

MINUTES FOR MSHOA BOARD MEETING
VIRTUAL ZOOM MEETING
September 1, 2021 at 9:00 AM – 9:45 AM

Date/Time: September 1, 2021, 9:00-10:00 am

Location: Virtual

Meeting called by: Regular Monthly Meeting

Board Members present:

Bill Klevenberg – President

Scott Anglim – Vice President

Belinda Pond – Secretary/Treasurer

Bob Hammond – Director & Water Committee Liaison

Ralph Van Paepeghem - Director

Community Members present: Claudette V., Shannon Klevenberg, Lance Price, Dale Bentley, Cindy Thompson, Scott Brown

Meeting Called to Order at 9:01am by Bill Klevenberg

Bill requested approval of August meeting minutes

- Bob 1st, Belinda 2nd – minutes approved

Bill asked for approval of agenda

- Bob 1st, Scott 2nd – agenda approved

NEW BUSINESS:

1. (Bill Klevenberg) Thor Oden's resignation & appointment of interim replacement

As we all know Thor is building a new home and he told each of us he is going to be moving as soon as his house is done. With all his personal obligations he tendered his resignation. We thank him for his years of service to the community. The board approached Ralph Van Paepeghem and asked if he would be willing to serve until the remainder of the term through June of 2022. Ralph said he would be happy to join the board. The board then took a vote and appointed Ralph Van Paepeghem to serve the remainder of the term. We also want to thank Ralph for all that he already does with the water and his willingness to serve on the board.

2. (Bill) Review of Special Road Assessment progress

Installation of the asphalt is done. The final contract included the cul-de-sacs. Slender had custom water valve risers made and installed at no extra charge to the HOA at a cost of \$1500 to Slender. Scott Anglim is doing a walk/drive thru with Slender today following the close of this meeting.

- Scott A. pointed out that there is a lot of dirt at the end of the Summerwind cul-de-sac. What was agreed upon? Bill explained that, while not in the Bid, Slender mentioned they could put additional road mix at the

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end of Summerwind and build it up to create a better transition off end of the cul-de-sac. No additional paving will be done there.

- Bill met with Paul Shepard and asked that unloading of equipment to be done on the homeowners' property that is having the work done. Paul agreed. They also discussed the edges of the road; Paul believes that the new road will hold up under normal traffic as well as equipment traffic better than the previous road. Bill notes he will speak to Paul separately about snow removal after reviewing the contract.
- Bob suggested maybe we could have Paul Shepard drop fill dirt at the edge of Summerwind to help build it up.
- Lance interjected with concerns that this is a thorough fair of convenience and wants a definitive answer if that is just acceptable. Bill responded the main use is Paul Shepard and he has permission to be on our roads and has permission to access that property via Summerwind. . As a community we do not have a right to tell him he cannot use it. This is a concern that we take seriously and do not want extra traffic running through there. Bob pointed out that there will be traffic from people working on the water system and this is the only access to the wells. Lance reiterated that it is the heavy equipment that he is worried about.
- Scott Brown followed up Lance's concerns stating that at a City Hall meeting when Thor was getting the approval for his subdivision, he indicated that he would install a bump gate at this location. This would certainly reduce traffic.
- Bill committed to follow up with Thor to find out what his long-term plan is in relation to the gate.
- Cindy Thompson interjected asking about the asphalt installation, final loan numbers and payment. Bill responded those are the next items in the agenda.

3. Update on received payments of assessments

- Bill noted as of this morning in QuickBooks there were 3 members representing 5 lots that had not paid. Belinda mention one member let her know the check is in the mail and should be received this week. So, we have 2 members representing 4 lots that are outstanding.

