

# King Ranch Homeowners Association General Meeting

## Frenchtown Fire Hall

October 21, 2019

**Attending:** Josh Hinrichs, Craig Milam, Buz Blass and Elaina Blass, Marvin Stern and Sherry Stern, Carl Hoyer and Julie Hoyer, Albert Haith and Janice Haith, Ardina Stobie, Arlan Williams, Paula Hall, Laurel Furniss, Janice Tate, Todd McLean and Maria McLean, Rose Sorenson, Susan Alvarez and Veronica Phippen, Rob Feenstra, Pam Bearden, Judy Hansen, Tim Wolff and Sandra Wolff, Todd Wolff, Tom Hess, and William Bailey. Twenty one (21) of 36 homeowners represented.

### **Call to Order:**

KRHA President, Josh Hinrichs welcomed the homeowners to the meeting at 7:05 PM.

### **New Business:**

#### **Water Dues:**

KRHA water dues are currently \$340.00 annually and will increase to \$360.00 for 2020. These water dues cover electricity for the pumps, insurance, water testing, DEQ and Montana State Assessments and general maintenance. Josh Hinrichs made a motion to increase the water dues by an additional \$20.00 to \$360.00 for 2020. Motion carried by show of hands.

#### **Railroad Quiet Zone:**

Carl Hoyer asked all homeowners to attend a meeting on the second Thursday of November (November 14th). Meeting is to discuss making Frenchtown a "Railroad Quiet Zone". The idea is to eliminate the unneeded noise pollution experienced daily in the Frenchtown area by locomotive horns. Meeting is at the Frenchtown Fire Hall at 6:00 PM. Any questions call Carl Hoyer at (406) 544-7315.

#### **Snow Removal:**

Josh thanked the homeowners in Phase II (Saint Andrews Place) and Phase III (Wild Goose Lane) for voluntarily assisting with snow removal during the challenging 2018-2019 winter. Josh requested once again for all homeowners to place snow markers on roadway borders to help whomever is involved with snow removal efforts for the 2019-2020 snow season in Phases II and III. Josh

emphasized that the Board has solicited multiple snow plowing contractors for past winter seasons and one bid was received. However, the contractor cancelled the bid because homeowners in Phases II and III were not “all” using markers to identify property lines and ***there was absolutely no place to put the excess snow***. A homeowner asked why the homeowners could not put excess subdivision snow onto King Ranch Golf Property. Josh emphasized it was absolutely not an option due to rocks, road debris, oil, and trash that could possibly be transferred to ***King Ranch Golf Course’s private property***. Josh stated the \$700.00 will remain in the snow removal fund going into the future. “Homeowners” stated they would try to find a suitable snow removal contractor who will assume the liability for snow removal for the 2019-2020 season ***and then contact Josh***. Josh stated that the snow removal contractor must come into the neighborhood to evaluate where snow would be placed and how the overall contracting rate would be implemented. A written contract stating liability coverage for damages would be required prior to approval for a private contractor to be hired by the HOA. Carl Hoyer stated he has helped as a neighbor in plowing Wild Goose and Saint Andrews for the past twenty (20) years and concurred with Josh that there is no place to put the snow compounded by the fact it is almost impossible to plow without 100% participation of snow markers by all homeowners. Hauling the snow away to other locations is cost prohibitive. Josh emphasized that if the contracted snow removal bid exceeds the \$700.00 which is presently in our snow removal account the HOA would have to make additional assessments to the homeowners in Phases II and III during the 2019-2020 winter season to cover snow removal costs.

