

COUNTRY ESTATES HOMEOWNERS' ASSOCIATION

2021 ANNUAL MEETING (Minutes)

Thursday, October 07, 2021, 7:00PM to 9:00 PM

6:30 – 6:55PM Sign in, counting of proxies

1. Establish Quorum (minimum of 27 individual property owners and/or signed Proxies)

8 proxies and XX attendees – have a quorum

2. Call Meeting to Order @ **7:05 PM**

3. Minutes from Sept 17, 2020 Annual Meeting (on Resource Page of Country Estates HOA Website)

Kay Lynn Lee motion to approve, Steven Redgate seconded, none opposed; motion carried.

4. Moderator Remarks and Instructions for conducting the Zoom Meeting

Please keep on mute until have been recognized to speak to reduce background noise and interference on the call.

5. President's remarks

1. Welcome,

Thank you for attending, there has rarely been a quorum for the meetings, we appreciate the turnout tonight.

2. Introduction of current Board members

Rick Flink – President, Gregg Letourneau – VP, Laura VanDeKop – Treasurer, Deb Redinger - Secretary, Luanne Metcalf - Architectural Committee, JD Metcalf - Covenants Committee, Joe Redinger - Roads, Sienna Lilly - Welcoming Committee, Caleb Erb - Member At Large

3. Resignations (2)

Deb Redinger & Joe Redinger

4. Board of Directors Vacancies (2)

Secretary & Roads/Member At Large

6. Reports by:

1. Laura VanDeKop (Treasurer) – 2020-2021 Financial Report

See report online, went over the annual expenses and income.

2. Sierra Lilly (Welcoming Committee) – Activities

8 addresses received a packet this year. Please email the CEHA if you know of a new community member moving in or if you would like a packet yourself.

3. Luanne Metcalf (Architectural Review) - Annual Report

Slow year, see report online, all but one project completed.

4. J.D. Metcalf (Covenant Enforcement) – Annual Report

See report online, normal summer issues only one of which required a letter being sent from the attorney.

7. Election of 2021-22 Board members

Rick would like to remind everyone that you can volunteer to help but not be a member on the Board. Please consider helping out your fellow HOA members who are on the Board.

Bylaws state that a board member is elected for a three (3) year term and can serve up to three (3) terms.

Thus three (3) current board member positions are up for election:

1. Laura VanDeKop (12 yrs on board would like to retire but will stay on a limited basis if her position is not filled. She is the HOA's Treasurer)

2. J.D. Metcalf (not sure on number of years on board, would like to continue)

3. Joe Redinger (has resigned)

4. Deb Redinger (has resigned)

We are definitely looking for two (2) candidates at a minimum, but we could have nominations for every position that is up for election.

Procedure for nominations is; if you would like to nominate someone, to include yourself. Please put your name in chat and the sentence, "I would like to nominate < > for a board position."

Once we close nominations, Laura as moderator will explain how we will do the voting process.

Open floor for nominations, use the chat function by entering your name & address and who you would like to nominate for each open position.

Rick - Are there any nominations? None received.

Laura to continue as Treasurer and JD for Covenants by acclamation.

Are there any closing nominations? None, nominations closed 7:31 PM.

8. Old business:

1. Traffic Safety Issues

At last year's meeting we planned to ask for placement of speed bumps to reduce excessive speeds, especially along Arbour Dr W, as per Flathead County we cannot do this. If you notice traffic violators, excessive speed, aggressive driving, etc., please notify Rick and the Board.

2. CEHA Website <http://countryestateshoa406.com/> and Email ceha59901@gmail.com

Please send any questions, concerns, or architectural forms to the Board at the CEHA email address ceha59901@gmail.com; responses usually happen within a day or two.

Architectural Forms are also available on the website. If you have not taken the opportunity to go to the website & review the information, please review and give us feedback on what is good, bad, needs updating or any additional information you want to see listed. (Laura did a brief overview of the website.)

Would like to add a Forum section with the ability for HOA members to post and respond to different items of interest.

9. New business:

1. VRBO/Short Term Rental Properties in Country Estates – Gregg Letourneau

Caleb brought to the Board's attention a home listing stating had an RV pad; Rick got with realtor who removed this from the listing as a violation of the covenants. Realtor asked about VRBO rentals and Rick said not allowed as it is running a business. Upon discussion with the Board, it was determined more information was needed.

Gregg & Caleb spoke at length with the HOA attorney and learned the following:

If brought to a vote each signature must be individually notarized to record each vote.

Unit 1 has 48 properties and requires 90% or 44 yes votes to pass.

Unit 2 has 58 properties and requires 75% or 44 yes votes to pass.

It may happen that one unit passes and the other does not.

If a homeowner votes no, or does not vote at all, and the VRBO restriction is added to the covenants, that property does not have to comply with VRBO restriction *until* the property is sold. The new property owner must comply with the amended covenants and will no longer be allowed to operate as a VRBO as per legislation passed in 2019, MT 70-17-901.

Flathead County requires an application to be licensed to operate short term rentals within the county.

