



## HEBGEN LAKE ESTATES

PO BOX 638 WEST YELLOWSTONE MT 59758

EMAIL: HLEBOARD@HEBGENLAKEESTATES.ORG

WEBSITE: [HTTPS://HEBGENLAKEESTATES.ORG](https://HEBGENLAKEESTATES.ORG)

### Board Meeting June 10, 2024

Call meeting to order at 1:06 pm-2:36 pm

Present: Treasurer & Secretary; President unable to join due to lack of wifi/cell service

#### Treasurer's Report:

- Bank Balance in May statement: \$45,862.54
- Bank Balance in May statement: \$45,862.54.
- Collected 2024 dues: \$9,150.
- Unpaid 2024 dues: \$825
  - Sent out delinquent dues letters on 4/29/24 to homeowners; 2 Homeowners paid, 4 still owe dues.
  - Will send out more delinquent dues letters end of June 2024.
- Unpaid Prior Year dues: \$600.
- Unpaid in Prior Years : \$3,500.
- Intent to File Lien Notices for homeowners with Prior Year(s) delinquent dues were sent out in Sept 2022 to 3 homeowners (B1 - L4, B3 - L29, and B1 - L30 & B3 - L59) in total are delinquent over \$3,500. F/U letters went out in 2023 & 2024, but HOA needs to file liens against these properties with Gallatin County.
- But we do not have an approved form for a Lien Notice (there is one example on the web).It would be better if we ask an attorney to prepare one. The County does not recommend or have a Lien filing form to give out to HOA's per County Clerk.
- Need a form for a lien notice; need to consult lawyer, Alanah Griffiths (send Treasurer contact information)

#### Old Business:

**Weed spraying:** Lloyd Studer contacted, and replied late June to early July;

- Secretary will follow up this week with a call to try and firm up details; add dye to spray so folks know where spraying is happening
- reach out to Morrison-Maeirle if regular spraying around the road is being done? Ask Vonda for contact information (done)
  - Called 6/10/24 & talked to Ashley Farley
    - Nothing currently on vegetation control; will talk to James about it

- Does the HOA bear any responsibility for underaged driving of ATVs? Since the roads are county roads-ask Morrison-Maierle
  - Unsure about it, but will investigate for us

**James Nicholson-**

**Ashley Farley**

**Administrative Assistant, Morrison-Maierle**

+14069226721 direct | +14065870721 office main  
2880 Technology Blvd W, Bozeman, MT 59718

## Response from Ashley 6/11/24

After talking with James he said that the weed control issue has come up before. The only weed spraying the RID could do is noxious weed spraying in the right of way. The last time this was discussed the HOA determined that continuing with one weed sprayer to do right of way and open space was the best method. If they are split up, the RID portion would need to be completed with quotes under a county contract and would likely end up costing the property owners more overall.

With this, if you all decide to split up the weed stuff I can get contact information for current weed contractor as a starting point. Then I could see if his insurance meets the county's requirements.

He also said the RID has no control or authority over the ATV question. So that may be a question for a lawyer on the liability side of things.

Let me know what the board thinks about vegetation issue and if you all are interested in splitting the road right of way spraying from the open space.

Thank you!

 **Ashley Farley**  
Administrative Assistant, Morrison-Maierle  
[+14069226721](tel:+14069226721) direct | [+14065870721](tel:+14065870721) office main  
2880 Technology Blvd W, Bozeman, MT 59718  
*A 100% Employee-Owned Company*

## Website updates as of 6/9/24

- Updated Gallatin County zoning regulations to 2019 ones
- Updated front page with news from spring email/mailling
- Annual renewal July 26, 2024

How has the loose dog issue been? A warning letter sent last year; dogs have been contained and no complaints

## Newsletter

- periodically (once a month)
- remind of covenants/zoning
- announcements
  - June newsletter
    - Spraying dates & responsibilities
    - Exterior lights
    - Guidelines for structures & Fencing-can only waive our own covenants

- Let people know about setbacks, approval
  - without approval & not meet zoning/covenants could face fines or issues
- Rainbow Point clean-up & disposal (USFS)-Treasurer will reach out
- Other ideas

## Architectural Review

- Review of fence proposed on 345 Buffalo Drive- [W HLE HOA Architectural Board.docx](#)
- Projects are to be reviewed by members & a majority vote of the board
  - HLE/Covenants Section 3 state that ARC committee consists of 3-Board members. Construction/Building projects are to be submitted to ARC and approved by a majority of Committee members.
  - Guidelines state the ARC consider suitability of project, material used, and any impact to neighbors and adjacent properties.
  - Fences have a maximum of 25' on any side.
  - Setbacks:
    - HOA Setbacks 15 ft from side, 10 feet from the back, and 25 ft from the front
    - County zoning 12 ft from side, 35 feet from front, 25 feet from back
- Sides are too long-can only be 25' on any one side; setbacks should be 15" from side & 10' feet from the back; can give a waiver for own covenants; but might have to go to county for compliance
- What is the recourse for the homeowner if in violation? Ask lawyer; could be fined, might have to take corrective action before selling-secretary will reach out to today (call & email); **Meeting via phone with Alanah Griffith, HOA lawyer, 6/14/24, 9:00 AM MST scheduled**
- Majority vote-KE, JS will meet & phone call to approve or not