### **Homeowner Easements:**

Josh explained to the homeowners about the Clark Fork River Easement and how the easement had changed since the King Ranch Golf Course modified the design of the back nine of the golf course. This recorded easement will have to be updated and recorded in the near future to reflect the new pathway or easement access to the Clark Fork River. This needs to be completed prior to the sale of the King Ranch Golf Course by the present owners, the Ockler’s, and the King Ranch Homeowners Association. Josh briefly explained about Mullan Road - King Ranch Homeowners Pump houses and how the placement of each has been established and yet incorrect according to Missoula County plat maps. Josh used the King Ranch Golf Course fence removal on Mullan Road as a prime example. Carl Hoyer emphasized the problems because of difficulties he had in the placement of his septic in relationship to the existing pump house and associated two well sites. This placement and easement problem held up the

completion of his house for six months. Buz Blass expanded on the topic by explaining to all homeowners how the existing board has been proactive in trying to clean up all the loose ends concerning covenants, easements, water issues, and general homeowner issues. The board's proactive actions have been a benefit to all homeowners, whether they realize it or not. The board, who are also King Ranch property owners, are doing this to ensure the value of all our properties, the esthetics of all properties and trying to be proactive with any issues that may affect the value of our subdivisions and individual homes in the future. The board's goals for the past four years has been to protect, preserve, and enhance property values in our community.

### **Booster Pumps and Back Flow Preventers:**

Josh reminded homeowners about last Thanksgiving (2018), water boil orders and the problems associated with our water system at that time. We had a low pressure event due to the fact we had to do mandatory repairs on the #2 Well in the Phase II and III water system. The State of Montana requires the HOA must immediately test for contaminants after any repair or mechanical change associated with our water systems. The water samples were taken as required by the DEQ. Unfortunately Phase II and III (Saint Andrews Place and Wild Goose Lane) tested positive for E. Coli contamination. Keep in mind this contamination was detected in our closed water distribution system. The only place this very serious health contamination could come from is one or more of our homeowners septic systems. Septic pollution coming from a homeowner's home not using a functioning back flow preventer or because the homeowner is using a booster pump on their home irrigation system. During a low water pressure situations, high water pressure areas such as household irrigation systems mix with septic waters and flow back into the main water distribution pipes and home water systems. Those homeowners using a booster pump to the increase sprinkler pressure on their irrigation system create a low pressure event with our closed water system causing septic waste water contamination situations. **Both the lack of a back flow preventers and the use of irrigation booster pumps did and will continue to CONTAMINATE OUR DRINKING WATER WITH SEPTIC WASTES, SEPTIC CHEMICALS, AND SEPTIC FECAL MATTER... we have proven that fact in November and December of 2018 and do not wish to repeat the serious health issue ever again.** Josh stated any form of water contamination is not acceptable especially when all homeowners have been informed about this fact repeatedly for the past four (4) years and homeowners have done nothing to correct it. As Josh stated "individual homeowners" must make the proper steps to correct this huge water issue otherwise we could lose our water systems. **Correct it ASAP-AS SOON AS POSSIBLE...NOW! NOT WHEN THE**

HOMEOWNER FEELS LIKE IT. The consequences of being metered for water usage, chlorination, and the possibility of an agency taking our systems out of our management or control is a true possibility. A homeowner at the meeting asked how they would know if they had a back flow preventer installed on their home or not? Another asked how they would know if the booster pump was for only household use or for the yard irrigations system? The solution was simple! Call our Montana State Licensed Water Manager and Tester. His name is Chuck Weihe (pronounced Wye) at (406) 552-7175 or email him at blueheronwatertesting@hotmail.com. Chuck can inspect your house free of charge and tell you if you have a booster pump on your irrigation system. Chuck can tell you if you have a properly installed back flow preventer on your irrigation system or the lack of. Chuck will also help you get a contractor with reduced repair prices if we collectively do the repairs and replacements as an HOA or group. Call Chuck today and he will gladly help you find out about your water system. Josh further added that the King Ranch Homeowners Association will loan any homeowner the money needed to make any necessary repairs to their home water system if financially they can not afford it. The HOA would pay the homeowner's bill to correct home water issues. Josh made it clear this would be short term a loan to the homeowner from the association. This loan to the homeowner would be paid back at a reasonable rate such as \$20.00 to \$25.00 per month or as decided by the HOA and homeowner.

