

News from the North

Eagle Bend Bend North - July 10, 2020

(compiled and edited by Steve Armstrong)

Annual Meeting Canceled

Eagle Bend North's Annual Meeting scheduled for Tuesday, August 11, 2020, has been canceled due to the COVID-19 and everything associated with that.

This edition of News from the North will be a summary of the details that would have been presented at the Annual Meeting.

Included with this packet are [1] minutes from the 2019 Annual Meeting with a request that the membership vote to approve or reject the minutes; [2] financial information to date and budgeting; [3] a stamped self-addressed envelope for homeowners to return their vote on the 2019 minutes and any other concerns that homeowners have.

Eagle Bend North's HOA Board voted unanimously to raise annual dues to \$690 effective January 1, 2021. The Board opted for the increase rather than ask membership to approve a special assessment.

The reasons for the increase are noted throughout this narrative. EBN HOA is now obligated to pay for irrigation of common areas, including payment for the connections and monthly payments during the irrigation season. There continues to be drainage issues along lower Bridger Drive that were addressed early this summer and there are additional needs to must be taken care of in the immediate future. We must continue to build our road reserve fund for an anticipated overlay within the next few years.

General News

Golf Course irrigation terminates and EBN HOA takes over

You will remember in the March News from the North a detailed explanation of the Golf Course's plan to cease irrigation to common areas in Eagle Bend North. The Golf Course was unwilling to discuss this further - their decision was final.

The prompted the Board to go through a process of prioritizing the irrigation of the two marquees on the eastern corners of Holt and Bridger Drive, the Nagy Park common area and the common area along Whitetail Court.

We discovered that there was an existing water meter for one of the marquees. That meter, apparently, had never been used and needed replacement. Our HOA neighbors Jim and Mary Lambert agreed to allow EBN HOA to use their water to irrigate the marquee near their house on a temporary basis. The Board agreed to reimburse the Lamberts.

The Board agreed that the marquees and Nagy Park were the greatest priority at this time. A new water connection for Nagy Park was installed in mid-June.

What this means is that for the first time since the EBN development was created is that EBN HOA will be responsible for a water bill only during the summer irrigation season.

There were costs associated with this year's set-up of irrigation for Nagy Park and the marquees. The final invoices are not in as of this writing; however, the Board anticipates that the two connections this year will total in the neighborhood of \$8,500.00

The Board anticipates that the irrigation system for Whitetail Court will be connected in 2021, and the final connection to the south marquee will be completed in 2022.

Finances and Budget News (submitted by Derek Swank)

EBN continues to be financially healthy as you can see by the financial sheets enclosed. We did have some unexpected expenses as described in this letter that caused us to increase the dues to insure that we can stay that way moving forward. We are obligated to keep the road money increasing yearly so that when we have to overlay them we have the funds to do so. We will continue to be as fiscally responsible as possible.

ARC - Architectural Review Committee News (submitted by Dan Kidd)

We have three new homes that the Committee approved for construction that are either starting construction or nearly complete awaiting final inspection. The committee just finished approving a final inspection on a fourth new home. The two new Townhomes approved by the committee have been delayed in starting construction to probably this fall. The Committee approved several exterior re-painting and the replacement of roof shingles on two townhouses. The Committee has also approved the replacement of some trees and plants that have died or damaged from the severe wind and storms we had this spring.

Landscape Committee News (submitted by Jim Valentino)

The transition from flowered plants to deer resistant plants has been a great success and the colors in the marquees are vibrant and should stay that way without having to plant flowered plants each year from now on. Over the coming years that should save us a little money.

Drainage ditches along Bridger Drive (submitted by Jerry Johnson)

The drainage issues along lower Bridger Drive prompted the Board to have TCG Construction add drainage “tile” pipes along a stretch of Bridger Drive on lots 68 & 69, and then again on Lots 64 & 65. Total cost of these projects was \$20,000. The open ditch was becoming a hazard with accumulated algae and not effectively draining water. The new system appears to be working quite well and water is flowing. When the current vacant lots on the south side of Bridger Drive area built on, the new homeowners will be able to connect their sump pump to the new drainage pipe.

Road Committee News (submitted by Frank Charboneau)

The Board of Directors and the road committee are working hard to ensure the roads continue to be maintained. The work on lower Bridger Drive ditch has been completed. The tile drain has been installed, the ditch has been back filled and grass planted. We should all be seeing the results of this project going forward. The standing water is being moved to the end of Bridger for draining into the pond on the 2nd tee box which drains into the ponds along 17th fairway and ultimately into the Flathead River.

