

Spirit Lake East Homeowner's Association

Post Office Box 217; Spirit Lake, Idaho 83869

Monthly Board Meeting Minutes

July 17, 2001 - 7:00pm - Spirit Lake Senior Center

Call to Order & Establish Quorum – Bob Lloyd 7:00 pm
Attendance: Bob Lloyd, Debbie Lawson, Jeff Hill, Mary Lou Gunn, Jess Blocker

Article IV, Section 2.C.8 Purpose / Goal – Bob Lloyd 7:05pm

Meeting called to discuss changes and/or updates to CC&Rs. All rules and regulations were rescinded at last Board Meeting (July 2001).

Bob Lloyd – Addressed letter put out to membership. (Attachment 1)

Mary Lou Gunn – Website doesn't state that rules are rescinded.

Debbie Lawson – Website changed day it was brought to attention by Kathy Gray to read rules and regulations are no longer in effect. Kathy Gray confirmed this done same day as request was made.

Bob Lloyd – Must go by By-Laws, cannot automatically change CC&Rs without a membership vote.

Jeff Hill – Everyone looks out for their own interest. Must uphold CC&Rs as he and other's have interpreted them. Any changes must be done by the book. Personally opposed to any changes.

Dick Martindale – In letter (Attachment 1) talks about by-laws, CC&Rs and rules and regulations interchangeably. Are they the same thing?

Jess Blocker – By-laws are how the Board operates; CC&Rs are assigned to all members and their property. Rule and Regulations are part of CC&Rs. There is a disagreement about whether the Board is change the CC&Rs.

Mary Lou Gunn – Where does it say in By-Law that the Board has power to make change?

Jess Blocker – His interpretation is that the Board did have the option.

Chris Lawson – By-laws state that Board has power to do Association business.

Jeff Hill – Three attorneys have said that the Board has not authority.

Bob Lloyd – Does anyone think that we need changes to CC&Rs?

Tony Tarnowski – Yes, but according to rules.

Kathy Gray – How many don't think changes are needed?

Brent Eggersten – Any change to the CC&Rs on rules should be specifically typed, paragraphed and voted by the Association membership as specified by the CC&Rs. If the Board attempts other than this, the Board will have problems. This is an implied retirement community where families are welcome.

Bob Lloyd – Membership has say, majority should rule. Every issue should not be attacked, should be one at a time.

Brent Eggersten – Itemize in writing all proposed changes.

Jess Blocker – Keep this meeting strictly to discuss where Board goes with Rules & Regulations. Proposes Board do business as usual.

Mary Lou Gunn – Board goes out by proxy, etc. to get shareholder vote. This issue: Does the Board have the authority to make these votes. Personally disagrees.

Dick Martindale – By-laws – membership can vote to change by-laws. CC&Rs take precedence over by-laws. In CC&Rs it takes 2/3 vote to change and must record. Except item 8.

Jeff Hill – Some members of the Board do not want to follow these procedures.

Kathy Gray – Board members have private agenda when elected to Board, rather than desire to protect CC&Rs. As property owner, want CC&Rs upheld. Roads are for transportations, not recreation. It is change of CC&Rs.

Bob Lloyd – Bringing this issue to ground zero. Starting completely over, issue will come to a vote. Want to move forward.

Jeff Hill – Propose people interested in making changes submit ideas. Things must be resolved.

Bob Lloyd – Get neighbors to write letters to Board with ideas pro or con.

Susan Martindale – How do By-laws, CC&Rs, Rules, etc work and clarify them?

Jeff Hill – Must be drafted by attorney. Any changes must be approved 2/3 vote will change CC&Rs.

Kathy Gray – Must be careful what is changed. Liability is an issue.

Bob Lloyd – Tender motion to request information from membership in any form of writing. Request Board make motion to do this.

Brent Eggersten – How do we let others not present know about this?

Debbie Lawson – Newsletter, website, etc.

Brent Eggersten – Last semi annual meeting there was a 45% quorum.

Jeff Hill – MOTION to put out to owners that they must put suggestions in writing or e-mail for changes or non-changes to the CC&Rs.

Jess Blocker – Second Motion; Motion Carried.

Mary Lou Gunn – Board should make a form to send to membership.

Bob Lloyd – Membership can write their ideas themselves.

Jess Blocker – A form can be created for the newsletter.

Brent Eggersten – All 7 Board member must be in attendance on proposed changes to CC&Rs.

Tony Tarnowski – Understanding is that 1) everyone gives input and 2) Board writes changes.

Bob Lloyd – Subject to By-Laws, Board has certain powers. Within those powers, can make some changes. According to attorneys, things need more research. Changes must go before membership. Nothing stays the same forever.

Julie Peters – Spoke to Kootenai County Sheriff Department Deputy. These are private roads including for snowmobiles and motorcycles. Son use motorcycle to go to friends house. Has been confronted by homeowner. All CC&Rs must be enforced, including also people with garbage in yard, etc. Otherwise subject to lawsuit.

Bob Lloyd – Would like to adjourn meeting. Put issue {of CC&R changes as per above motion} in next newsletter. Whether changes or not, must move forward. Will be done by vote.

Jess Blocker – MOTION to adjourn meeting. Jeff Hill – Second; Motion Carried.

Meeting adjourned at 7:55pm.