

Bear Harbor Homeowners Association  
Board of Directors Meeting  
September 9/6/09

Present:

Sharon Link                      Kevin Lamey  
Lynn Biddison                  Larry Huggins  
Jere Ancell                        Jamie Harris

Frank D'Angelo

Roscoe Howes

Also Present:

Kathy Messick, Harbor View Property Management

Mike Messick, Harbor View Property Management

Elaine Ancell

Ray and Gail Andrade

Don Finley

Absent:

Vicky Ecton

The meeting was called to order by Sharon Link, President at 10 a.m. The minutes of the 7/18/09 Board meeting were previously distributed. Sharon asked if there were any additions or corrections to the minutes.

MOTION: Jamie moved that the minutes of 7/18/09 Board meeting be approved as submitted. Kevin seconded the motion and the motion was unanimously approved.

August Financials

The financial statements were distributed and reviewed by Kevin Lamey, Treasurer. Our Profit and Loss Budget vs. Actual shows that our budget that is being utilized is very accurate to plan for income and operating expense. Our net income Actual for August 2009 is \$3,317.94 and our net income Budgeted through the same period is \$2,873.99. The Association has no current liabilities. Kevin advised that our cash is strong with over \$134,000 in checking and savings. Sharon advised that for budget planning purposes for next year, we can utilize our current budget.

Maintenance

Kathy Messick said this year we used Fine Line for spraying for bugs and spiders and they used an organic spray. As part of our contract we were sprayed twice, but the results were not satisfactory. Kathy has interviewed another firm, All Green, that will also use organic products and as part of the proposed contract will spray four times for a cost of \$1600 plus \$600 for the shrubs. This represents a

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very small increase over our current service which is only spraying twice. All Green is well established and provides service to many businesses within Polson including the Polson School District. There was a general discussion by the Board on spraying and some of the issues that have been experienced in the past—particularly with the spider infestations. Roscoe said that some areas Building A and Building B appeared to have not been sprayed. Kathy advised that may be true because it is difficult to reach the upper areas which are actually 3 stories. Kathy will send a letter to homeowners requesting access to their units to allow All Green access to spray their eaves. The spiders are nesting now for hatching next spring. All Green recommends the first spray in May, 2010.

MOTION: Larry Huggins moved that the spraying contract proposed by All Green be accepted. Kevin Lamey seconded and the motion was unanimously approved.

### Fall Maintenance

Mike Messick reported that Building G is experiencing pump problems. Mike believes that one of the pumps is out. He has a repair person scheduled. Repair is going to be attempted before purchasing a new pump at a cost of \$2,000. Kathy said that despite a letter stating not to flush plastic applicators, dryer sheets, paper towels, etc. the problem continues to occur. This is causing significant operational and maintenance issues. Frank suggested that another letter be sent to homeowners stating the problems and the cost. Kathy will send a letter after the work has been done on Building G so that homeowners understand the cost ramifications.

Kathy reviewed the fall maintenance that will be completed:

- Large Retaining Wall Repair. Kathy has received the proposal from Nordic Landscape for repair of the retaining wall. As part of the work effort, the project will include the removal of the top rows of blocks and cap; digging out approximately 50 cu. Yards of dirt and removal; restacking, seating, and mortar of keystone blocks and cap; drain rock from below the frost line, and clean up. Nordic Landscape guarantees the full clean up of the area following clean up of the project. Total proposed is \$16,270.

There was discussion from the Board on the proposed repair. The question was asked by Roscoe if a bond would be secured as part of this project. Kathy replied that a bond had not been requested. Jamie commented that a Performance Bond typically adds 1.5-2% to the cost of the project but would protect the Homeowners Association. Nordic is asking for 50% initial payment and then 50% at project completion and acceptance. Mike Messick suggested that Harbor View requests 33% at signing, 33% with work beginning, and 33% at completion and acceptance. The board concurred.

MOTION: Roscoe moved that the proposal from Nordic Landscape be accepted with the change in payment schedule. Kevin Lamey seconded and the motion was unanimously approved.

