

**MINUTES FOR MSHOA BOARD MEETING
VIRTUAL ZOOM MEETING
April 6, 2022 at 9:00 AM – 10:00 AM**

Date/Time: April 6, 2022 9:01 – 10:20am
Location: Virtual
Meeting called by: Regular Monthly Meeting

Board Members in Attendance:

Scott Anglim – Vice President
Bob Hammond – Board Member & Water Committee Liaison
Ralph Van Paepeghem – Board Member and ACC Liaison, via telephone
Belinda Pond – Secretary/Treasurer
Bill Klevenberg – excused due to vacation

Community Members in Attendance:

Randy and Debra Bowersox, Dale Bentley, Dan and Drew Menkhaus, Joe Hofstra, Lance Price, Bob Seal, Scott Brown

Meeting Called to Order by Scott Anglim at 9:00am

Scott noted the March minutes were approved via email and posted to the community website.

Today's agenda has been pre-approved by the board.

NEW BUSINESS:

1. Annual Meeting: (Belinda) The annual meeting will be at Weilmunster Park on June 4, 2022. There will be a BBQ after the meeting with the HOA providing the meat and requesting attending members to provide the side dishes & desserts. Scott noted that there will be two board vacancies as this is an "even" year. The vote to fill the vacancies will be at the annual meeting.

2. Compliance with the CC&Rs: (Scott) A few home owners were sent letters noting that they are not in compliance with the CC&Rs. Some of those issues have already been addressed and the board appreciates it. After a drive around the subdivision, some other issues have been noted that were previously missed. These include propane tanks that need to be obscured from view. Dan Menkhaus asked what issues were brought up with regards to CC&R compliance. Scott said that propane tanks being visible, stationary vehicles that are stored visibly. Drew asked if that includes RVs, vehicles and campers. Scott replied that all of those are included as well as tractors, but vehicles that are used daily do not apply. He said that there are also places where slash piles need to be cleared. Bob Seal noted that he has been here since 2006 and slash piles are not in the CC&Rs. Belinda quoted Article 2.8 that states, "Deadfall and/or slash which comprise a public fire hazard shall be removed." Bob Seal stated his opinion that this applies only during building. Scott Anglim noted that the board is addressing issues based on complaints. Bob Seal asked if the board is basing its requests for compliance on the CC&Rs rather than just member complaints. Belinda said that, yes, the CC&Rs are quoted in each instance of concern.

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3. Water overage fee schedule: (Scott) The board is working on a new fee schedule for water overages. This was prompted by Steve Semmels (an off-site user) trying to sell his property to be developed with 12 “dry cabins” and bath facilities. The board let the realtors involved know that the property is only allowed two water shares of 300 gallons per day per water share. Mr. Semmels has since taken his property off the market. However, the board will still be updating the overage fee schedule and will likely have it ready for the next meeting. Bob Seal wanted to know who is working on the new fee schedule. Bob Hammond said that it was discussed at length in water committee meetings, but the final decision is up to the board. Dan Menkhaus asked to meet with Bob H. to talk about water use parameters. Bob gave Dan his phone number.

UPDATE ON CONTINUING BUSINESS:

1. Financial Report (Belinda Pond)
 - a) There were no large expenditures in March and there were not large income numbers because everyone had paid their dues and there were no new pay-offs for the road assessment loan. The only item of note is a bank error that resulted in a deposit of \$1,400 into the operations miscellaneous budget in February which was then reversed in March as an expenditure from that same budget. (The bank deposited a check into the HOA account that belonged to someone else.)
 - b) The bank loan for the road assessment went down starting April 1 due to the previous pay-offs by individual members. This does not affect the payments of those who are still utilizing the loan.
2. Architectural Committee Report (Ralph Van Paepeghem)
 - a) The only new item is that the Bowersoxes are going to submit plans soon for a shop/garage.

PUBLIC COMMENT:

1. Bob Seal recommended that the HOA either buy equipment to measure the depth of Well #2 or have it done professionally. Belinda said that she’ll put this item on the next executive session agenda.
2. Randy Bowersox asked if the HOA can implement a policy of no water for commercial use. Bob H. said that we can just restrict the usage to the two water shares or 600 gallons/day. Members of the board suggested that we make it clear to the owners, county and Central District Health that the water use for that property is limited and for residential use only.
3. Lance P. suggested that members initially mention their CC&R compliance concerns to the offending neighbor rather than complain to the board at first. He was concerned about the board being the enforcers. Belinda quoted Section 4.5(a) of the CC&Rs that the board’s number one duty is enforcement of the CC&Rs. Bob H. noted that it is a balancing act to make sure nothing egregious is let go but not being too picky. He mentioned that when the CC&R’s were updated in 2015 that several lots were grandfathered so that their existing features would not have to be changed to comply with the new CC&Rs. Belinda noted that Article 9.2 lists which lots are grandfathered.

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4. Scott Brown was concerned about compliance issues regarding outbuildings. He was told that his outbuildings had to match in color, but he is seeing some outbuildings that are not the same as the main structure. Belinda quoted the language in the CC&Rs (2.2 j) that state all outbuilding will be of a similar color.
5. Scott Brown also wanted to know when agenda items for the annual meeting needed to be submitted. Bob Seal mentioned that this is in regards to changing the CC&Rs. Lance said the item in question regards the percentage of membership that is needed to approve special assessments. Bob H. said that this also requires a written vote of the membership and that the vote itself can't be done at the annual meeting. Belinda suggested that the proposed changes be written up and then discussed at the annual meeting. The actual vote could be done after the meeting via mail. A change to the CC&Rs requires a 2/3 majority of the members to be approved. Bob Seal said that he is part of the group that is proposing a change and that he will write up the proposal.
6. Scott Brown again addressed the issue of outbuildings that don't match. He noted that the Anglim's outbuilding is different than the house. Belinda said that the CC&Rs specifically permit those with log homes to have outbuildings of other materials. Discussion of the former home of the Odens not matching their outbuilding ensued. Bob H. noted that those buildings are on separate lots and therefore do not have to match exactly. Drew Menkhaus mentioned that now that they own those properties, they are considering retaining the detached garage. Scott Brown again mentioned that the ACC when he submitted plans for his outbuilding required him to match his house and that he wasted a lot of money on cedar siding to match his house. Belinda noted that each board and ACC try to apply the CC&Rs to the best of their ability but that there are bound to be some differences in implementation.
7. Scott Brown again asked about the deadline for submitting an agenda item for the annual meeting. Scott Anglim told him that Bob Seal will coordinate with Scott B. and Lance to present at the annual meeting. Belinda said that she, as secretary, would like to have the information by early to mid-May to get it on the agenda and that there the proposal should probably be printed out so that the members at the annual meeting can read it at that time. Scott Brown asked how soon after the meeting could a vote be taken. Belinda said that the CC&Rs and/or By-Laws require a minimum and maximum number of days after the meeting in which an item is discussed until the vote must be taken. She recommended that those making the proposal study the CC&Rs and By-Laws to understand that timing.
8. Lance again encouraged tolerance between members and in regards to enforcement of CC&Rs.
9. Scott Anglim asked if there were any more comments.

Scott adjourned the general meeting at 10:05am