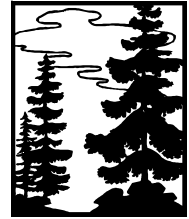


SLEHA GAZETTE



The Newsletter of the Spirit Lake East Homeowner's Association

April 2007

Contact Information

President- Dan Edginton	623-2649
V. Pres- Kris Kramer	623-6006
Secretary- Angelo Martinez	818-0775
Treasurer- Cindy Murphy	623-6479
Members at Large-	
Debbie Lane	623-2781
Mike Cover	623-2858
Paul Peloquin	623-3642

Committees

Architectural Review

(Chair) David Sincerbeaux	623-2864
Mike Zweibel	623-3075

Audit

(Chair) Trudy Shrigley	623-2671
Vacant	

Roads

(Chair) Paul Peloquin	623-3642
Tom Hansel	623-2146

Timber

(Chair) Lowell Hayes	6232064
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Newsletter

John and Gail Johnson	623-6517
Lois Tarnowski	623-6225

Please send all correspondence to:

Spirit Lake East Homeowner's Association

PO Box 217

Spirit Lake, ID 83869

Website- www.spiritlakeeast.org

Membership Meeting and Board Election

The next SLE Membership Meeting is May 8 at Timberlake High School. The agenda includes election of a new board. Six of the seven positions are open this year but only four people are running for office. The candidates are Cindy Murphy (Incumbent--since 2003), Debbie Lane and Mike Cover (appointed to the board in January 2007) and Darrell Richardson. Debbie and Cindy have submitted statements which are printed on page 3 and 8. Darrell declined to have a statement included here. If you are interested in being on the board, contact any board member or Lowell Hayes or Kathy Gray.

Other agenda items include the Spirit Lake East Water system and proposals to modify the CC&Rs. The complete agenda as of April 10 is on Page 6.

Calendar

May 8, 2007: Membership Meeting at 7:00 PM at Timberlake High School.

Jun 5, 2007: Board Meeting at 7:00 PM at the Spirit Lake Senior Center

Jul 3, 2007: Board Meeting at 7:00 PM at the Spirit Lake Senior Center (subject to change due to holiday)

Aug 7, 2007: Board Meeting at 7:00 PM at the Spirit Lake Senior Center

Statements from Board Candidates

Cindy Murphy (Incumbent, board member since 2003)

Well, I guess I'm up for re-election this year. I've been your treasurer for the last four years and would like to continue with this position. When I started, the late dues were in the \$12,000 range. Now they are around \$4000 (not including 2007) and I am still working on lowering that figure. I love where I live, here in Spirit Lake East, though it is a shame we can't seem to get along as a community. As a board member, I can see both sides of issues and will try to find common ground to settle them. I'm hoping we can all pull together to settle the issues we have and fight for our rights with the water company.

PLEASE SLOW DOWN!

SPEED - be it cars, trucks, dirt bikes, ATVs, etc. are all tearing up our roads. We are trying to maintain our roads. Just because they're smooth, that does not mean we can increase our speeds. These roads are like our driveways. Yes, they are longer, but still personal.

DUST - Have respect for your neighbors! Slow down! You don't want dust in front of your house. Neither does your neighbor.

Please **REDUCE SPEED TO 15 mph**. We will be changing the signs soon.

To those who are having work done on your property, please inform those workers who are driving in and out on our roads to reduce their speeds.

We have plans in the works to put new rock and oil down on the entrances, provided monies are available.

Road Committee
Paul Peloquin
Tom Hansel

Debbie Lane (Appointed to the board in 2007)

Hello, my name is Debbie Lane, and I am interested in being on the Spirit Lake East board of directors. My main objectives are to gain experience in working on an active board and also to help make sure the vision, that the founders had for this development, is protected. Under 'Purpose' in Article IV of the Protective Covenants, it states "...to maintain the agricultural and rural atmosphere and charm which is compatible with the natural environment." This purpose is of great importance to me as this is the type of atmosphere that my family values and revels in. The protection from unnecessary noise pollution is of particular interest to me. As I see it, noise is a fundamental concern when attempting to blend into a soothing and natural environment.

