

## **NEWS FROM THE BOARD OF DIRECTORS, VOLUME II, ISSUE 4**

The following items were discussed at the Firelight Meadows Unit Owners Board of Directors meeting of Tuesday, May 10, 2011:

### **Complaint for Construction Defects at Firelight Meadows Condominiums**

With the approval of a majority of unit owners, the Board has filed a Complaint on behalf of the Association for the numerous construction defects discovered during the Hardi-Plank® re-siding project. This Complaint seeks to recover the expenses incurred by the Association to repair the defective construction. The Complaint also brings claims for the failed wastewater treatment system and unfair trade practices of the developer, Firelight Meadows, LLC. Finally, the Complaint seeks to recover the Association's attorney fees incurred in the matter.

Though this Complaint has been filed with the district court in Gallatin County, it has not been "served" upon any of the named defendants. The defendants have no duty to make an appearance in the lawsuit until they have been properly served with a Summons and Complaint. The Association has three (3) years from the date of filing its Complaint to accomplish service upon the defendants. For the time being, the Board has agreed to postpone serving the Complaint. Nonetheless, it was important that the Board file the Complaint in order to toll the statute of limitations from further running on its claims. If the Association were to wait to file the Complaint, it is possible that the time allowed for bringing the lawsuit would elapse and the Association would be prevented from bringing its claims altogether.

A copy of the Association's Complaint and Jury Demand is available through the Montana Eighteenth Judicial District Court. Questions about the Complaint should be directed through Jack Eakman.

### **Firelight Meadows Rules and Regulations**

#### *Parking*

1. Parking may not obstruct walkways, roadways, or sidewalks.
2. Parking off the blacktop is strictly prohibited.
3. All Parking must be "Head In". No back in parking allowed.
4. Each unit owner must display the parking permits affixed to their rear view mirrors when on property.
5. RV's, Boats, Trailers may not be parked in usual parking spots. They must be stored off site or in an approved site by applying to the Board of Directors and following their rules.
6. Parking is by permit only. Two permits are assigned to each unit owner.
7. Visitors may receive a short term parking permit by the Unit Owner applying to the Alpine Property Management Office.
8. During the snow season, vehicles must be moved regularly to allow for snow removal operation. Failure to move the vehicle in a reasonably timely manner or at the request of the property manager will result in the vehicle being towed off property.
9. Vehicles which are not moved after five days on property will be treated as abandoned property.
10. Vehicle repair work, except for minor emergency repair, is prohibited.

The property manager is authorized by the Board of Directors to tow off premises vehicles that violate any of the above. The appropriate condominium owner will be required to pay all associated costs.

#### *Pets & Animals*

1. Owners may request permission from the Board of Directors to keep a maximum of two pets in their unit. Request an application from the property manager and follow the simple instructions to seek approval.
2. It is essential that unit owners with approved pets control the pets at all times and do not present a nuisance to any other owner/occupant. Pets in the common areas must be leashed at all times with an owner actively on the other end.
3. Renters or other non-owners may NOT have pets in their units or on the Firelight Meadows property.
4. Unit Owners are responsible for immediately cleaning up after their pets.
5. Unit Owners responsible for noisy or threatening animals are liable for fines and penalties if complaints about behavior are not immediately remedied.

SOURCE DOCUMENT: Rev. Rules and Regulations FLUOA 1/19/10

Please note that these Rules and Regulations WILL be Enforced.

See the full Rules and Regulations document at [www.APMBigSky.com](http://www.APMBigSky.com).

**Policy 2011.1 Assessed Fee to New Owners at time of Title Transfer.** April 5, 2011

It is the Policy of the Association of Unit Owners of Firelight Meadows to assess a fee to cover the expenses involved in enrolling new members of the Association and providing them with all necessary documentation as required in the Declarations, Bylaws, Rules and Regulations.

This fee, as of this writing, is \$500 and is paid at time of closing.

There is one exception to this policy; if and when a unit owner transfers a property wherein the owner is a member of the Association, the fee will be waived should there be a title transfer to an immediate family member. An immediate family member is someone's spouse, parents and grandparents, children and grandchildren, brothers and sisters, mother in law and father in law, brothers in law and sisters in law, daughters in law and sons in law. Adopted, half, and step members are also included in immediate family.

This exception is made because there is no cost to the Association for this ownership transfer, thus no reason to extract a fee for compensation.

**Board Member Position Opening**

Sam Reznicek is resigning from the board of directors and we are currently seeking a new candidate for this position. We would like to maintain representation by a Condo owner. If you are interested in volunteering your time for a position on the board, please send an email stating your request to: [firelightmeadows@hotmail.com](mailto:firelightmeadows@hotmail.com).

**FLM Website**

Please view all our information on the internet at:

[www.APMBigSky.com](http://www.APMBigSky.com) Click on "HOA" and then scroll down to *Firelight Meadows*. You can log on with the password *FL7316*.

*Your Board of Directors members are Garrett Baldensperger, Jack Eakman, Amy Free, Sam Geppert, Twila Moon and Scott O'Connor.*