4. Bank loan finalized

- The loan was finalized in the last couple of days. Due to the timing of the loan finalizing, all loan related items will be reflected on next month's financial reports. The loan is a 4.5% fixed interest rate for 60 months. Those participating have been informed by email of all loan details. Belinda noted in August we received over 176K in payments which went a long way into making this a solid project. Bill noted we paid \$137k deposit to Slender. Originally, they asked for a 1/3 deposit but we negotiated that down, we made a progress payment in the amount of 200K. The final payment to Slender Paving will be made this week after inspection.
- Bill also commented on the durability of the road mentioning that he watched many fully loaded asphalt trucks go in front of his house on Creek Hollow and many trucks drove off the edge of the road with no damage done.

5. Invalid Special Meeting request

- The board received a request for a special meeting, the purpose of which was to remove the current Board of Directors. However, the meeting request is not valid as it did not follow CC&R's, By-laws or Idaho Law.

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Therefore, no action is being taken by the board in relation to this request. Should that change, membership will be notified.

6. Communication and transparency challenges due to legal threats

- We would love to share every last detail with each of you day or night. But for the last two months there have been threats of legal action, demands to stop work on the roads and instructions from a small group to “talk to my attorney” if demands were not met. This creates a challenge to answer all inquiries not knowing who is a party to the potential legal action. We are doing our best to keep everyone informed but it is a challenge.

UPDATE ON CONTINUING BUSINESS:

7. (Belinda Pond) Financial Report

- A copy of the Profit and Loss for August was emailed to board members for their review. Because this meeting is the first day of the month, we were not able to include interest earned on the interest-bearing accounts. That interest will be reflected in next month’s report. Belinda requested that the financial report be approved by the board. Bill 1st, Bob 2nd - the report was approved.
- Cindy asked, “What is the total cost of the road.” Bill’s response \$687k
- Cindy also asked, “Why is it less than \$703k? Will there be a readjustment and money given back to members?”
 - Bill responded, “We still have to discuss what is going to happen since we haven’t collected all special assessment funds. There is an argument to be made to be made for leaving some money in the assessment fund for road reserves in the future. Final determination yet to be made.”
- Cindy asked “Is this an ongoing special road assessment?”
 - Bill – “No, this is a one-time special road assessment per lot.”

8. (Scott Anglim) Architectural Committee Report

- Lange’s plans have been approval
- No other requests are pending at this time.

Nothing additional from the board. At 9:38 the meeting was opened to public comment.

- Cindy – “I would like to have entered into the minutes there is a board member that is using very inappropriate language in his responses to homeowners and that is just unacceptable.”
- Bill – “I am glad you brought that up. As a board we have been documenting aggressive emails and in person confrontations. We also take this seriously. The board has received emails telling us to “F” off, see you in court and that they hate us personally. It’s a two-way street and we need to all respect each other and it is difficult to always take the high road and if we slip, it just shows we are human. I expect all of us whether a member or board member to act in a professional courteous manner.”
- Cindy – “Yes, I believe professionalism is important but we need to hold the board to a higher standard than other members.”
- Scott Anglim – “I have been physically confronted in my driveway and there have been slow ‘drive bys’ of my home and another Board member’s home. This is inexcusable.” **Please see memo at the end of these minutes which document confrontations that board members have dealt with.**

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- Cindy – believe professionalism is important by all sides but the board should be held to a higher standard.
- Bill officially welcomed Ralph again.
- Bill then asked for any additional comment, after a few moments silence he moved to adjourn.

- Cindy interjected “Before you adjourn, I want to know who is the attorney for the HOA?”
 - Bill – “Scott Tschirigi. Who is your attorney?” After a long pause, Belinda noted, “Cindy, I believe that question is directed to you.”
 - Cindy said “We don’t have one.” Bill stated its fair to ask since the question about the HOA’s attorney was coming from someone who has threatened legal action.
 - Bill also stated for the record: If you contact the HOA attorney, he will charge the HOA and he has been instructed to only engage with Board Members.

