



LOLO CREEK TRAILS HOMEOWNER'S ASSOCIATION
MINUTES

April 28, 2009

6:00 pm 11760 Stella Blue Dr

Lolo, Montana

Board Members Present: Brandon Wright, Cameron Criddle, Dan Johnson, Patrick Naseem, Scott Caldwell, Andrew Schwartz, Tye Roy, Jennifer DeSpain

Absent: Teri Johnson

Homeowners: Stan and Ellen Hendrickson

1. Meeting was called to order at 6:07 pm by Scott Caldwell, President
2. Approval of minutes 4/14/09 – **the motion was made by Tye to approve the minutes as submitted, seconded by Jennifer, all in favor/motion carried.**
3. Financial Report- Patrick reported that the change to Bitterroot Valley Bank has been accomplished; he has established an investment account which is an interest bearing checking account. The current balance is \$8,213.15 plus \$1.24 accrued interest. There is a small balance remaining at Farmers State Bank to cover outstanding items.
4. Secretary's report – We have received correspondence from Rainer Niederberger responding to the issue at Lot 37. We have received a bill from Zurich Insurance. Correspondence has been sent to Mr. and Mrs. Legrey and to Mr. Stanford. Dues notices and the Welcome letter were mailed. Dues have been received from 9 people.
5. Discussion with Mr. Hendricksen concerning weed control and firebreak on the property to the West of the Association and his lots. Mr. Hendricksen did mow his lots last year and will do so again this year. He has sold his tractor so will be unable to disc this year. He has previously burned the property to control grass and weeds but has stopped doing that due to complaints from LCT HOA members. He would be willing to work with the Association to have the same contractor that is selected for the Association Common Area Maintenance to make a couple of passes on the adjoining property.

ANNOUNCEMENTS: there were no announcements

4. OLD BUSINESS:

- 1) Patrick reported on the Insurance quotes. The main difference in the two policies is that Directors and Officers coverage is offered by Philadelphia and not by Zurich. As part of the D&O coverage there is employee dishonesty coverage of \$25,000. This coverage is deemed to be important because we do collect dues. There was discussion as to whether the D&O coverage is necessary since the By-Laws state that Board Members will be indemnified for their actions. Patrick will verify availability of employee theft coverage from Zurich. Brandon will inquire of his attorney as to the adequacy of the By-Laws language to protect Board and Officers from liability.
- 2) Tye has received bids from 5 mowing and spray contractors. All recommend two treatments for weeds and mowing. Bids range from \$4,700 to \$7,000. Missoula County Weed District recommends not paying more than \$70/ac. Tye proposes to negotiate with the two low bidders. Discussion of seeding common area access between lots 27 & 28. Brandon moved and Patrick seconded to seed this area. Motion carried. Brandon moved and Noah seconded to authorize Tye to negotiate with the two low bidders for the mowing and spraying, if price is less than \$4,000 to authorize the contract. Motion carried.
- 3) Scott has spoken with Dennis Doran concerning the remaining developer items. Dennis states that he can do either sign or trees this year.
- 4) Noah Closson – ACC Report. The ACC has records and is willing to share copies to properly populate the lot owner files. The denial of the Heffernan fence will be forwarded to the Secretary. Denial for Lot 43, Tender request needs to be completed prior to May 14 in order to avoid automatic approval. There was discussion concerning the ACC establishing basement rules for lower lots. Discussion concerning Joe Stanford building homes without ACC approval and building homes with basements without ACC approval. Reviewed fine schedule concerning failure to contact ACC prior to start of construction - \$50 and construction of structure without ACC approval- \$5,000. Tye moves that we correspond with Joe Stanford concerning violations and remind him of the fee schedule, second by Andrew. Motion carried. Tye will draft letter. Tye moves that we request ACC to draft rules concerning restrictions on basements in

lower lots, second by Cameron. Motion carried. Dan Moved that we affirmatively notify existing lot owners of the basement restrictions so they can disclose that in their sales agreements, second by Noah. Motion carried. Addition to the minutes 5/27/09 – Teri will send out letters to unimproved lot owners in the lower Phase 2 area with potential for flooding due to high water table. These notices will be sent out certified return receipt to document that lot owners were notified.

Discussion of Scott's neighbor's deck. He has applied to ACC and been approved. The ACC will develop further architectural guidelines for the Association. Noah will provide the Secretary with a record of actions for inclusion in the lot files.

- 5) Discussion of plans for community clean-up day. Brandon will contact Josh Legrey for update.
- 6) Scott raised the issue of developing a budget for the HOA. Dan moved to appoint a committee to develop the budget seconded by Patrick. Motion carried. Members – Patrick, Jennifer, Brandon and Dan.
- 7) Discussion of Street Sweeping. Scott will contact Missoula County Road Department concerning schedule. We will need to notify Homeowners of schedule so vehicles can be removed from the street. It was noted that we will also need to notify homeowners prior to weed spraying.
- 8) Discussion concerning trees and bike path. No action.
- 9) Dan Moved to form a committee to determine a sign design, Second by Scott. Motion carried. Tye will Chair with Scott and Noah as committee members.

NEW BUSINESS:

- 1) Discussion concerning establishing a new meeting night more convenient to Board and Officers. It was moved and seconded to move the meeting night to the 4th Tuesday of each month. Motion carried.
- 2) Requests for reimbursement were submitted for postage, supplies and copying for the welcome letter and the dues notices. Moved and seconded to approve reimbursements. Motion carried.
- 3) Brandon Moved that the Association purchase \$400 in "forever stamps" from the Post Office. Motion seconded and carried. Correction to the minutes 5/27/09 – Patrick will purchase stamps and request reimbursement in the form of invoice to the HOA.
- 4) Discussion of on street vehicle parking.
- 5) Weed Grant agreement signed by Scott.

At 7:59 the meeting adjourned to Executive Session to discuss a response to a Homeowner complaint and a past due Homeowner dues account balance.

At 8:30 the meeting adjourned.

Next meeting will be May 26, 2009 at 11313 Stella Blue Drive.

Submitted by Dan Johnson
Board Member LCT HOA