



HEBGEN LAKE ESTATES REPORT OF THE OWNERS' ASSOCIATION ANNUAL MEETING

held on Thursday September 26, 2024, at the Povah Community Center 10 Geyser St. West Yellowstone, MT

CALL TO ORDER

Kate Eisele & Ron Mahtesian make up the Board of Directors at the present time.

Kate made the roll call and called the meeting to order at 6:15 PM and began with welcoming remarks.

COLLECTION OF PROXIES

Clyde Christensen-Ron Mahtesian

Rose Christine Simon-Kate Eisele

Patrick checked for proxies on 9/26 (none mailed)

GUEST SPEAKERS

Wendy Urie, District Ranger, Hebgen Lake Ranger District, USFS District Ranger Urie introduced herself and her ranger fire manager and asked about any concerns attending homeowners had. Attendees agreed that Rainbow Point Road was in dire need of repaving. Attendees also expressed their disappointment that the trees along the entire roadway were not cleared back enough. District Ranger Urie reported that Gallatin County got money to upgrade Rainbow Point Road; Federal Lands Access Grant...at least 3 years in the future; for more information contact roads department for Gallatin County (RoadDept@gallatin.mt.gov; also ask John at HLE SWD). District Ranger Urie also said with this federal grant money, there could also be second tree trimming event planned for Rainbow Point Road.

Rob Spence, Assistant Fire Manager for the Zone, USFS gave an update of the slash/wood piles resulting from the Rainbow Point Road tree trimming project of 2022.

- the slash piles on Rainbow Point Road; North Hebgen Project done around wildland urban fire safety
- hazard fuel reduction along Rainbow Point Road; egress; also hold & contain fire
- doing thinning & burning; some mastication (mechanical reduction of fuels)
- **plan is to burn piles this fall 2024 if weather permits**
- slash piles behind Pine Needle already cut, thinned & burned
- **Down Valentine Lane & area behind Bonnie View-treatment of thinning to create a buffer to protect along timber edge; earliest would be fall 2025;** similar to work down Cougar Creek Road in summer 2024 with masticator; tentatively with the Montana's Good Neighbors Program.
- Also, USFS plan a second thinning operation to come through with masticators to chew up undergrowth, areas that are thicker on the butte
- Charles Flemming noted that trees are no longer blocked and there are still a lot of trees along the road; not opened up as much & now trees are coming down across the road in the winter & getting spring windthrow; no one except individuals are taking care of down trees
- Attendees also expressed their disappointment that the trees along the entire roadway were not cleared back enough. It was felt that if a wildfire started in the adjacent forest, roadside trees would burn and could fall down blocking homeowners only exit road to evacuate.
- more wildlife are visible; bison are using forest more too than the road to migrate

- **Shane Grube (West Yellowstone Fire Chief)** gave a talk about Wildland/Wildfire causes and what prevention methods homeowners could take to mitigate them. Chief Grube handed out to attendees MT Ready, Set, Go brochures, a personal wildland fire action guide for homeowners. Chief Grube emphasized that wildland fire mitigation has to be partnership between homeowner, USFS, and local fire district. So, homeowners should take the following actions.
- reduce fuels like trees, shrubs, and grasses to create a defensible space 30 feet around their homes.
- mow grass along the edge of the roads
- cut tall grass around the house to get rid of fuels
- take note of little things like clogged vents, gutters, etc. that are fuel sources for fire to move through; embers get into those little pockets; keep those clear can help protect your home
- limb trees up to keep fires from getting up into the canopies (ladder fuels)
- harden your property area starting within 30 feet of house
- most fires here are wind event driven; move quickly
- don't stack firewood on the deck, stack away from the house
- full propane tank is less dangerous than an empty one; the liquid propane is really cold and it takes a lot of heat to warm up; it acts as a heat sink;
- **Local Fire department will come out & do an assessment on your property to help create defensible space zone and make your home and property safer from wildland fires.**

TREASURER'S REPORT

Bank Deposits of Dues & Other Receipts: Ron passed out Income Statements to attendees reflecting our current income minus expenses as of September 26,2024

2024 Beg/Bank Balance Forward.....	\$43,947.75
● Deposits of current year dues to date.....	\$9,250.00
● Deposits of prior year dues.....	\$1,650.00
● Deposits of late penalties fees and interest charges.....	\$121.10.
● Deposit of ARC fee.....	<u>\$300.00</u>
Total Deposits to Date.....	\$11,321.10
Total Income.....	\$55,268.85

Administrative & Operating Expenses:

● Insurance Premium.....	\$1,676.00
● Property Manager Fees.....	\$1,666.00
● Legal Fees.....	\$1,095.00
● USPS Box Rental & Postage.....	\$252.00
● Printing, Email Svc. & Supplies.....	\$224.94
● Website Management,,.....	\$90.00
● HOA Filing Fees.....	\$50.00
● Weed Control.....	<u>\$3,593.84</u>
Total Expenses.....	\$8,647.78

