

# MEETING MINUTES

## Community Center & Mission Bay Master Association

*October 13th, 2020 9:03 am | Meeting called to order by Gary Goodman, MB Steering Committee Chairman*

### In Attendance

**Steering Committee:** Gary Goodman, Cynthia Hoelscher, Allen Bone, Ralph Brownell

**Preserve Representatives:** Meg Fair, Dave Rittenhouse

**Board of Directors:** Mark Gelernter – Preserve, Ralph Brownell – Mission Bay, Dennis Duty

**Staff:** Melanie Brooks, Karen Swan

**Homeowners:** Claudette Beckendorf, Tim & Karen Delaney

**Absent:** Dennis Duty, Roger Norgaard, David Coffman

### Approval of Minutes

The minutes for the Tuesday, September 8<sup>th</sup> meeting were amended to show the correct date for the upcoming meeting, per Cynthia Hoelscher's notice of the correction to the HOA. A motion to approve the September 8<sup>th</sup>, 2020 minutes with this amendment was made by Meg Fair and Allen Bone seconded the motion. All were in favor and the September 8<sup>th</sup> minutes were approved as amended.

### October 13<sup>th</sup>, 2020 Meeting

The meeting was called to order by Mission Bay Steering Committee Chairman Gary Goodman.

This was an open meeting at the Mission Bay Community Center.

### Developer's Report

No developer's report at this meeting. Melanie Brooks said that Dennis would like to share that things continue to be very busy in the real estate world, and that all lots owned by the declarant have now been sold in the Preserve. There are five declarant lots left in Mission Bay. Gary Goodman raised the question about the 19.5 acres for sale at the entrance to Mission Bay. Melanie said the property is zoned XRZD mixed-use zoning residential property. Ralph Brownell shared the question as to whether the property would come under Mission Bay access and covenants. It would not; the property is owned by the Sowards and Dennis Duty is the agent on this property. The City of Polson will be in charge of final use and access for the property when sold. Dennis Duty stopped in to the meeting to clarify further information for the group on this property. Commercial use not allowed– Residential uses allowed include town homes, condos, apartments (30' max), single-family homes and is in a resort overlay district. (Allows for community owned buildings such as a community center, recreational facilities) Karen Swan suggested that the possibility be explored to purchase this parcel by the owners in Mission Bay and the Preserve. The property is not a part of Mission Bay and would need to be voted on and approved by the current members if new owners wanted to become a part of the current Mission Bay Community.

### Manager's Report – Community Center

**Updates** – Melanie Brooks reported

**Pickleball and Tennis Court Project Completion**– Melanie shared that Whealon Concrete will finish up the project with the addition of hose and reel, and a bar to hold the gates shut on one side where players access the court. Whealon Concrete needs to submit final billing for the project and then any remaining unused funds allocated for this project will be returned to Glacier Bank.

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## Standing Committee Updates – Community Center

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**Social Committee** – Allen Bone reported that the Social Committee has not met recently regarding any upcoming events.

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## Old Business – Community Center

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**Community Center re-opening** - Melanie asked whether the group would consider re-opening the Community Center after Labor Day, as discussed at the last meeting. Cynthia shared her thought that the committee should wait to make that decision until at least two weeks after Labor Day. David Coffman suggested we use the City of Polson City Hall guidelines as a reference regarding reopening. At present it appears there is still enough Covid concern throughout the Polson Community to keep the Center closed. Dave Rittenhouse made a motion to defer making a decision on the re-opening at least until the October meeting and Cynthia Hoelscher seconded the motion. The rest of the group approved and the motion passed. The Center will remain closed with a re-opening date yet to be determined.

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## New Business – Community Center

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**Tennis/Pickleball Court Guest Policy** -Gary Goodman shared that he had a request to discuss/review the opening of the pickleball and tennis courts for play that would include invited outside guests. Currently all users must be Mission Bay or Preserve owners. David Koerner, homeowner, stated that he felt it was very self-serving to allow use for residents and not allow outside invited responsible guests, while other activities such as the pool/spa activities have had guests. He suggested there needs to be a reasonable rule to allow guests on the courts as well.

Dave Rittenhouse shared his willingness to consider allowing guests going forward, as did Gary Goodman. Dave made a motion to allow guests on all courts going forward as long as there was at least one homeowner in the group. Cynthia Hoelscher seconded the motion and all were in favor. The motion passed.

**Mission Bay Legal Representation** - There was discussion regarding Mission Bay legal representation going forward and the research several committee members had done regarding options for alternative counsel. David Coffman said he had approached three different law firms and that none of the three were viable options. One of the three firms stated conflict of interest concerns, as they currently represent several individual homeowners in Mission Bay. Ralph Brownell had also done research with one of the three David had approached – this firm would not require a retainer, but the group was concerned that timeliness concerns may not be resolved with this switch.

Meg stated that we are happy with legal work that is done with current counsel, just not the timeliness of execution. She suggested that although not completely satisfied, Mission Bay stay with current counsel and remind him of the importance of timeliness for completion. Gary recommended we go forward and pay the \$2500 retainer due to continue service with our current legal service. This includes the payment of the current \$900 bill for CCR revision services.

**2021 Vendor Bids** – All calls for bids will be sent out at the end of the week and the vendors have approximately one month to respond with submittals for 2021. This includes services for propane, summer help, landscaping of CC and common areas, road and weed maintenance, snow removal, beach areas in both communities. The submittals are due by Monday, October 12<sup>th</sup>, 2020. She asked the group to give thought to any vendor recommendations to add to the list and projects that the association needs to address in 2021. Meg has one weed vendor that she will submit. Melanie shared that we require from all vendors insurance, liability, vehicle and comprehensive insurance and W-9's.