Bruce Tulloch – So cannot do a VRBO since is a business?

Rick - The county will send out request for comment to neighbors within a specific radius of a property applying for the short-term or VRBO licensing. The county will take into consideration what responses they get. In addition, any others may comment as well but they will not be sent the notifications.

There are two sides to the issue, the property owner wanting to make money on the property and the neighbors who have to deal with potential issues like: noise, heavier traffic, non-compliance of covenants, etc.

A brief request of votes for those on the call resulted in 19 overall responses:

2 – want additional information

4 – in support of VRBOs being allowed

13 – against allowing VRBOs

2. Neighborhood Watch Program

Rick had hoped to have a speaker for this but could not make it happen. If you are interested, he will send out information to you. You can also send an email to the CEHA email address so he can respond with the information via email.

Votes to being involved and learning more about the program, 10 votes overall:

9 yes

1 no

10. Open Discussion:

Bruce Tulloch – RV & Boat, neighbors have talked about this covenant and want to see it changed. Sees the items in the neighborhood...Rick clarified that the area he was discussing was not our subdivision.

Several back-and-forth comments:

Cole - requesting another vote

Deb – Look at subdivision to north, seeing boat, camper, pile of stuff, trampoline in front yard

Sienna – can we use the chat to get a reading of interest

Kay Lynn - it is the interested homeowners' responsibility to petition if there is interest

Rick – as per attorney this takes a hard look at the covenants

Mark – this is showing strongly that there is interest

Deb – there has to be consideration for those who have other interests, what about a snowmobiler, how does this impact what they want? It cannot be just for an individual point of view; opening for one has impact for all

Mark – this is only about RVs & trailers as listed in the covenants

Luanne – because of the threshold difference between Units 1 & 2 you have to keep in mind one may pass but the other may not

Kris – this should be handled the same as the VRBO

Rick, Kay Lynn – the Board as a volunteer organization cannot run with a request for changes from just one or two individuals. If an HOA member is interested in change, it is up to them to gather the petition to show the percentage of members are in support of requested change. If numbers showing interest will not pass the 90% for Unit 1 and 75% for Unit 2, no action will be taken.

Mark & Bruce will run with gathering information and signatures, several on call stated interest and Sienna offered to be the liaison for the Board.

11. Adjourn Annual Meeting @ 8:34

VRBO For or Against vote:

From Me to Everyone 07:49 PM 253 Arbour Dr W----Against VRBOs

From Kay Lynn to Everyone 07:49 PM 129 Trailridge--no VRBO

From Donna to Everyone 07:49 PM 260 Dairy DR--Against VRBOs

From Steve Brady to Everyone 07:50 PM Steve Brady 176 Trailridge against VRBOs in neighborhood

From Jason to Everyone 07:50 PM 281 dairy **support vrbo**

From Emma's iPhone to Everyone 07:50 PM Sorry 277 Dairy Drive are for **SUPPORTING VRBO**

From Nichole Bebee to Everyone 07:50 PM 182 Arbour DR **against restricting VRBO**

From Charles & Joan to Everyone 07:50 PM 289 Dairy Drive, Against

From skibu to Everyone 07:50 PM 165 Trailridge. 175 Arbour Dr E and KarenHighbarger on Arbour East are against VRBOs

From Kris Mishler to Everyone 07:50 PM 156 Trailridge Rd - against vrbo.

Our next door neighbors, Dan & Colleen filled out a proxy and are also against vrbo

From Stephen Redgate to Everyone 07:50 PM 303 dairy dr **need more info**

From Bruce Tulloch to Everyone 07:50 PM 235 Arbour Dr W....**FOR vrbo possibility.**

From Paula to Everyone 07:51 PM 161 Trailridge Rd. probably against. **need to discuss**

From Kyle Viereck to Everyone 07:51 PM 166 Arbour No VRBO

From warren dobler to Everyone 07:51 PM 179 Arbour Dr East - against VRBO

From Rick Flink to Everyone 07:52 PM Rick Flink 234 Arbour dr w - Against!!!

From Gregg's iPad to Everyone 07:53 PM 169 Trailridge No VRBO

Dawn Walker proxy Lori Z. No VRBO

Neighborhood Watch vote:

From Kay Lynn to Everyone 07:55 PM 129 Trailridge—**yes**

From Kay Lynn to Everyone 07:56 PM I think the signs alone are a deterrent!

From Sienna Lilly to Everyone 07:56 PM my husband josh **is interested**

From Bruce Tulloch to Everyone 07:56 PM **Yes**

From Kris Mishler to Everyone 07:56 PM **yes**

From Stephen Redgate to Everyone 07:56 PM 303 dairy dr --**yes**

From Donna to Everyone 07:56 PM Donna Jones **Yes**

From Emma's iPhone to Everyone 07:56 PM Kunda **No** to neighbor hood watch

From Gregg's iPad to Everyone 07:56 PM 169 Trailridge - **yes**

Dawn W proxy Lori Z. - **yes**

From Charles & Joan to Everyone 07:57 PM **Yes**