

ULVHA Annual Meeting Minutes—March 26th, 2013

(Prepared by Mark Woodward)

Board Members Present:

ART GIDEL (President)

PAT MAHONEY (Treasurer)

MARK WOODWARD (Secretary)

LLOYD TWITE

TERRY JOHNSON

RYAN LEACH

DAN CEDERBERG (Legal Advisor)

Board Members Absent:

ALVY CHAPMAN

The annual ULVHA meeting began at 7:00 PM. There were approximately 20 homeowners in attendance. Also in attendance was Missoula County Commissioner, Michele Landquist. Ms. Landquist introduced herself to the board and members and availed herself to anyone who might have questions or concerns regarding issues in the county. Landquist advised members about a future chip and seal project for Upper Miller Creek Rd. One member voiced his concern about chip and seal causing issues with biking due to gravel on the side of the road. Ms. Landquist stated that this is usually not a problem but that she would check to make certain during the project. Another member asked who had received the contract for the work. Landquist stated that the City of Missoula would be doing the work. The homeowner asked why the city had received the bid. Landquist stated that it was due to an already existing partnership with the city. No further questions were asked. Art Gidel informed members that city councilmen, Dick Haines and Mike O'Herron (Ward 6) had also been invited to the meeting, but that both may have had prior commitments.

Minutes from the 2012 annual meeting were presented to members. A motion was made and seconded to approve the 2012 annual meeting minutes.

A home owner asked about the issue of deer control that city councilman, Dick Haines, had brought up last year. At this time, no further discussion has occurred. Art suggested that the homeowner contact city council members to express concerns. It was also discussed that the issue had been talked about at one time by certain city council members. Michele Landquist added that letters to council members should outline concerns and experiences homeowners had had with deer. She agreed that the deer population in the city was a legitimate concern and potentially hazardous for people as well as the deer. Landquist also suggested that Fish Wildlife and Parks could be contacted under certain circumstances.

Financial report was presented by treasurer, Pat Mahoney. At this time the ULVHA checking balance was at 27,290.87. Art Gidel discussed the county RSID (annual 50.00 fee paid with property tax) which is used for park maintenance. This fund is managed by the ULVHA (with the permission of the county) and generates approximately 20,000.00 per year. Most of the RSID goes to mowing costs associated with the parks that are still

owned by the county and maintained by the ULVHA. At this time, the balance of the RSID was at approximately 8755.00. Art explained that the RSID balances have not always been in the positive column. Some years ago, the board transferred ownership of some of its parks to the city, namely Whitetail, Nicole and Rainbow parks. Since then, the costs to the RSID had dropped significantly. Art explained that the other parks (Scotty, Bridge and Kelsey and pocket parks) are maintained by the ULVHA and funded by the RSID. Pat Mahoney also reported, that to date, there were 35 homeowners who had not paid dues from last year; however these dues are slowly coming in.

Lloyd Twite talked about the Miller Creek Road improvements. Three years ago, improvements on Lower Miller Road began which included the instillation of the roundabout. Last summer, work on Upper Miller Creek Road began and has now been completed with exception of concrete work around the power poles next to the sidewalk. Lloyd informed members that the work would be completed shortly. A homeowner asked about pot holes in the area as well as erosion around some of the older storm grates. Lloyd stated that this time of year the city will begin patching pot holes. He encouraged anyone who spotted potholes and other issues concerning the streets to report observations to the city street department.

Covenants and covenant enforcement were addressed by Lloyd Twite and Terry Johnson. Terry Johnson explained his duties in reference to landscaping issues and enforcing the covenants regarding lawns and weed control. Last season, Terry viewed lawns in the area eight different times. Most violations were due to lack of mowing and weeds. In addition, issues concerning steep back yards and natural landscaping of these areas were assessed in light of the *Steep Back Yard Landscaping* standards which were adopted two seasons ago. In all, Terry sent out 29 (1st notices) and 9 (2nd notices). Terry sent out 2 (3rd notices) both of which pertained to the abandoned house on Cam Court.

Lloyd Twite explained his duties pertaining to other covenant violations (mostly issues with RVs). He reported that in the 2012 season, he sent out 25 (1st notices) and 4 (2nd notices) compared with 19 (1st notices) and 2 (2nd notices) in the 2011 season. Lloyd stated that he did not have to send out any 3rd notices. Lloyd explained to the members that the board adopted the 1st, 2nd and 3rd notice policy (2009) to address homeowners who were repeat offenders of the covenants. A 3rd notice came with a 100.00 assessment with a 200.00 assessment for subsequent notices in a calendar year.

Art Gidel and legal counsel (Dan Cederberg) spoke with homeowners about the issue of accessory dwelling units (ADUs) and the legality of building them in Linda Vista since the city council was voting on changing the zoning laws to allow ADUs. Dan Cederberg advised homeowners that ULVHA Covenants forbid the building of ADUs regardless of any zoning changes. One homeowner asked that if someone attempted to build an ADU if the ULVHA would have to pay legal fees to fight it. Dan Cederberg stated that it was possible, but not likely since the ULVHA was on sound footing because of a strong and active association. Art Gidel advised members that if anyone saw activity that suggested someone was attempting to build an ADU, to alert one of the board members by phone or via the ULVHA website.

Art Gidel talked about ULVHA parks and a few issues since last season. One issue was the use of motorized vehicles (snowmobiles and ATVs) being driven in the park during the winter. Art advised members that he had spoken with a few people using these vehicles and they agreed to stop. Also, there had been an issue with an individual who had been caught vandalizing the parks and several lawns with his vehicle. This person had been arrested on the night in question because several homeowners called the police at the time the crime was occurring. Art advised members to call the police in the future if they saw or heard anything suspicious.

Art advised homeowners that the board had set aside funds for park improvements and that the board would entertain ideas from homeowners for future improvements or repairs.

Lloyd Twite spoke to members about the new subdivision going in on Jeff Drive. At present, 33 lots have been sold and several homes have been constructed.

Lastly, Art Gidel addressed the members regarding current board members. Presently, all board members were willing to stay on another year in their respective positions. Art also entertained potential nominations for new board members from the floor. No nominations were made. A motion was made from the floor to approve the current board for another year. The motion was seconded and passed unanimously.

Meeting adjourned at 8:14 PM