

Baxter Meadows HOA
Monthly Meeting Minutes
January 16, 2013

Meeting Called to Order: 12:07pm

Present: Trina Wolf, John Taylor, Shawn Harrison, Keri Thorpe, Celia Christenson, Shannon Weber (Luna) & Timothy Harmer (Attorney for Robert Chilton)

Review and Approve December Minutes: Shawn motions to approve as written. John 2nds.

Current Bank Account Balance:	\$114,489.37
Accounts Receivable:	\$83,499.32
Reserve Account Balance:	\$11,000.00

Bills To Pay:

Advantage Spraying	\$3385.00
Total:	\$3385.00

Shawn motions to approve bills. John 2nds.

Phase 2B – Apartment Complex Update: Trina researched with the City and Security Title and no one can find a copy of the supposed filed annexation paperwork. Board agrees to have Luna draft a letter to the City, putting them on notice to make sure the Developer adheres to the 11% parkland requirements for final plat. Otherwise, the Board is open to allowing Phase 2B to be annexed into the Master HOA properly, giving the Developer 11% parkland needed for final plat. Send the letter to Greg Sullivan and cc: Dave Skelton and Chris Saunders. Board to sign.

Central Owner's HOA – Review of letter to send to owners in Ph 2D, 2C & 6 informing owners of organization and asking for volunteers to run for the Board.

Annual Meeting/Elections- Annual meeting to be held in March. Board to determine date at next meeting. Two positions are up for Master board, election to be held AFTER the Annual Meeting, term to start May 1.

2013 Budget- Will finalize budget by March 1st. Still waiting to meet with Central Owner's HOA and review proposed budget for that area. Need to consider delinquency rates per phase and look at assessments for minimal snow removal in Phase 3, to be billed back to the phase 3 homeowner.

DRB: Chilton Hearing – Attorney Tim Harmor presents the case against fence built at the Chilton residence. Meeting based on section 8.8 that dictates the appeal process for variance hearings. Mr. Harmor presents that section 5.5 which refers to design review rights was not designed for corner lots, which is the shape of lot at the Chilton residence. CCRS states that if covenants are ambiguous should be held against the drafter.

Issue is where the mid-point should rest, on the house or the property line. Are front porches included in determining the mid-point? The board suggested a compromise by offering a variance to include the window well on the east side of the house.

The intent of this argument is to not allow front yards to be fenced. Board asks what the Chilton's would like to suggest for compromise and the Chilton's are not interested in changing the current fence line.

The argument from Mr. Harmor is the timing of notification of the non-compliance. Section 2.3 says immediately upon completion. However the Board argues that the fence was built without proper notification in the first place since Mr. Chilton did not follow the design review process prior to building. A plan was never submitted. Argument becomes about defining immediate?

Board urges Mr. Chilton to suggest compromises to the fence design vs. leaving the fence as is.

Board would like to consult with HOA attorney for further clarification on the issues presented during the hearing.

Gallatin Green Lights: Keri Thorpe researched why the street lights were not installed at the northern end of Gallatin Green. There are two lights that have foundations installed, but never completed. Phase 6 and Phase 3 are in the same lighting district. Currently HOA owners are only paying for lights installed. If these two lights are completed, then fees will raise slightly for the lighting district city special assessments. Shawn acknowledges and motions to vote to install the lights as originally planned. Teri 2nds.

Outstanding Accounts:

Horning-Notice of Trustee Sale 4/13
Silverio
BMKM, LLC
Ewing-Last payment received \$200 on 11/1/12
Hill-Notice of Trustee Sale 10/5/12
Buck-12/7/12
Tonya Smith Trust- Research Foreclosure proceedings

Meeting Adjourned: 1:09pm