Income Minus Expenses.....\$46,621.07

Delinquent Dues: Ron gave a status delinquent dues of the end of September 2024:

- Current year unpaid annual dues amounted to \$275 – from 3 property owners. (\$9,250 + \$275 = \$9,525 estimated dues income for 127 lots @ \$75.
- Prior years unpaid dues amounted to \$525 – from same 4 property owners.
- Demand letters for these 3 homeowners will be sent out this quarter by the end of September.
- Notices of Intent to File Liens were sent earlier this year to three (3) delinquent property owners owing prior & current year dues. One homeowner last month paid current and prior years dues of \$1,425.
- The other two homeowners had liens each of \$2,197 placed on their property for nonpayment of their homeowner dues owed plus interest charges, late fee penalties, attorney fees, and filing fees.

DISCUSSION & UPDATES – OLD & ONGOING BUSINESS:

WEED MANAGEMENT

Kate discussed weed control efforts to date.

- two spraying July 1, 2024, August 11, 2024
- residents confirmed that Studer did add dye; will ask to continue to do so in future years
- contacted homeowners to target problem areas (got good feedback)
- HOA will work more closely with Studer to target problematic patches of Kochia, musk thistle, foxglove, and knapweed
- plan for next year; add pin flags to mark areas & make available
- Edith Ford volunteered to help with weed management in 2025 and make some suggestions for improvement

COMMUNICATION-CONSTANT CONTACT EMAILS & HLE WEBSITE

Kate & Ron requested that

- homeowners, please update emails; traditional mail can take up to 3 weeks to deliver here.
- please let board know if there is anything you want to add on the website; if you have an announcement you want made, let us know, so we can push it out via Constant Contact in periodic newsletters
- 85% of invoices were sent out via email this year; homeowners should check your Spam folders for initial email from the HOA.
- Board will look into some sign/sandwich boards for HOA announcements

PROPERTY OWNERS' CHANGES

- HOA documents are routinely provided by the seller, seller agent, buyer's agent or escrow. It is typical that the buyer signs a receipt for these documents at close of escrow.
- **If you know a new resident, please consider introducing them to the HOA by sending the to the website /our email**
- There were 10 Property Changes between 9/1/23 to 9/21/24 in Hebgen Lake Estates

Lot & Block	New Owner	Former Owner	Address
Block 2, Lot 1A	Cecile Barnes Brindle	Cecile Barnes Brindle & Christopher Mountjoy Estate	Grizzly Bear Loop
Block 3, Lot 30	Holly & Joshua Dean	Robert & Shellie Ann Dowdle	268 Buffalo Drive
Block 2, Lot 19	Grizzly Discovery Center	Peggy Bucholz	Center is 185A and B Buffalo Drive (duplex condos)
Block 4, Lot 30	Leah Sherman & Clay Vines	Gary & Alissa Levert	310 Moose Drive
Block 3, Lot 21	German Jr Vazquez & Diana Valerica Vazquez	Miguel Vazquez, Ana C Nascimento, German Jr Vazquez	Buffalo Drive
Block 3, Lot 14	Steven Stone and Rachel Stone	Chris/Carly King 115 Moose Drive	115 Moose Drive
Block 4, Lot 22	Travis/Giselle Hansen	Brent/Diane Robinson	PO Box 134, West Yellowstone, 59758
Block 1, Lot 13	Sentry Title Holder	Kent Houston	108 Grizzly Bear Loop
Block 4, Lot 17	Robert & Karen Howard	Margaret & Randal Jones	105 Moose Drive
Block 3, Lot 37	Hilary Casey McCray	Vincent Nagashima & Amanda Williams	Buffalo Drive

NEW BUSINESS & DISCUSSIONS

BOARD CANDIDATES UPDATES

Penny Myers joined as an “at large board member” and is willing to work on community building & communication.

OPEN SPACE-TRAILS COMMITTEE UPDATE

Penny Myers provided a Ski/Walking Trail Summary

The outer subdivision boundary easements are all on the south and SW boundary of the subdivision making it impossible to create a perimeter trail around the entire subdivision using the existing easements. I have not researched the cost or potential locations for vehicle parking for residents who might want to use a perimeter trail.

Easements that could create a SW perimeter trail:

There are walking easements along the southern boundary of the subdivision that connect the three open spaces in Block 1, this could provide 1,500 feet of ski trail one-way. The contiguous easements along those portions of the subdivision end approximately 75 feet** before the County Water Sewer District property. Lot 32 of block 1** does not appear to have an easement along the back boundary that would connect to the next open space area (WSD). If it did, an additional 1,000 feet of straight trail could be added along the outer perimeter of the Lagoon and Open Space area that is designated on the subdivision plat map. Another 300 feet can be added (one-way straight line trail) in the County "Park" area adjacent to the WSD Open Area, for a total of 2,800 feet of straight-line, one-way, ski trail. Skiers can extend that distance by exiting the subdivision on the easement through Block one, Lot one, to access public land adjacent to the entrance of Hebgen Lake Estates or double back to the "Park" area for a short ski of just a little over a mile.