## New Business:

### Changes in Property ownership

- Need to update-perhaps Patrick can help with this? Or can someone get on the county site?
- <https://eagleweb.gallatin.mt.gov/recorder/eagleweb/docSearch.jsp>
- Call Vonda for some help to generate list (Secretary)-**look at the deed**
- Done by secretary! Link to document- [9/1/23 to 6/10/24 Property Changes in HLE](#)

## Neighborhood Concerns

- **Emailing-add to newsletter**-Section 18.3 Exterior Lighting / General Standards / Hebgen Lake Zoning Regulations to all of the property owners? Several property owners are leaving their non-compliant exterior lights on at night.-educate people in a newsletter & on homepage

## Want to deal with these issues on Bylaws & Covenants committee

- Construction Businesses running out of a home
  - Email from 5/26/24 "Is there anything in the covenants about people running their businesses out of and storing their business equipment at their personal homes? It seems more and more people are storing more and more equipment, work trucks, trailers, boats, junk, broken down cars than ever before. This is driving our property values in our neighborhood down and makes

things look trashy and uninviting while making our views of our beautiful scenery destructed. It is out do be nice to see folks care for the appearance of their property more”

- HLE Protective Covenants-not been revised since 07/09/1993-How will the website reflect this?
  - less restrictive than the zoning regulations in a few areas.
  - Covenants can't be less restrictive than the zoning regulations, and the zoning regulations are to be used if they are.
  - Simplify by just requiring compliance with the Hebgen Lake Zoning Regulations
  - Only list the more restrictive items in any future revision of the HLE Protective Covenants

### **Updates on any Working Committees**

- a. Open space usage-none to report; PM never followed up introductory email
- b. Bylaws & Covenants (to help address resident issues above)
  - i. Have a committee with 2 residents & 1 board member;At the last annual meeting, the Board asked the attendees for volunteers to form a working committee to amend, update, and add to our Covenants approved in 1993. Patti Hostetter and Karrie Taggart volunteered to work on this committee headed up by the Board's Treasurer, Ron Mahtesian.
  - ii. First notifications would be sent to all homeowners that there are plans to revitalize our covenants starting this summer with a proposed amendment to reduce HLE property owners' written consent for covenant changes from 75% to a majority or 50% plus one. Signatures of HLE/HOA property owners have to be notarized and collected over the summer/fall or until we reach the required 75% of homeowners agreement. Once achieved, other covenants could be enhanced to support continued homeowners property value increases, community safety needs, and the community general appearance and standard of living.
  - iii. A working committee would send an initial survey to HLE/HOA homeowners to find out what covenants to change or add to protect their property values, address community safety needs, and enforce the community general appearance and standard of living.
  - iv. Included in the survey would be a proposal for the Board to subject homeowners to fines for covenant violations. Unpaid fines could also result in a lien on a property. The Board has concluded this is the preferred way to enforce covenant violations rather than the more expensive and time consuming alternative of suing violators through the courts.
  - v. The Committee would then provide desired covenant changes and fining policy to the hired attorney to determine the legality and draft the new covenants.
  - vi. The draft new covenants would be sent to all homeowners to get feedback from all homeowners.
  - vii. The Committee would then provide desired covenant changes and fining policy to the hired attorney to determine the legality and draft the new covenants.
  - viii. The new covenants would be finalized. Then Signatures of HLE/HOA property owners would have to be notarized and collected over a period of time until we reach the required 50% plus one of homeowners agreement of the new covenants.
  - ix. want property values to be maintained & increased; increase safety; keep appearances up to spec;
  - x. Currently don't have the ability to penalize violators who do not obey expectations; want to develop a fining structure
  - xi. Also need a lien form

- xii. Last fall Treasurer called county about it
  - 1. Need notarized signatures of homeowners to get changes made-Do they really need to be notarized?
  - 2. Pay for every page of signatures to county
  - 3. Could be a big project-start by sending out letter; consider doing an event with a notary to get people to sign on to reach 75% threshold; and/or walk/canvas the neighborhood
- c. New Committee-"Firewise"-fire awareness, education & practices?-Treasurer will look into & contact the ranger
  - i. The Treasurer contacted the District Ranger office for an update. (406) 823-6961. **(after Meeting Notes)**. Spoke to Hebgen Lake District Ranger Brian about the status of wood debris piles along Rainbow Point Rd. Brian said wood piles typically have a 3-year drying out period before they are burned in the fall when there is a little snow coverage. I expressed HOA's concerns about being an eyesore but moreover a fire hazard – going against the very purpose of the tree trimming project to create a fire break to reduce wildfires from spreading. I mentioned there is only one route for residents numbering over 500 to exit during an evacuation. Brian gave me the new District Rangers name and telephone number – Wendy Urie, (406) 404-5126. I mentioned that our HOA was interested in starting a Firewise Committee to provide leadership, education, and direction to help Hengen Lake Estates residents adapt to living with wildfire risks and encourage all residents to work together and take action to prevent losses.
  - ii. Treasurer will be contacting the District Ranger soon to enlist any support for our HLE Firewise Committee and would also contact our local Fire authorities.

Next meeting: TBD-mid July, either after working hours during week or on a weekend...potentially July 13 or 14