The pothole on Bridger Drive has been patched after the completion of the house midway on the 2nd fairway. The board of directors has determined that this could be an ongoing problem from the springs that flow from the hillside and ultimately to the 14th fairway. The golf course has done a good job of diverting most of the water on the 14th fairway. There has been a steady flow of water into the pond between the houses and the 14th green. This is a result the drain tile and water catches installed on the 14th fairway by the golf course.

We have all seen the results of water over the past month. The torrential rains have caused some water accumulations. The board members are watching these issues and taking steps where appropriate. We have board members located throughout Eagle Bend North who point out these issues to other board member as they occur. It is always helpful to get feedback and concerns from the homeowners. So please feel free to contact me or other board members as you see fit.

The Board of Directors has set up a reserve for road maintenance and eventual replacement as needed. If anyone has a concern or notices issues with the roads please email the Chairman of the roads committee – Frank.Charboneau@gmail.com

Golden Eagle Townhome Owners Association News (submitted by Linda Kidd)

GETOA is in the process of adding additional lines for the purpose of watering the East side of Golden Bear and the marquee that is at the corner of Holt and Golden Bear, as well as the street edge as it comes down Holt. We are waiting for the ditch digging Company. GETOA will in turn reimburse the townhome owners, like the Lamberts, that have agreed to pay the water each summer.

Nominating Committee News

There are no Board vacancies to be voted upon at this year's Annual Meeting. **However, three positions will be voted on during the 2021 Annual Meeting: President, Treasurer and an open Board position.** Eagle Bend North is seeking interested owners to participate on the Board and on Committees. Please let Steve Armstrong know if you wish to seek a position on the Board. Steve can be contacted at stevesar1776@gmail.com.

Change of contact information

Please mail or email any changes of your contact information to our Property Manager Dave Roberts. Dave's email address is drobot@westernmountains.com It is important to our HOA and our Property Manager that your contact information be up-to-date.

Eagle Bend North website

Eagle Bend North's website: <http://eaglebendnorth.com> The website has a dropdown menu that lists the Homeowner's Roster (password protected), information regarding dues, CC&Rs, Bylaws, Architectural Controls, Board and Committee Contacts and Board Minutes from the past several years.

EAGLE BEND NORTH HOMEOWNERS ASSOCIATION

ANNUAL MEETING

August 13, 2019 9:00 a.m.

EAGLE BEND YACHT HARBOR CLUBHOUSE

Call to Order: The meeting was called to order by President Steve Armstrong. A quorum was established with 33 members present either in person or by proxy. A quorum is defined in the bylaws as 10% of the 118 lots making up EBN, which equates to 12 owners.

Board introduced: Steve introduced the Board Member; Derek Swank Vice President; Lloyd Ross Secretary/Treasurer; Scott Austin; Jim Valentino Landscape Chairman; Frank Charboneau Roads Chairman; Dan Kidd Architectural Chairman and Dave Roberts Property Manager.

Approval of Minutes: Derek made a motion to approve the minutes from the August 7, 2018 Annual Meeting and was seconded by Paul Naour. The motion passed with unanimous approval.

Treasurer Report: Lloyd reported that EBN is in good financial standings. There is a growing reserve for roads and streets and a yearly deposit of \$30,000 will be deposited into the Road Reserve Fund in September bringing the balance to \$140,000. In 2018 EBN increased the dues by 20% and EBN have been able to put 100% of this into the Road Reserve Fund.

Architectural Dan: Two new homes are under construction and two homes are waiting for landscape approval. There have been many maintenance projects by homeowners. One patio project is almost completed, and one patio update is now completed and approved by the committee. Remember anytime a homeowner does anything on their landscape please contact Dan or Dave and get approval in writing. Due to the recent storm there were a number of downed trees in the Association. If you are planning to replace trees, please call for approval and all homeowners need to make sure they are maintaining the correct number of trees.

Landscape Jim: The landscape of the three (3) marquees are now completed. The color on the marquee is back to its original white color. Biggies redid the landscape in 2018 and now there are colorful shrubs that provide color year-round versus the flowers that

the deer would eat. Don Goodall is maintaining the marquees. A homeowner asked if the daisies in Nagy Park could be looked at as they have taken over the small marquee area. The Board agreed to have Don look at this area and look at a stump that needs to be removed.

The drainage issue on Bridger Drive is still being monitored and the growth of weeds need to be cut. The weeds will take over the drainage area, so the Board is having a weed deterrent sprayed to keep the weeds from growing. The water is flowing down the ditch and away from the road. Scott suggested that EBN ask the landscaper to be more aggressive on the weed abatement. Scott is afraid that the weeds will take over the drainage and will impede the drainage. In the future when a property owner builds on the vacant lots in this area they will be required to put in a culvert.