**CC Incident** -Dave Rittenhouse shared an incident that occurred this past weekend – regarding a potential safety concern that was brought to him by a resident. The communication was regarding concern for security of the courts and Community Center as they were not locked the evening this

resident had come by the courts. That evening someone locked the gate with a master lock and a bolt-cutter was needed to re-access the courts.

Melanie noted that we do have a lock that the courts are locked with each evening and there are cameras at the Community Center for observation of any suspicious activities. Dave said that it has been working well to allow court players to access the courts from the side parking areas and not travel through the Community Center to access the courts.

**Financial Reporting** - David Koerner shared his concern that Mission Bay should be a 501(C)3, and there may be irregularities in Mission Bay financial reporting. Gary asked him to submit a list of concerns and he will research all concerns submitted. Meg stated that we have an outside accounting firm, and have had legal and insurance advisors look at our financials. She shared that outside business not on the agenda needs to be put on the agenda prior to the meeting.

Melanie shared a copy of the Community Center Reserve Study and went through the projects allocated for this year and those upcoming in 2021. Some have money allocated but have not been done (such as exercise equipment, sofas, refrigerator, oven) as the products are still in good operating form. We are planning to complete the masonry project yet in 2020 and come in under budget. The operating computers (2) may need to be replaced earlier than anticipated due to poor performance coming in to budget season.

**Declarant** – Melanie reported that due to the significant increase in sales within the real estate market in the Polson area, lots as well as homes in Mission Bay are selling. At the point the Soward lots are all sold, Dennis Duty will cease to be the declarant. This would mean that any changes made to the CCR's in either community would go to a full balloted vote of the community rather than having the declarant ability to sign off on minor changes.

## MISSION BAY MASTER ASSOCIATION

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### Manager's Report – Mission Bay Master Association

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The strip of land along Marias has been replaced by rock, as voted on and approved by the Steering Committee. Asphalt crack and hole repair is scheduled for September 15<sup>th</sup> in both Mission Bay and the Preserve. She suggested that the group address some major road repair necessary on Montana landing and Reliance for 2021. Fall clean-up has started on all common areas and the Mission Bay beach. She shared her concern that irrigation regulation has been taken on by individual residents in some areas, which is a concern for the overall management of the timing of the full systems. Roger shared that there is a broken bench in the gazebo at the beach to be repaired. Melanie will address this and repair.

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### Standing Committee Reports – Mission Bay Master Association

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**CCR Committee** – David Coffman shared that there were not many new issues to address. There is a home on Eagle Drive that has been sent notices and a certified letter regarding two violations. He said the committee gets involved when the homeowner wishes to appeal the reported violation.

Melanie reported that she had researched mortgage status on Lots C11 and C12. There does not appear to be a current mortgage on the two properties, which would be good news for Mission Bay. She would like to consult with legal counsel to confirm this research.

**Design Review Committee** – Gary Goodman asked to address the newly painted home on Hawk and concerns for the color. Melanie said the original color was approved and this will need to be addressed with the Design Review committee. There is recourse to require repainting the home if the color painted was not the color that was approved. It was also suggested that if this is an approved color, it

David Koerner, homeowner, raised the question for a home on a lot in Mission Bay that did not appear to meet the square foot requirements as stated in the Design Guidelines.

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## Old Business – Mission Bay Master Association

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Allen Bone shared that there was a hole on Montana Landing and two storm drains on Gallatin that need to be repaired when the crack filling is done.

Mission Lawn will be spraying weeds along roadsides in the cracks as part of their contract.

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## New Business – Mission Bay Master Association

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Melanie gave the committee a copy of the Mission Bay Master Reserve study. She noted that the Master association may want to address the repair/replacement of the rest of the three-pole fence along Tundra Swan in 2021. There have been several repairs done to the end of this fence in the past few years. This project would be shared with the Preserve. Cynthia Hoelscher said this project is currently allocated for 2022 and has a fund allocation of \$9.3K. This can be moved back to the 2021 budget year. There are approximately \$5K in reserve funds allocated/available for beach repair for 2021.

Cynthia Hoelscher asked whether there were any members of the group interested in being on the Finance Committee. The Finance Committee currently consists of Cynthia Hoelscher, chairman, Jane Irwin and Karen Swan. Meg Fair asked whether all present Steering Committee members had served a one-year on the Finance Committee, as recommended by the committee: all members had, with the exception of the newest member, David Coffman. David agreed to participate with the Finance Committee this season and with the development of the 2021 budget.

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## Next Meeting

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The next Steering Committee meeting will be held on November 10<sup>th</sup>, at 9:00 am. This is an open meeting.

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## Adjourn

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Meg Fair made a motion to adjourn the meeting at 10:02 am and Roger Norgaard seconded the motion. The meeting was adjourned. The next Steering Committee meeting will be held on **Tuesday, October 13th, 2020 at 9:00 am. This will be an open meeting.**

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## Steps for Follow-Up

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Melanie

1. Send newsletter regarding update on cancellation of events for 2020.
2. Stay abreast of developments as they happen regarding Governors directives for re-opening the state.
3. Final install of UV light protection for the exercise room and both restrooms.
4. Follow through on the final completion of hose installation for the tennis/pickleball court project.
5. Install new flagpole and light.
6. Research options for shade landscaping at the Mission Bay Beach.
7. Obtain bids for all 2021 services to incorporate into the 2021 operating budget.
8. Correct August minutes to include items from Allen Bone's comments.