

## Baxter Meadows Master Community

Spring Meeting – March 28, 2013 6:30pm

Location: Chief Middle School

### MEETING MINUTES

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**Meeting Called to Order:** 6:36pm

#### Board Report

- Common Area Maintenance – Advantage Spraying was hired for a second year. Responsible for lawn mowing, fertilization, weed control, flower bed maintenance in Ph 2C and 6. Also maintaining common areas in 10 Acre Park, Linear Park, Trail Systems and common space in Crossing and Phase 3.
- Gopher Control to start May 1 with TC1 Wildlife. Traps will be set and will start in Phase 3 this year. With permission of empty lot owners, TC1 Wildlife will trap on lots to best get a handle on gophers. They use reverse scissor traps that are in the ground. There were no complaints made last year of traps being left behind after the service was completed. Traps are safe for children and pets.
- **Common Area Capital Improvements** – The Board has been conservative in the past but operating accounts are finally lucrative. It is time to begin investing reserves back into the association. The following are projects discussed by the board to be completed this year. These are estimates only. The irrigation bid is high and Board expects to receive bids at lower costs. Money saved will be applied towards more trees! Several bids will be reviewed and considered before work begins. Capital Improvements will continue to be reviewed each year.

<b>Phase 6 Pocket Park</b>	<b>\$20,000</b>
Seeding, Irrigation, Landscape, Benches & Pathway through park	
<b>Corridor Completion</b>	<b>\$15,000</b>
Between Lasso and Gallatin Green	
Irrigation and Landscape	
<b>Installation of 3 Wells</b>	<b>\$15,000</b>
Est. \$5k per well	
<b>Common Area Irrigation</b>	<b>\$42,000</b>
<b>Tree Replacement</b>	<b>\$5,000</b>
<b>Total Improvements:</b>	<b>\$97,000</b>

DISCUSSION: Trina states that this is quite a bit of money that the HOA is having to “invest” back into the community due to Developer Abandonment. At some point the Board and owners are going to need to ask at what point does the HOA need to go after the Developer to recoup these costs. Owners are going to have to decide as a group. Also depends on statute of limitations– which we believe to be 15 years. Again, the City did not ensure the bonds held by the Developer and let them expire.

- **Presentation of Proposed 2013 Budget & Financials-** Shawn discusses with owners budget and actuals for 2012. Board announces reduction in HOA Master Dues from \$65/\$55 to \$40/month for all phases. It has always been the goal of Shawn Harrison and John Taylor to lower dues while serving their three year term. In addition, Central Home Owners Association Dues were announced for the sub-association. Board acknowledges Clay Hospodor, Celia Christenson and Nanci Kaehler for all of their hard work in generating the recommended dues per phase. With this design, owners pay for services received.

Phase 2C - \$36/mo

Phase 2C/Duck Creek - \$27/mo

Phase 2D - \$28/mo

Phase 6 - \$29/mo

**Baxter West (sub association assessments)**

Phase 3A - \$5/mo (alleyway properties only, covers snow removal)

**These dues will be charged retroactively to begin Jan 1 2013. You may receive a credit on your account due to this change. If you would like to see copies of the budget, please contact Luna and they will send you via email.**

DISCUSSION: Keri Thorpe mentions that from her interpretation of the governing docs, Duck Creek appears to not be a part of the Central Owners HOA, but the Central CONDOS HOA. This will need to be researched further. For now, Duck Creek is paying the sub-association costs to cover costs to lawn and snow services to their property.

- **Past Due Accounts** – Board discusses to be aggressive in going after collections for extreme past due accounts. Luna to meet and work with attorney Alana Griffith to collect via judgment proceedings or foreclosure. Past due balances are as follows:

**Phase 2C** - \$39,235.91 (11 delinquent – 41 lots)

**Phase 2D** - \$11,526.91 (9 delinquent – 31 lots)

**Phase 6** - \$21,205.74 (7 delinquent – 48 lots)

**Phase 3A** - \$6,589.06 (10 delinquent – 74 lots)

**Central Home Owners Association Organization**

Discussion that the sub-association should start/organize January 2014. This allows more time to keep and track costs and income in a separate bank account and build operating funds. Celia Christenson and Nanci Kaehler agreed to start January 2014. This Central HOA will need THREE owners to volunteer and run for the board in order to be fully operable at this time.