Roads Frank Charboneau: He walks the road every day and the committee is aware of one area on Bridger where it looks like a heave in the road. In the fall Badger will dig four (4) feet below the soft spot and put in drainage rock. This will also enable us to see what is below this spot in the roadbed. In the “News of the North” Frank provided the homeowners with his email address and phone number if you have concerns with the roads.

Survey Review: All homeowners received a survey form to see if EBN should prohibit short term rentals, which is defined as shorter than 30 days. We did not receive the necessary threshold of 66% approval to put this to a vote. In May the Montana legislature passed SB300 which was supposed to clarify a member of an HOA’s property rights vis-à-vis renting. As of now, if EBN wants to pass rules on restricting renting to less than 30-days, an individual resident can vote against the new changes, meaning that they would not have to follow the new rental rules. The unit owner would not be able to pass on this privilege if their unit was sold. There are some lawsuits that have been filed since SB300 was passed challenging the ruling. One Association that is challenging the ruling is the Yellowstone Club.

Rental Rule Committee Marie Pickard: A detailed handout was provided to the homeowners. All Renters are to comply with the Flathead County rules and regulation that were put in place in 2016. Owners who rent for 30 days or less must adhere to the following rules:

- Sewer system large enough to handle maximum occupancy.
- No added signage to advertise rental.

- Owners must have a Property Manager who is available 24 hours a day 7 days a week and be able to arrive at the subject property within one hour should there be an emergency or problem. The contact information for the local contact person or management company shall be sent via certified mail by the applicant to all property owners within 150 feet of the property. The applicant is required to give all homes within 150 feet of rented property the name of the Property Manager along with the phone numbers in the event of a problem with the renter.
- Short term Rental Housing shall obtain a State of Montana Public Accommodation License for a Tourist Home.
- Short term Rental Housing is subject to the State Bed Tax and the property owner is responsible for collecting the tax.
- Short Term Rental Housing must have adequate off-street parking spaces.
- The renting can be challenged if there are constant violations, and police reports. A written complaint can be issued by the county and all license are public and neighbors can check.

All renters must follow these laws. Montana Document 2.06 is a four (4) page document that all VRBO property owners must have filed with Flathead County

The Rental Committee made a list for renters to follow. Some Homeowners Associations have set rules, and these are placed in the rental unit. Marie checked with five (5) different HOA's and the Committee used their format. The Rental Committee is asking the owners to put the rules down on the kitchen cabinet for renters to abide by. These are suggestions to help the homeowners. Steve asked for a strawman vote to see how many of the homeowners would like to set some rules for renters. The majority voted in favor of some general rules. One page of rules would be nice, and they would follow the county guidelines. Bill Leininger volunteered to see how many properties in EBN are listed on the Rental sights on the web and report back to the committee

Steve thanked Marie for her work and bringing this issue to the for-front.

Opening for Board positions: Dennis Yarbrough nominated Frank Charboneau and Jerry Johnson. Frank has served on the Road and Street committee for a year. Jerry Johnson moved into EBN one year ago after living in many places. The first time Jerry lived in Bigfork was in 1979 and he has returned and has invested in Bigfork properties. Scott Austin and Lloyd Ross will be hard to replace but these are two good nominations and they would serve for 3 years. Steve asked if there were any additional nomination from

floor. He asked a total of three times for nomination and when no further names came forward Dan Purcell made a motion to close the nomination. A motion to approve the nomination by acclamation was made by Scott Austin and seconded by Derek Swank.

HOA Member Concerns: Jim Lambert had two concerns that he would like to see addressed. He lives on the corner of Holt and Bridger and he said the speeding on Holt is a big problem. His second concern was for the security of our subdivision and would like to have the members think about considering a security patrol. This would help the homeowner who live out of the area during the winter months. He suggested we could have this monitored for eight (8) hours during the night. If the other HOA Association within the areas would all cover the expense this would be feasible. Dave Roberts said if EBN hired someone to patrol without a gun it is \$37.50 an hour and with a gun it is \$40.00. It would take a policeman 25 minutes to get here and maybe even more depending where he was in the county at the time of the call. There are five (5) patrols in the sheriff's department and they move around the county which is big. An off-duty policeman could be an answer as a man with a uniform may have more of a presence. Jim said getting the other HOA's involved and even Eagle Bend Golf Course would make this feasible. Bill Leininger said homeowners need to be looking for anything that may look suspicious. Contact Dave if you have a concern regarding someone in the neighborhood and he can have a patrol person come by. There was discussion regarding apps that homeowners could put on their phone to post anything suspicious.

