted for this and returned it to EMHA. We checked with the county clerk and it wasn't filed. In addition, Regan was buying a lot and his title report didn't show it. So we will assume the 2005 amendments aren't valid. It is unknown if all owners received copy of this document when they purchased lots. Previously the developers owned 80% of the lots and did change some of covenants. Bill Wilmot sent out a 10 page notarized bundle including a statement on the last page stating the owners had 18 lots and asking owners to vote for this amendment, notarize it and return it to him.

The membership can discuss VRBO and decide what we should do. At this point in time here are some things to think about. Even if 95% (random number) of renters are quite and out of sight – that doesn't help us the 5%. The business plan is the owners not being present – so it your neighbors who have to deal with the down side of strangers here for a short time.

Need new board members!