

Hellgate Meadows Residential Neighborhood Association

2625 Dublin Street ♦ Missoula, MT 59808



Board Meeting

August 18, 2020

6:37 pm, via ZOOM

Board Members Present (via ZOOM): Debbie Goertzen, Drew Rieker, Hannah Sackett, Kathie Snodgrass, Jason Suchecki, and Roberta Smith. Carol McKenzie, and Laurie Fliger were unable to attend.

Roberta moved and Debbie seconded that the minutes for the July meeting be approved as corrected. The motion passed unanimously.

Financials:

As of July 31st, the balance sheet showed \$39,658.99. There was \$22,038.35 in the bank. Accounts receivable were \$16,740 (reduced to \$7,905.00 by August 12th due to 2nd half dues payments received). The variance report showed \$9,704.23 under budget.

July bills paid included Dirtman: \$1700.00, JDM Enterprises: \$128.51 (for June services), and NW Energy: \$236.76.

We received one transfer fee of \$250.

Of our 117 property owners, 65 have paid their second half dues so far, with 14 doing so via PayPal

Old Business:

Electronic Dues Payment: Hannah's and Roberta's PayPal dues payments went through fine. There was a problem with the \$5 fee for using PayPal on a couple of payments. Was this because those owners already had funds in their PayPal accounts? Drew has a PayPal account, and he will test it. Roberta will also check to see whether she can get more account details on the payments.

Small Claims: Pursuing small claims in court takes a lot of time, whether it is done by Board members or a lawyer. Small claims actions are capped at \$7,000. We already lien properties in arrears, so we do get the money eventually, though we may not get it until the property is sold. Perhaps we should change our policy to charge a penalty that increases over time on arrears, even after the lien is filed, and update the lien amount every time the penalty is increased. Drew will draft a re-write that we will review and vote on at the next meeting.

Landscape Maintenance: Debbie and Dirtman will take a look at the Dublin Street dry triangle common area, and Dirtman will then give us a recommendation on a permanent fix to the problem.

Common Area Improvements: Work on the mail house is about to begin – there is paint on the lawn indicating where water and other utility lines are located.

New Business:

Dues Mailing: Several owners included notes to us along with their dues payments. These included sprinkler problems on O'Leary, exposed parking strip tree roots, thanks for including the note about not parking in the yellow with the billings, and a note from one owner about a missing payment. Deb will contact the owner with concerns about exposed tree roots to find out why the owner views that as a problem.

Landscape Maintenance: Jason talked to the developers working west of us, who referred him to their subcontractor, Grant Creek Excavation. Grant Creek Excavation told Jason that they've talked to Dirtman, but their intent is not to reconnect the irrigation until they are finished with their portion of the development's construction. Jason will talk to them again and make sure they know that we want all disturbed sod and trees (that isn't under the new street and sidewalk) replaced, and we hope they will provide us replacement trees in the same area to replace those trees they have to remove (probably 2 or 3). We do have a couple dead trees nearby that have not yet been replaced. Since they will be taking out a couple trees we replanted (partnering with the City) just a few years ago, we think it is reasonable to request they provide young trees as replacements for the lost tree canopy.

Minor Change Application: The architectural review committee received a minor change application from Suchecki's for a house they have purchased as a rental, to change the exterior paint colors. The committee recommends that the Board approve this request, as the proposed colors are well within the neighborhood color guidance. Roberta moved and Drew seconded that the change be approved. The motion passed unanimously, with Jason abstaining. Roberta will sign the form.

Property Owner Concern: A resident property owner contacted the Board about people going through the owner's garbage, peering through the windows, and a homeless person camping in the back yard. Jason and his wife visited the property owner at the home and made some suggestions on how to change the appearance of the property so others wouldn't think it was unoccupied. The owner made some of those changes, and has apparently not been bothered since. Jason did volunteer to respond if the owner had more trouble.

The meeting was adjourned at 7:46 pm. The next regular Board meeting will also be via ZOOM, on September 22nd at 6:30 pm.

Kathie Snodgrass
Secretary

Special Board Meeting
August 25, 2020
5:20 pm, via ZOOM

Board Members Present (via ZOOM): Debbie Goertzen, Drew Rieker, Hannah Sackett, Laurie Fliger, Kathie Snodgrass, Jason Suchecki, and Roberta Smith. Carol McKenzie was unable to attend.

This meeting was called to specifically address the issue of tourist homes. A realtor contacted the Board to learn whether tourist home property uses were allowed in Hellgate Meadows, because the realtor had a potential buyer wanting to purchase a property for that purpose. Another property owner who was considering this sort of use has decided to make their property a long-term rental instead.

Kathie combed through the HMRNA founding documents to see whether there was anything relating to vacation rentals/VRBOs/tourist homes. There wasn't, not surprisingly, since this type of use didn't occur 20 years ago, when the documents were composed.

However, Declaration article 11.2 (e) specifically prohibits time shares, which is as close a use to vacation rentals as there was way back then. And article 11.4 has details on leasing residential properties, including a recommendation that the Board consider establishing a minimum lease time of 6 months, if it became necessary to specifically do so. So apparently the feeling was then that short

term rentals weren't a problem at that time, but would be incompatible with the New Urbanist type of neighborhood, and should be prohibited if in the future the issue did come up.

Also, Article XI, 11.2 says that the Association is allowed to prohibit uses "inconsistent with implementation of the philosophy of the development of Hellgate Meadows."

Board members expressed several concerns about this sort of use, such as how this use would affect the value of adjacent homes, how would it affect the safety of families near vacation homes, lowering the "neighborliness" of the neighborhood and the ability to know and interact with your neighbors, and so on.

Other Board members felt there would likely be very few of these uses in the neighborhood, so they would likely not affect the neighborhood significantly.

In order to prohibit vacation home use in the neighborhood, it would require a resolution to amend the Declaration of Covenants to be voted on by the owners, and a 2/3 majority to approve it. This is a pretty high bar to achieve, as we found out several years ago, the last time we amended.

Jason moved and Debbie seconded that we not pursue an effort to amend the Declaration of Covenants to prohibit vacation home uses in our neighborhood at this time. The motion passed with 6 in favor and one opposed.

The meeting was adjourned at 6:05 pm.

Kathie Snodgrass

Secretary