There was an announcement for all owners to please adhere to the dogs on leash law and please pick up after your dogs. The golf course is also asking all dog owners to keep the dogs off the course, and this is also the cart path.

Adjourn: A motion was made by Myron Achenbach and seconded by Dan Purcell. Meeting adjourned at 10:15 a.m.

Bugsy Yarbrough Recording Secretary

Eagle Bend North HOA
Balance Sheet
As of December 31, 2019

	<u>Dec 31, 19</u>
ASSETS	
Current Assets	
Checking/Savings	
RMB Business Checking	
Architectural Account	10,000.00
RMB Business Checking - Other	34,753.08
Total RMB Business Checking	44,753.08
RMB Reserve Account	30,000.00
First Internet Bank	
Bus. Savings 6113-GB -0.9%	25,627.65
48 Month Certificate 6139-2.07%	43,141.64
24 Month Certificate 6121-1.82%	43,059.12
Total First Internet Bank	111,828.41
Total Checking/Savings	186,581.49
Accounts Receivable	
Accounts Receivable	630.00
Total Accounts Receivable	630.00
Total Current Assets	187,211.49
TOTAL ASSETS	187,211.49
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
Architectural Deposit	10,000.00
Total Other Current Liabilities	10,000.00
Total Current Liabilities	10,000.00
Total Liabilities	10,000.00
Equity	
Association Equity	55,267.36
Road Reserve	82,771.22
Net Income	39,172.91
Total Equity	177,211.49
TOTAL LIABILITIES & EQUITY	187,211.49

Eagle Bend North HOA
Profit & Loss
 January through December 2019

	Jan - Dec 19
Ordinary Income/Expense	
Income	
FEC Capital Credit Refund	31.91
Association Dues	67,392.00
Finance Charge Income	62.33
Interest Income	2,113.07
Transfer Fees	3,500.00
Undeveloped lot mowing	5,100.00
Total Income	78,199.31
Gross Profit	78,199.31
Expense	
Annual Filing Fee	20.00
Bank Service Fee	60.00
Christmas Decorations	234.00
Common Area & Marquee Maint.	
Lift Station	4,070.40
Electricity	1,681.00
Landscaping and Groundskeeping	
Repairs & Maintenance	378.00
Contract	5,700.00
Landscaping and Groundskeeping - Other	1,140.00
Total Landscaping and Groundskeeping	7,218.00
Tree maintenance	2,200.00
Total Common Area & Marquee Maint.	15,169.40
Insurance Expense	3,256.00
Misc Expense	5.50
Postage and Delivery	638.50
Professional Fees	
Record Meeting Minutes	425.00
Accounting	160.00
Legal & Professional	494.25
Total Professional Fees	1,079.25
Property Management Fees	7,800.00
Road Maintenance	
Sign and Road Repair	300.00
Sweeping Roadway	800.00
Total Road Maintenance	1,100.00
Snow Removal	
Snow Plowing	3,850.00
Shoveling	300.00
Total Snow Removal	4,150.00
Taxes	
MT CLT	50.00
Total Taxes	50.00
Undeveloped lot mowing expense	5,100.00
Web Site Maintenance	363.75
Total Expense	39,026.40
Net Ordinary Income	39,172.91
Net Income	39,172.91

Eagle Bend North HOA
Statement of Cash Flows
January through December 2019

	<u>Jan - Dec 19</u>
OPERATING ACTIVITIES	
Net Income	39,172.91
Adjustments to reconcile Net Income to net cash provided by operations:	
Accounts Receivable	<u>249.00</u>
Net cash provided by Operating Activities	<u>39,421.91</u>
Net cash increase for period	39,421.91
Cash at beginning of period	<u>147,159.58</u>
Cash at end of period	<u><u>186,581.49</u></u>

Eagle Bend North Homeowner's Association

2020 Annual Meeting Ballot

I _____, a property owner in good standing of the Eagle Bend North Homeowner's Association, exercise my vote by proxy on matters of the EBN HOA Annual Meeting which was scheduled for August 10, 2020, but subsequently canceled due to COVID-19

1] Vote on the 2019 Annual Meeting Minutes:

[] APPROVE

[] DISAPPROVE

COMMENTS: _____

2] Questions or concerns to the Board of Directors: Questions or concerns for the EBN HOA Board of Directors will be answered.

Signed: _____ Date: _____, 2020

Address: _____

Please return this proxy no later than August 10, 2020, to David Roberts, Western Mountains Property Management, 33 Hunter Circle, Kalispell, MT 59901