On a personal side, I was born in Coeur d'Alene and have lived in the Northwest area for my entire life. I can't imagine living anywhere else. I reside here, in SLE, with my husband, Steve, and our four year old son, Justin. We have lived here for 2 ½ years. We enjoy gardening, camping, fly fishing, ice skating and snowshoeing. I formerly worked at Hewlett Packard/Agilent Technologies for 18 years and am now a stay at home Mom. I also recently graduated from Gonzaga University with a BGS in Organizational Leadership. One of my favorite classes was "Community Building". This class was a huge eye opener to me and very inspiring. I would love the opportunity to utilize some of the knowledge I learned in this program to benefit this community.

Need help with yard work?

Call a Boy Scout!

We are raising money for camp.

Call Mr. Clary at 651-5172 or 651-5174

Proposed Change to CC&Rs

To the board of Spirit Lake East Homeowners Association.

Residents for Responsible Property Management are a group of responsible and concerned homeowners 35 members strong and growing in Spirit Lake East. We wish to provide a positive influence and family development to enhance Spirit Lake East for its current homeowners and future homeowners property rights.

We are submitting a guideline of use and restrictions for Article IV Protective Covenants Section 2. Use Restrictions. Sub Section C. The following activities shall be prohibited. Item #8. Snowmobiles and motorcycles except as provided by Associations rules and regulations. (Currently none on record).

A. Homeowners and their guests shall be allowed ingress and egress to their property and any corresponding property within the association roadways by any vehicle operated and equipped in full compliance with Idaho Motor Vehicle Code. (IMVC)

B. The Operation of any motorcycle, snowmobile, or off road vehicle maintained in such a manner that exceeds IMVC noise limits is prohibited within the community.

C. Homeowners and their guests shall be permitted the operation of recreation vehicles that include but are not limited to motorcycles, snowmobiles, and off-road vehicles on homeowners' personal property for recreation or work.

D. Homeowners and their guest shall respect the private property of other homeowners and operate their motorcycles, snowmobiles, and off-road vehicles in such a manner that does not infringe upon the peace and quiet of other homeowners as provided by county and state laws.

Proposal: Continued on Page 4

Response to Proposed Changes to CC&Rs

Message from the People for a Quiet Community Concerning Potential Covenant Revisions:

It is our understanding that some members are trying to relax the covenants regarding recreational vehicle use. Of course, as members, they are welcome to pursue their vision of the community.

As mentioned in an earlier newsletter, we sampled a lot of members and found that 80% didn't want to have recreational ATV and dirtbike use near them. This is a wise choice. The noise degrades both the enjoyment and value of our properties. It is interesting to note that the new development coming in, adjacent to SLE, has even more severe restrictions than we do. That reflects what that developer thinks will make his property most valuable, and what people want. Do you want your property values to decline?

People come in all types, and with all sorts of likes and dislikes. The fact that recreational vehicle use is specified in the covenants attests to how grating it can be on others. We are in North Idaho where State, Government, and paper company land is all around us. Almost all of it is open for recreational riding. The only place where people can buy rural property with an expectation of not hearing dirtbikes is in an association with covenants. This association of ours is a sanctuary from excessive noise. We need to keep it that way.

PAQC

People for A Quiet Community

Proposal: Continued from Page 3

Hours of operation shall be between the hours of 8:00 AM to 8:00 PM (Kootenai County sound ordinance is from 10:00 PM to 6:00 AM)

E. Spirit Lake East Homeowners Association shall reserve the right to establish and enforce speed and noise regulations on any or all association roadways.

1. All motorized vehicles will follow the posted speed limit on any and all association roadways, which is currently 25 miles per hour.
2. All motorized vehicles will obey any and all traffic signs posted on any and all association roadways.
3. Vehicles exhibiting noise levels exceeding IMVC codes shall be prohibited from using any association roadway. Use of such vehicles may be considered noxious and offensive and subject to restrictions and penalties outlined in the CC&R's.
4. A. Complaints of improper use shall be made in writing to violators and association board, with specific violation information, evidence, and witnesses if available.
4. B. A second offense will generate a letter from the association attorney informing the violator that legal action will be taken against them, and that their name and address will be listed on the association website and in the newsletter, specifying violation and legal actions taken.
4. C. Third offense will generate court action.

Thank you, for your time and consideration on this matter.

Sincerely,

David Malloy.