Kathy reviewed an additional proposal from Nordic Landscape that would reduce the sliding of the soil in the steep areas. They are proposing placing 4 ft. high containers with a Ponderosa

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Pine because of their extensive root systems and ability to flourish with out watering. The cost would e \$2850 per planting. Kathy said that this not being presented for approval at this time, but for consideration at a later date. Frank suggested that the Board consider now a few plantings as part of the repair. Kevin said that he felt that the planting of the trees would be a capital improvement vs. maintenance. Following board discussion, it was determined that the additional plantings were capital improvement and would be presented at the annual meeting for consideration. Kathy said that after the repair is completed and prior to the annual meeting, stakes would be placed where it is being proposed to place the planters to enable homeowners a “visual” of what is being proposed.

- Gutters Building A
- Window Repair A7, C3, D6, G6
- Picnic table and benches will be purchased for the tennis court area
- Remove net from tennis court
- Cabinet for bathroom in dock area will be installed for supplies
- Dock area bathroom will be winterized
- Paint Gate Posts
  - Following discussion it was determined that the gate posts would be painted black with a yellow stripe around the cap for visibility
- Sewer pump maintenance
  - Debris (plastics, etc) will be removed to hopefully minimize operational problems
- Dock maintenance and Water Wall
  - There are some boards along the water wall that will need to be replaced
- Pump and Sprinkler System
  - Kathy will present a proposal to the board for a redesigned pump and filter system. She added that Kevin has done a significant amount of work to maintain the filter and pump. Kevin commented that a large part of the problem is that the screen had come off. Mike built a new screen and installed it which has helped.
- Mirror for the Driveway (corner by tennis courts). This was a suggestion by the Landscape Committee. There was discussion by the Board on the Mirror and if it would resolve or create additional issues. Kathy said that she would research mirrors, pricing and present to the Board for consideration at the spring meeting.
- Trim Trees
- Storage Unit Doors.
  - Mike needs permission from homeowners to access their storage units and repair the jams because they have not been installed properly. We have had one instance where a door literally fell out of the frame. A letter will be sent to homeowners requesting permission for access to the storage unit.
- Bid for fence
  - Kathy will secure proposals to finish the fence and submit to the Board at the spring meeting.

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- Spray for bugs and spray foliage
- Weed n Feed Lawn/Winterize
  - Kevin asked that as part of the lawn maintenance the crab grass be addressed. He would like to have Scott's Turf Builder Plus Halts for crabgrass tried before the crab grass is dug out again. Kathy will have that done.

Sharon asked if there were any other maintenance items to be addressed.

1. Jere said that the spray in Building A and Building B has fallen again. Kathy said that this is a special fire retardant spray. She will get the estimate for repair and present at the spring Board meeting.
2. Roscoe reported that the north end Bird Deterrent speaker is not working. Kathy will investigate.

#### Rental Fines-

At the July 18, 2009 Annual Meeting it approved to increase the fine of \$100 per day that was assessed for the violation of the short term rental policy to \$500 per day for the first occurrence and \$1000 per day for the second occurrence. There are three units that are in violation of no short term rentals—rentals less than 30 days. These units are C-3, C-4, D-5. These units represent multiple violations. There was a lengthy discussion by the Board regarding how best to ensure that the rules that have been established by the homeowners association are adhered to. It was strongly stated at the Annual Meeting that short term rentals are not in the best interest of the Association.

Letters will be sent to the violators advising them of the fines that have been assessed. If the fines are not paid, liens will be placed on the properties and turned over to collection. Additional input from Ray and Gail Andrade and Don Finley stressed that short term rentals are detrimental and that the policies and regulations of the Homeowners Association need to be adhered to for the benefit of all. D-5 advertised on the Internet for weekly rentals and showed the weeks that were rented and the weeks that were available. Kathy has talked to the property manager for D-5 and been told that all monies to the renters have been refunded. The Board believes this not to be true and can be verified. Based on the dates of the infractions (documented) C-3 will be assessed \$4,600, C-4 will be assessed \$3,000 and D-5 will be assessed \$17,500.