**Board Elections**

There are two positions open. Term to start May 1<sup>st</sup> for three year term. Shawn Harrison and John Taylor terms are ending. Luna has received

three owners interested in running, Celia Christenson(Ph 2C), Keri Thorpe(Ph 6) and David Graham (Ph 3). Volunteers must be current in dues and in compliance with governing documents.

### **Management Report**

Luna discusses roll of property management and covenant enforcement. Inspections are completed every other week and when necessary to investigate a reported issue. Most common violators found are owners parking utility trailers on off streets such as Kimberwicke and Arabian. Trailers are tagged and Bozeman PD notified if not removed in 48 hrs. Luna supports the DRB (Design Review Board) once construction is complete to investigate any damage to curbs and/or trash/construction debris left on site and surrounding areas. Luna communicates with builders during their construction process to ensure sites are maintained. If you have an issue about any covenant violations, please contact Luna.

### **OPEN FLOOR**

Trina opens discussion about the new development of The Knoll of Baxter West, Phase 3B. The plat was approved by the City of Bozeman, Monday March 25<sup>th</sup>. As part of the development, Trina will be investing an estimated amount of \$132,000 into the common area space along the stream just west of Arabian. This area will irrigated, trees will be added, landscaping, the bridge will be redesigned with engineers to ensure safety. The stream will be re-worked into a meandering stream along with a trail system that follows. Once the work has been approved, the timeline to complete this project would be two weeks. The roads for Phase 3B will be flipped from (east to west) to run north and south due to the contour of the hill. The question was raised by a homeowner as to who is paying for common area maintenance (snow removal on sidewalks) mowing, etc. of Phase 3B. The plat was just approved and this will be discussed by the Board as the development moves forward. Just as in any other development, HOA dues are paid on sold lots.

EJ Hook requests board and Luna to be pro-active regarding builders and their dirt piles. He suggests following storm water permit guidelines to enforce continued upkeep of construction sites and surrounding streets/areas. The run off created could be an issue with DEQ. Other owners suggest that they do not wish to make building in Baxter Meadows TOO restrictive. Board informs owners that \$1000 performance deposit is collected and builders can be deducted for trash and excessive dirt. Please contact Luna to communicate! **As a reminder, start time for construction is 7AM.**

### **Design Review Board (DRB) consists of the following owners:**

Mike Skogen, Amanda Heys, Trina Wolf and Keely Ryles.

Matt Faure is the architect currently reviewing applications submitted for review. Discussion that Trina may serve as conflict of interest by serving on

the Master Board and Design Review Board. Trina mentions that when her homes are up for review, she does not vote on her own projects. Shawn and John reiterate that as a Developer, Trina has a lot invested and at stake to ensure that Baxter Meadows grows and is prosperous. She has been a supportive Board Member and has helped the HOA considerably in its growth. Trina may insert her opinion about the future and matters of the HOA, but all issues are reviewed and voted upon by all board members. Trina is only one vote.

**Phase 2B** – Maggie Weamer, who resides in Phase 1, is an attorney and has personally filed a law suit against Sundance Apartments. The paperwork has not been served but will be shortly. While Maggie is not opposed to development, her key points are that the developer of Sundance Apartments asked for conditional use permit and Phase 2B is zoned for B2 Zoning, allowing for businesses on the first floor. Conditional use permit allows for residential on the first floor, which basically is R4 Zoning. Maggie feels this does not meet zoning laws and that there has been a violation. Also, parkland credit was given, but there is no detail or calculation filed with the City as to what this parkland represents. If interested in learning more, contact Luna for Maggie's contact info.

Montana Opticom Contract is a 25 year contract. The HOA still has 17 years left to fulfill contract terms.

**Meeting Adjourned: 8:04pm**