### **Covenants:**

Josh started this topic by stating “each of us moved into a golf community when we bought our houses.” As a golf community it meant we as homeowners expected a higher standard of living where everything is pristine and nice as compared to other subdivisions in other areas not situated or associated with a golf course. Living in a golf course community affords us vista views of the golf course and surrounding golf course properties, a restaurant and bar and golf if we wish to participate. We all had a chance to read the covenants prior to the purchase of our homes and by purchasing our homes we agreed to follow the covenants. Josh repeated issues brought up in the June 11, 2018 General Meeting Concerning our existing covenants. The following is from the June 11, 2018 Meeting Minutes:

*“There continues to be a chronic problem with homeowners not abiding by the covenants. Camp trailers, motor homes, boats, barking dogs, garbage cans etc. continue to be an issue and the Board is receiving many complaints. Camp trailers, boats and motor homes may be on properties for limited periods of time when loading and unloading, but they should not be visible on an ongoing*

*basis. Garbage cans should not be visible to others except on garbage pick-up days. The Board is receiving multiple complaints in this area. Barking dogs are a nuisance and should be properly attended by their owners. Homeowners should abide by covenants and ensure properties are kept tidy and presentable per the terms of the covenants. Finally, the Board respectfully requests that all homeowners treat one another with neighborly courtesy and work to resolve and address issues in a productive nature.”*

In a simple statement Josh says the problem that currently exists is that there are **“those homeowners that do follow the covenants and there are those homeowners that choose not to follow the covenants.”** Josh followed up by saying “in simple terms... **“the existing covenants do not have a means for enforcement.”** A fact that had been established multiple times at multiple homeowner meetings throughout the twenty plus years of association existence. Josh explained that it was the board’s opinion, because of the 2018 General Meeting, the association wanted a solution to deal with this lack of enforcement; especially concerning water safety. Covenants to protect our water system, to make our water systems as safe as we possibly can, and to **enforce all covenants** without picking and choosing. The association wanted the board to find out two things. 1. What are BEST PRACTICES and 2. How can the covenants BE ENFORCED without breaking the bank and hopefully without costly legal battles. The ultimate question becomes how does the board hold a homeowner accountable to covenants that the homeowner agreed to uphold upon the purchase of their home. The board contacted Kevin Jones as our attorney, an expert in this field and spent \$1,000.00 for help. With Kevin’s guidance a complete rewrite and update of the covenants was completed. A working document was created. These completed proposed covenants were submitted to the King Ranch Homeowners (36 homeowners) via email.

As Josh emphasized we now have a great starting point in fixing a broken system which was created to protect the rights and water quality of all homeowners and to protect or to improve our property values.

Homeowner view points expressed were the new proposed covenants were too “extreme” in some areas and there was need for clarification in others. All board members and homeowners were in complete agreement that there needed to be a fine tuning of the existing language in the proposed covenants. It was also agreed the new covenants were a good foundation toward a workable set of covenants that all homeowners could live with. At this point Josh asked the homeowners to form a “Homeowners Covenant Committee” to review, revise, and make the covenants acceptable to the majority of homeowners. Josh stated that it was his wish the committee be represented by

each of the three Phases with at least five (5) individuals on the Covenant Committee. Also Josh wanted changes made by the end of January of 2020. These covenant changes would be reviewed by the board with the Covenant Committee present. If further changes were to be made by the Covenant Committee it was Josh's hope to have all reviews completed by at least the end of March. The ultimate goal was to have a set of working covenants that **"we (all homeowners) could live with, covenants that are for the good and beneficial for our golf community, and good for our homes and property values"** and covenants that **"are enforceable."** Then the board would meet with Kevin Jones for a final review of our new covenants and have them ready to present before or at our June 2020 General Meeting. After which we would vote on the new covenants by all 36 members of the association. Josh emphasized **"sooner"** would be better. Josh emphasized the need for these covenants to have a means to remove booster pumps on irrigation systems (which is a Montana State Water Distribution Mandate) and to ensure **"every"** homeowner has a back flow installed for water safety and community health.