Parking Areas:

There is no plowed parking area on the SW or W side of the subdivision for access to the designated open areas. I haven't researched the possibility of a parking area, but I can see a couple places that might work IF the community was willing to add them to the snow plowing contract.

1) A small part of the east area designated as "Park" on the plat map, owned by Gallatin County, could have an 8 foot wide plowed area adjacent to the existing plowed road to provide some parking for residents. And it looks like there is an old roadbed adjacent to lot 35a that might provide a flat spot for a couple vehicles if it was plowed during snow season.

2) There are two locations along Moose Drive, across the road from the commercial lot and within the road prism. Those two triangle shaped locations are wide spots, not on County or private property. They are not part of the maintained gravel roadbed, but they might be flat enough to work for parking if they were plowed in winter.

"Walking" easements between other open space areas:

There are 6 walking easements that provide access to open spaces; however, they do not align between the open spaces and to make a trail connecting all 6 open spaces in the subdivision would require using the road as a connector - which is not feasible for a ski trail because the gravel road is plowed.

The walking easements designated on the plat map are on private property and they do not appear to be marked on the ground. Walking easements can be landscaped, as long as the landscaping does not block walking access. (Section 2.D of HLE Protective Covenants - Easement Landscaping.) Many of the easements appear to be blocked by fences, vehicles, equipment, outbuildings, dense hedges, etc.

There is one easement across private land in the NE corner of the subdivision, Block 4. The easement crosses from Coyote Drive, through private land, to USFS property.

There is a 20' drainage easement crossing 4 lots in blocks 3 and 4.

There are two (driveway?) easements from Moose drive, crossing two private lots for access to private lots that border USFS land on the E boundary of the subdivision. They are not designated "Walk" easements.

Skiers currently use a small area along Valentine Road to park and access adjacent USFS land. Parking availability depends on plowing and snow storage needs.

AMENDING HLE/HOA COVENANTS & BYLAWS

Ron & Kate talked about amending the covenants and by-laws and for the motivating factors for revitalizing them.

- Protecting our property values by at least maintaining them or better still increasing their values.
- Instill a sense of community spirit and pride in ownership.
- Promoting an aesthetically designed and laid out community and keeping our area in its natural appearance.
- Revitalizing the covenants last revised in 1993 to meet the current community's vision.

1st Step: Pass a ballot measure to reduce the property owner requirement to amend covenants from 75% to 50% plus one.

- Board with our attorney's input, have determined to reduce this requirement, 75% of the property owners of private property ownership determined in acreage must approve the ballot measure, which equates to 38.4855 acres of 51.3140 total privately owned acres.
- On the condo associations, the Association for the condo gets one vote for the lot. So, they will need to meet and vote (or the condo boards might have the power to cast that vote.)

- Send out ballots to homeowners, canvass door to door, hold community events, etc., and keep the measure open until passed (could take 1 year or more).
- Receive the completed ballots and prepare them for attorney and county approval.
- Petition the county commissioners to sign the amendment following the approval process.
- Homeowners approval requirements change from 75% to 50% plus one to pass future amendments.

2nd Step: Send out a survey to the community to decide what changes are desirable.

- A working Amendments Committee is needed to solicit feedback from our community on how they would like to revitalize/change our community vision in 2024 by amending existing covenants from 1993. The Amendments Committee could try to educate the community about the most frequent covenant violations through Constant Contact notifications.
- The Amendments Committee would receive suggestive covenant changes, additions, and/or deletions from property owners. If the community feedback includes strengthening enforcement of the covenants, then the Amendments Committee should make reasonable suggestions such as implementing a fee schedule to deal with covenant violators. The committee would work up a fining policy and present it to our association attorneys for review and advice.

3rd Step: Receive back surveys and write up proposed covenant changes.

- The Amendments Committee would compose new amendments for the Board and attorneys to review and approve. Then the new written amendments would be sent to homeowners for their comments.
- The Amendments Committee would receive back the proposed amendments. Some changes would be made based on community comments. Finally, the Board and the attorneys would approve the final proposed amendments.

4th Step: Send out proposed covenant changes for property owners to vote.

- The Amendments Committee will send our ballots to homeowners to vote whether to implement or not proposed amendments.
- The Amendments Committee will receive back the ballots and tabulate the results. If affirmative ballots result in a majority of 50% plus one of homeowners of privately owned land within the subdivision, then the final amendments will be reviewed and signed by the Board, and our attorneys will prepare the documents for submission to the Gallatin County for their approval.

Patti Hostetter and Karrie Taggart previously volunteered to work on this committee headed up by the Board's Treasurer Ron Mahtesian. More volunteers are needed.

****DRAWING FOR WAIVER OF NEXT YEAR'S ANNUAL DUES FOR ONE LOT****

Ruth & Gordon Olson, of 128 Grizzly Bear Loop attending the meeting were the winners.

ADJOURNMENT

7:30 PM