Residents for Responsible Property Management

33659 North Newman Drive

Spirit Lake, ID 83869

208-623-5101

Message from Mike Schmidt

I must begin by apologizing for my leaving the board last November. My frustration at the underhanded, behind-the-back, maneuvering by people who considered only their own personal rights and refused to even discuss others' rights or the myriad of legal challenges and laws that have varied since 1977 (time of our CCR's), I allowed my German-Polish-Russian temper sway my better judgment.

At the April board meeting we were informed that we had gone from 9 delinquent homeowners to 48. My suspicion is that at least some of these are families with motorcycles, 4 wheelers or snowmobiles. They may well be attacking the naysayers by refusing to pay their dues. However, I am disturbed by the massive increase of illegal riding of off-road cycles down our road system. Not only is that disallowed, but is guaranteed to get more homeowners aroused AGAINST any sort of compromise, reasonable restrictions or recognition of the differences between private property use and deliberate racing on our privately owned roads by illegal off-road cycles. I urge all homeowners to control these offenses and at least attempt to get a working group together to seriously attempt to solve this long standing problem. Its not going away.....

Mike Schmidt

At Your Service

Do you have an opinion to share?

Do you have information that might be useful to your neighbors?

The Spirit Lake East Newsletter and website are at your service. Send your copy to

newsletter@spiritlakeeast.org for the newsletter or to

SLE@spiritlakeeast.org for the website.

Remember, residents can **advertise** free on the website and for low cost in the newsletter.

Neighborhood News and Exchange

Stampin' Up! Supervisor: Randi Malloy 623-5087
Mary Kay Consultants: Vikki Malloy 623-5101
Marsha Cover 818-2006
Home Interiors Consultant Joanna Tarnowski 691-8884
Piano Lessons: Lois Tarnowski 623-6225
Tomlinson Black Realtor Kristine Smith
cell: 691-5852 kristines@tb.com
home office/fax: 623-2893
GMAC Realtor Sue Fox cell: 818-5282
home office: 623-3137

Prayer and Share

We are Roger, Pat, and Daniel Walker. Every day our family prays for Spirit Lake East. If you have special needs or requests for prayer, we will be glad to pray with you and for your family and friends. Call us at 623-6220.

Want to be financially free?

Give me a call. Sue Fox 623-3137 , cell 818-5282. A great opportunity!

Laborers, Pet Sitters, etc. Available

Going on vacation this summer? Do you need someone to feed your animals, water your houseplants, or pick up your mail while you're gone? Bethany Tarnowski (age 15) has experience in these areas, and would be pleased to help out for a small fee.

Water System Update

The March water outage was caused by a failed end bell seal on the main well pump motor. The repair crew worked around the clock to pull all well piping out, replace the failed motor, reinstall the piping, and place the well back into service.

The Idaho Public Utilities Commission issued a final ruling on April 3 regarding the water company's requested rate increase. Effective April 15, the base rate has been raised to \$12.50 for the first 9000 gallons consumed, and the commodity rate has been raised to \$0.12 per 100 gallons after the first 9000 gallons per month. Further, the PUC has directed in their Final Order that Spirit Lake East Water Company provide a plan of correction for known problems in their water system. The new customer connection fee has been raised to \$2500.

(Note. In its papers, the PUC has consistently stated that the current standby diesel generator is rated at 55 horsepower, 75KW. This is a technical error that was brought to the attention of the PUC staff engineer, acknowledged, and remains uncorrected. The standby diesel generator is rated at 75KW, which is 100 horsepower.)

Ron Bart

AGENDA

Spirit Lake East Homeowners Association
General Membership Meeting
May 8, 2007

(Preliminary--Check the website for updates)

- I. Call to order
- II. Minutes of the April 2007 Board Meeting
- III. Treasurers Report April 2007
- IV. Committee Reports
 - a. ARC
 - b. Timber
 - c. Roads
 - d. Water-Spirit Water Association
- V. Comments – Items not on Agenda (limit 5 minutes)
- VI. Old Business

Phone Vote/Proxy presentation by Board Member Mike Cover

- VII. New Business

Residents for Responsible Property Management proposal. Change Article IV Protective Covenants Section 2. Use Restrictions. Sub Section C. A copy of the proposal was included with the April 2007 SLEHA Newsletter and posted to the SLEHA website.