#### C-3 Rental Dates

6/27-7/3, 7/3-7/7, 7/26-8/1

#### C-4 Rental Dates

7/8-8/2

#### D-5 Rental Dates

7/29-

8/2-8/8

8/9-8/15

8/15-8/21

Bear Harbor requires a Long Term Rental Form to be completed and on file with current information. This will be updated and sent to all homeowners.

#### Marina

Kevin said that he has been requested many times to intercede when a boat longer 22 ft is in the marina. The Board agrees that it is not an issue for a 22ft guest boat to be in the marina for a few hours.

MOTION: Kevin moved that boats over 22ft in any marina guest slip are not allowed overnight or for more than 6 hours. Lynn seconded the motion and was unanimously approved by the Board.

#### Security

Don Finley and Ray Andrade recommended that an outside Security service be contracted to be on the property this would remove individual homeowners from conflicts. The Board was divided on contracting for outside security. It was agreed that the season was very short and there were a couple of weekends that tended to be problematic. The topic has been tabled but will be discussed later. It was suggested that the 4<sup>th</sup> of July weekend may be a good weekend to bring in contracted security.

#### Landscape

Lynn said that he and Jere would like to purchase additional plants to replace dead plants between Building A and Building B. The Board commended Lynn and Jere for all their hard work and effort—the property looks beautiful. Lynn said that at the Annual Meeting there had been a request for additional trees to be planted bordering the property. The Board concurred that trees do add to the beauty of the property. The Board requested that Lynn and Jere investigate options and present at the spring Board meeting.

Roscoe asked if there will be Christmas lights in the trees this year. Mike replied that the Christmas lights would be installed. He located additional lights so it won't be necessary to purchase additional strings of lights.

Lynn said that the tops of the posts should be sealed to prevent cracking and splitting. There is a tar substance that will work. The Board agreed. Sharon asked if this was something that we should

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contract for or if the Landscape committee was willing to do this. Lynn said that the he was willing to do this.

Lynn said that the tables need to be moved from the docks and stored for the winter. Sharon said that the tables could be stored again in her parking spot.

### Beach

The proposal for the work in the beach area has been presented to the Board and was approved at the previous meeting. Kevin asked when the work would begin. He would like to have the work scheduled in the springs while the water is down. This should enable the contractors to drive on the beach and not damage the lawn. Kathy commented that the project includes repair of the lawn if damaged. As part of the project, he requested that Kathy have a couple of the large rocks in the lake moved to the retaining wall. One of the rocks was hit by a boat propeller this year. Also Frank and Kevin will research buoys that are needed for the swimming area.

### Old Business

Sharon asked for any times for Old business

- Larry Huggins said that the residents of Building A and Building B would like to have the large black metal box painted to blend in with the area. Following discussion, the Board decided that a good solution would be a photo of river rock that will be transferred to an adhesive cover that will wrap the box. Kathy will get this done.
- Gate Damage—Larry said that he had been contacted by Dennis Stewart regarding the damage that was done to the gate when he accidentally backed into it to get out of the way of the garbage truck. Dennis Stewart asked if the repair could be submitted to the Bear Harbor Homeowners Association insurance. There was discussion and Kathy advised that when claims are submitted to the insurance it has an immediate impact of increasing premiums. Following discussion, the Board asked Larry to advise Dennis that the claim should be submitted to his insurance company.

### New Business

Larry said that Lou Marchello had approached a resident in Building A and would like to have a discussion with the Board regarding property that could be utilized for additional parking for Bear Harbor. The Board agreed that we should have the discussion with Lou Marchello. This will be scheduled.

Sharon asked Kathy to complete the Web portal for Bear Harbor Homeowners Association as it is our goal to move to electronic communication to reduce expenses to the Association.

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Public Comment

Sharon asked if there was public comment for the Board. Don Finley complimented the property management of Bear Harbor and thanked the Board for their efforts.

Sharon said this was a great summer season and thanked the Board members for the work and effort.

Meeting was adjourned at 12:50 p.m.

Submitted,  
Jamie Harris, Vice President