ADJOURNMENT OF GENERAL MEETING 9:45

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To: Bill Klevenberg, President MSHOA
Belinda Pond, Secretary MSHOA
Bob Hammond, Director MSHOA
Ralph Van Paepeghem, Director MSHOA
From: Scott Anglim, Vice President MSHOA
Re: Confrontations by members

Given Cindy Thompson's statement at the 1 SEPT 2021 MSHOA BOD meeting that "the Board needs to be accountable to a higher standard", I respectfully submit the following, most of which are personal attacks / confrontations:

1. Al Webster's email upon receiving notice of the special assessment payments, "F*** YOU, SEE YOU IN COURT."
2. On two separate occasions Cindy Thompson leveraged her (then) friendship with my wife, calling her after hours to speak to me, stating she didn't have my contact info (untrue, I've been in the MSHOA Member Directory since it was published, top of the list, #2) to discuss the road assessment. I was unavailable the first call. My wife handed her phone to me the second incident, whereupon Cindy began making demands of the BOD regarding a response to an email she submitted. I attempted to explain to Cindy that, yes, we received it and, yes, we understood the importance of the timing of the response and that, yes, we would respond accordingly in the timeframe her email "demanded". Cindy repeated her demands a second time, I replied the same. Upon the third regurgitation of her demands, I interrupted and asked if we were done (I get up very early, we were already in bed). Cindy attempted once again to state the SAME demands, I hung up and she immediately received an email from my personal address instructing her that any further correspondence regarding the matter was to be directed to the BOD and she was not to call me after hours again.
3. Scott Brown, on several occasions, *appears* to be "impersonating" me by representing himself as me ("this is Scott with the MSHOA board" or "this is Scott with MSHOA") or acting in an official BOD capacity, twice requesting asphalt pricing as reported by Thor Oden via email and Lenny Slender, once requesting the Senior Center for an official "MSHOA Board meeting."
4. I was recently informed by Bob Seal that the group of individuals Scott Brown & Cindy Thompson represent "**personally hate**" individual board members, and the BOD as a whole. I can only conclude that these members are identified in Cindy's "Important HOA Letter Signature Page addendum #1 with more signatures forthcoming" email to the BOD, dated 27 JUL 2021.
5. At Bob Seal's invitation, I went to his home to obtain his signature for an ACC review. He was very clearly agitated by two items: the road assessment and an email his wife submitted to the BOD for which, three days later, she claimed she still had not received a reply. He then informed me that "the group is about to stir s*** up."
 - o Bob Seal personally threatened me, to my face – I have a witness that was with me when it occurred.
 - o The response to the email was proven to have been sent the day after Ms. Seal's original email, and Bob confirmed that they found it in their spam folder and confessed they were very agitated for three days over nothing.
6. Dale Bentley met me on the road in front of our home to sign off on an ACC approval (I was on my way to his place, as agreed). Dale was very agitated about the road paving, got in my "personal space" and backed me up to the tailgate of my truck, at which point I slid along the bumper to put distance between us, very threatening / intimidating in my opinion, given the facts presented – I have a witness that was with me when it occurred.
7. I, and one other BOD member, have experienced Scott Brown on many occasions doing a slow "drive by" of our homes, noting that he rarely travelled the roads prior to the special assessment approval by the majority of the HOA membership, and upheld by the BOD. Indeed, even neighbors have commented that his frequent presence is unusual. One has to assume, given the facts presented here, that this is some form of intimidation.

With reference to the "personal hate for BOD members" described in item #4, items 5-7 become particularly relevant and very disconcerting. I must conclude that I, and we as a Board, should have concern for our personal safety regarding those members named in Cindy Thompson's email dated 27 JUL 2021, or at a minimum those mentioned here. The irrational behavior demonstrated, paired with the self-professed hatred, amount to a dangerous combination. Cindy, et al. have repeatedly tried to claim that their efforts are "not personal", I beg to differ... THEY are making it VERY personal. They proclaim that we, the BOD, are responsible for destroying friendships and relationships, I would argue that the BOD is doing its job of upholding the will of the MAJORITY of MSHOA lot / homeowners who voted in favor of the assessment.