**Homeowners Covenant Committee consists of the following homeowners:**

Albert Haith	(406) 370-5256	<a href="mailto:montjan1@gmail.com">montjan1@gmail.com</a>
Todd McLean	(406) 544-4225	<a href="mailto:mtnitetrain@hotmail.com">mtnitetrain@hotmail.com</a>
Rob Feenstra	(406) 880-5495	<a href="mailto:rob@feene1.com">rob@feene1.com</a>
Laurel Furniss	(406) 529-0840	<a href="mailto:laurel.furniss@gmail.com">laurel.furniss@gmail.com</a>
Judy Hansen	(602) 717-0855	<a href="mailto:Cassandra-M-H2028@outlook.com">Cassandra-M-H2028@outlook.com</a>
Tim Wolff	(425) 442-9864	<a href="mailto:kingwolffie@hotmail.com">kingwolffie@hotmail.com</a>
Carl Hoyer	(406) 544-7315	<a href="mailto:cehjld@montana.com">cehjld@montana.com</a>
Veronica Phippen	(406) 552-3239	<a href="mailto:morganv@ftsd.org">morganv@ftsd.org</a> <a href="mailto:sharenotmorgan@yahoo.com">sharenotmorgan@yahoo.com</a>
Brian Corson-Marquess	(406) 239-6277	<a href="mailto:b.corsonmarquess@gmail.com">b.corsonmarquess@gmail.com</a>

After the "Homeowners Covenant Committee" was formed. Josh reemphasized that the covenant committee would coordinate meetings within the committee itself. Josh wanted the committee to contact him as soon as possible within the next two (2) weeks to set up a date where the Covenant Committee can meet with Josh and the rest of the board. The intent of the meeting is to layout the

plan of attack and to establish milestone dates. At that point the Covenant Committee will be on their own. When the committee felt that they had addressed all issues to their satisfaction, the Homeowners Covenant Committee would request a meeting with Josh and the rest of the board to review all changes and the reasoning behind each of their changes. Josh stated he would be in contact with the committee head periodically to monitor their progress. Josh restated he would ideally like to have the covenant revision completely finished and reviewed by Kevin Jones “before” the June 2020 General Meeting.

### **Election of Board Members:**

Josh Hinrichs made a motion to have Carl Hoyer to assume board member duties vacated by Sue Clark unless someone wished to take the position. There were no volunteers other than Carl Hoyer for Sue Clark’s position. Carl Hoyer will fill this position until 2021. Motion carried by a show of hands.

Member At-Large positions open up yearly. Josh explained At-Large members are voted on each year and asked if there were any homeowners who would like to volunteer and participate as a Member At-Large on the HOA board. There were no volunteers. Josh Hinrichs made a motion to have Buz Blass and Craig Milam remain as board members until June of 2020. Motion was carried by a show of hands.

### **The current Board members and their assigned terms:**

Josh Hinrichs, Director of Phase II, President, 370-9343 (3 year Term to 2021)

Buz Blass, Member At-Large, Vice-President, 240-1145 (1 year Term to 2020)

Carl Hoyer, Director of Phase III,, 240-1145 (3 year Term to 2021)

Craig Milam, At-Large, Water Manager, Secretary and Treasurer, 240-9345 (1 yr term 2020)

Marvin Stern, Director of Phase I, 626-1505 (3 year Term to 2021)

### **Adjournment:**

Josh made a motion to adjourn the meeting. Motion carried by a show of hands. Meeting adjourned at 8:50 p.m.

**\*\*\*Meeting Minutes Prepared by Craig Milam, Secretary, KRHA and reviewed by all current members of the board.**