Rebuttal by People for a Quiet Community

Results of Spirit Lake East Homeowners Association Board Elections

- VIII. Adjournment

An Observation

As I was putting together the newsletter this time, I was struck by the degree to which a few warring parties have been allowed to dominate the time and energy of the association. This newsletter has articles submitted by groups proposing and opposing a change to the CC&Rs relating to dirt bikes and noise. Groups on both sides of the issue are heard, but neither side represents my views. I attempted to talk to one of the leaders of one side and they wouldn't even listen to someone who basically agreed with them. Valid ideas and concerns are drowned out by the same old lines from the same people.

We need a forum where ALL ideas and concerns can be heard. We can use the website, or if it means issuing the newsletter weekly for a while, let's do it.

It's time we take back the association and try to rebuild the community. We need new CC&Rs that are clear, fair, and enforceable. We need a board that is willing to act and has the power to act to solve problems. If you don't like the situation, make your voices heard.

Gail Johnson

PROPOSED CHANGES TO CC&R's

Since the beginning of the HOA, a root problem has been the inability to get a quorum. The CC&Rs were written primarily to protect the interest of Hanson while development was in progress. Those CC&Rs do not promote an effective organization and prolong the conflicts between neighbors. In order to solve this problem and improve the quality of life for all members, I would like to suggest a change to the CC&Rs. This involves a long term solution and a short term solution. At the May meeting, the board will ask for your opinion in the form of an informal vote. If you are not at the meeting, you may email Angelo Martinez. If you do not have email, you may call him. By emailing, you make it easier for him to track the responses and share your comments.

Recommended Change to CC&Rs

The long term solution is to modify the CC&Rs to make it easier to get a quorum. The suggested change is as follows:

Current wording of the SLEHA articles

Article V, Section 3. Amendments.

Any provision herein may be amended or revoked and additional provisions added at any time by written instrument recorded in the office of the clerk and recorder of Kootenai County, Idaho, duly signed and acknowledged by not less than two thirds (2/3) of the tract owners, (a quorum), subject to this declaration, or in the event that the declarant owns over fifty percent (50%) of the tracts, he shall have the power to amend these covenants.

(The underlined words are the ones to be changed. Obviously the later part of this is very outdated and will need to be changed at a later time since it is no longer applicable.)

Suggested change to the wording.

Article V, Section 3. Amendments.

Any provision herein may be amended or revoked and additional provisions added at any time by written instrument recorded in the office of the clerk and recorder of Kootenai County, Idaho, duly signed and acknowledged by not less than fifty-one percent (51%) of the tract owners, present or by proxy vote, at a meeting duly called for the specific purpose of a vote.

Note:

The vote meetings are normally scheduled for May and November of each year. These meetings are scheduled with the intent to have association members present to vote on significant suggested changes or issues. All suggested changes that involve monetary increases or have a significant impact on the members will have notification of such votes well in advance of the meeting itself.

Interim Solution

The short term problem is that we probably would not get a quorum to vote on this change. The proposed short term solution is to use the method used by banks, credit card companies and other businesses involved in sensitive legal and financial issues. We would use the normal process of a vote in a membership meeting with proxies sent to all owners—with one addition.

As a one time solution, we would contact as many homeowners as possible (all for whom we have working phone numbers) to urge them to sign and return their proxies. A copy of the proxy would be available on the website for anyone who misplaced the one that was mailed to them. We would offer to make it easier for them by signing a proxy for them based on their consent over the phone. To assure that this phone process is not misused, we would do the following:

1. Use a script approved by the board to assure that everyone received the same information about the issue. The script would be available at the board meeting for comments from attendees.
2. Require that the person specifically say “Yes” or something like it. Phrases like “I guess so” would not be accepted.
3. Record calls to allow verification.
4. Have an auditor verify a random sample of the proxies by contacting the homeowner.
5. Sign the name of the homeowner and the name of the person who called them.

We have verified with our attorney that this method would be legal for SLE.

Candidate Statements (Continued)

Mike Cover

My name is Michael Cover and I have been a resident of Spirit Lake for Four years now. I am a soon to be retired Ontario Police sergeant (California) and I have been for 23 ½ years now. I have had considerable experience with associations and running various groups. Since my time here at SLE I have seen how things have worked (or not) with the board and the meetings. I have decided that I would like to serve on the association board to help improve the life and wellbeing of our community. I have the drive, dedication and patience necessary to complete this task. I also have many ideas that I think can work for our community and I would like the opportunity to put them into action.