

2021 Annual Meeting Minutes

The Elkhorn HOA meeting was held September 3, 2021 at 1:00 pm. Jon Kennedy hosted the meeting at his unit and some attended by Zoom.

Jon Kennedy welcomed all the owners. He introduced the new owners and asked them to tell a bit about themselves.

The minutes of the 2020 HOA meeting were presented and approved.

Jon Kennedy introduced the new property manager, Greg Hall. Greg lives in the Hill Condos and will be close to promptly address any issues. He is the owner Homewerkz Contracting and will be able address some issues himself and has a lot of contacts who can provide other services. He can be reached at homewerkzcontracting@yahoo.com or at 406-579-4939. Greg spoke briefly to express how much enthusiasm he has for this job.

Jon Kennedy and John Richards discussed insurance. It has been more difficult to get insurance for condos because many insurance providers have stopped providing this coverage. We saw a large increase in premiums. Some of this increase is due to increased construction costs and some is due to the number of short term rentals and the increased risk with renters. Owners doing short term rentals are required to provide the HOA with a certificate of insurance with the HOA listed as co-insured. This is required by the Rules for Short Term Rentals that has been in place since the time rentals less than one month were allowed.

Snow removal contract is being negotiated with the sidewalk shoveling to be provided by Greg Hall. Please contact Greg if there are issues.

Projects:

Window washing for the exterior of the windows will be scheduled. Entry to the units may be required for some areas. Greg will supervise this project.

We discussed the path from the units to the lake. Laurie Kaguni discussed this project with BSOA. We are able to put bark mulch and remove rocks on the chosen path, but not make permanent changes. Jon Kennedy marked one path from the driveway to the lake. We are trying to find a path that protects the wetlands, preserves privacy of unit owners, and provides a safe, convenient path to get boats to the water. Deb Hensold will survey owners with their preferences.

Interior painting in building one will be scheduled.

Deb Hensold discussed the proposed Rules and Regulations for Short Term Rentals. The board contacted an attorney to address all the complaints we received in the past year. These complaints included ongoing garbage issues, excessive late night noise, smoking, property damage, inappropriate behavior, storing equipment in the common areas, and parking in the garage common area. All of these issues are restricted by the condo docs and Rules and Regulations for Transient Rentals that were in place when the units were purchased. The board tried to consolidate the Rules and Regs with rules for the Declarations and Bylaws to make it easier for property managers and renters to understand.

The general rules are spelled out more clearly, but not changed from previous restrictions. It was suggested that the HOA provide racks outside for ski delivery services to use. Deb said that the skis need to be stored in the unit's garage.

Section 2. Minimums and Maximums does contain some changes that we hope the owners will agree to so the complaints we received can be addressed.

- A. The age of 25 is unchanged.
- B. The party size is unchanged for floors one and two, but reduced from 10 to 8 for level 3 and the additional restriction of 2 families to stop this from being used for parties that disturb other owners and damage property. There was enormous pushback to this change. Many owners of 3rd floor units were opposed. Jon Kennedy stated that this applies only to rentals and not to owners using their units. Some owners in building 2 wanted the Declarations to be rewritten to expand the number of renters allowed in units with more than 4 bedrooms on level one and two.
- C. The rental frequency also received a lot of pushback. Owners who do rentals felt this would adversely affect their property values. Owners who do not do short term rentals felt "party properties" would decrease their property values. When asked for language that would protect their investment value and stop parties, no owners had suggestions.
- D. Obligations of the rental agents: Deb discussed the 24 hour/day availability of the rental agent/manager. Deb stated that is part of the original Rules and Regs. The rental agent/manager is required to resolve all issues caused by renters, not the HOA property manager. A discussion took place about the event in which a group of renters dropped cigarettes and cigars from a 3rd floor balcony and damaged the furniture below. The renters also urinated on other decks. The property manager and owner of the property had been notified, but the situation was not resolved to the satisfaction of all parties. The bill for the damage was not paid and the deck surfaces were not wiped with disinfectant.

4. Deb discussed the proposed obligations of unit owners doing short term rentals.

- A. The board proposed a \$3000 per year fee to cover additional expenses incurred by increased wear and tear and insurance costs. Owner's doing short term rentals did not agree to this fee.
- B. Damage: Deb stated this is already in the condo docs.
- C. Garbage: Deb stated this is a big, ongoing issue and the board is attempting to improve it. We think Covid has made it worse because people are eating in more often and producing more trash. Also, the cleaners can fill 2 trash cans with one cleaning. Another issue is recycling. Boxes need to be broken down and set aside, not stuffed into the can intact. The board wants the unit owners doing rentals to provide bear proof cans in the unit's garage for use by their renters. The unit's manager will be required to push that can out on trash pickup day and bring it back after garbage collection.
- D. The insurance has been discussed and is required by the original Rules and Regs. The HOA would like the renter's to sign a liability waiver and acknowledgment of receipt of the rules. There was not any discussion of this issue at this time.

5. The final section is the Rule Enforcement Procedure. The condo docs allow the board to fine owners for violations by their renters. So far, we do not have a documented fee schedule. We are trying to make this procedure more fair by having an established fee structure. We are trying to have a prompt fine process so the fine can be paid by the security deposit of the offending renter. Our lawyer looked at other condos associations and we chose the one used by Cedar Creek because it seemed the simplest and also fair. We hope you will support this.

Laurie Simon Kaguni provided the treasurer's report. She detailed the past year's expenses and the proposed budget.

Jon Kennedy said the unit owners would vote on the proposed rules. Jon Kennedy asked for a motion to adjourn the meeting.
The meeting was adjourned.