

Eagle Canyon and Missouri River Ranches

LOC Board Meeting Minutes

March 6, 2024

**Call to Order:** Richard Kollars called the meeting to order at 6:07 p.m. Randy Trefry, Salina Hunter, Sharon LaFaver, and Mark Pieloch were also in attendance. Residents Eric & Liberty Beecham were also on the call. Kim Trefry was taking minutes.

**Approve Minutes from February meeting** Mark moved to accept the minutes, Randy seconded. All in favor, minutes approved.

**Landowner Input:** *Landowners have the right to speak. This period is devoted to comments from landowners and discussion of those comments. During this board meeting, the board may or may not take action upon a matter brought up by landowner input. If no action is taken during the board meeting, the board may place the topic on the agenda of future meetings.*

Liberty Beecham wished to discuss the Board's decision to hold the annual meeting in Helena rather than in Craig, as had been previously done. Trained as a data analyst, she stated she performed a cost analysis and estimated it costs each landowner approximately \$60 to travel into Helena to attend this meeting, and up to \$9,000 for the entire community to bear the expense of traveling to Helena. She emphasized that many of our community members are unable to bear this expense and it is excluding them from listening and participating. She urged the Board to reconsider the Craig location.

Several of the board members responded to Liberty's comments and explained that there is no internet service in Craig, and the Helena location can broadcast the meeting live, allowing out of state landowners to be able to attend the meeting remotely. They also commented that regardless of location, many of the community members have not attended the meetings.

**Road Maintenance:**

Snow Plowing Update – Tyson Hunter is doing his best to keep the route to Eagle Canyon cleared while the bridge construction continues. An invoice for plowing services was brought before the board and approved for payment.

Additional bids for gravel on Arrow and Frazier- Randy reported to the board that he has attempted to obtain additional bids. One vendor, M&D Construction, has not responded to our request for bid. Mark suggested asking Valley Sand & Gravel. Sharon will provide her contact name and info to Randy to follow up.

Mike Wirth has stated that he will begin work on the Charbonneau culverts by the end of the month. Kim will post notices on the website and the Facebook page to keep residents informed.

**Road Grader Rental / Operator** – Richard asked whether the existing rental also has a wheel compactor attachment to allow the road to be rolled? Randy will research this with the rental company.

**Payment of LOC Invoices: Review Process or Policy / Lien Satisfaction &**

**Payment of LOC Attorney Fees**– Sharon expressed concerns about the board not reviewing/approving all invoices and incoming fees. No action was taken on a policy decision. She explained that the recent liens that were satisfied following the sale of properties did not seem to add up to the amounts originally listed on the legal filings. Richard explained that the liens were satisfied after an additional assessment fee was charged, causing a \$200 difference. Despite this, there was still some confusion about one or more properties that were purchased by Mark, and the lien satisfaction dates did not match up with the dates of sale.

Sharon also stated that previous meeting comments from 2015 indicate that the LOC has the authority to collect legal fees from a party when the lien is satisfied. Richard stated that although it may have been discussed, the bylaws were never changed to reflect this ability. As it stands, the LOC has budgeted for these costs, but cannot be reimbursed in the legal process. The CC&Rs do allow the Developer to collect legal fees for violation of the covenants.

In another matter, a landowner (Eagle Canyon lot 151) completed the purchase of their land from Treasure State Properties. A title company was not used in the sale, and the lien was not satisfied. The landowner is disputing that the debt is not his but should revert back to Treasure State to pay off.

**Current CC&R Building Requirements / Unreasonable Expectations** – Salina

wanted to address the Board and explained that another family has chosen to sell their land and move due to the denial of their request to install a well on their land. She stated the Developer is maintaining unreasonable expectations for landowners to have all their infrastructure and buildings planned, approved and built within the 2-year covenant. She asked Mark (Developer) what ever happened to his building requirements he promised he would publish? Mark responded that he has experienced too many violations of builds occurring on the wrong land, easement violations, and said in many cases the Lanes (Treasure State) mislead purchasers on where they could build. Mark stated he believes the 2 year timeframe is adequate, but added that he would meet with individuals and make decisions on a case by case basis.

Randy asked Mark if he was aware of Senate Bill 247, which states that if CC&Rs have not been enforced over a specific timeframe, they are considered abandoned and unenforceable by law. Mark would not comment.

Richard reminded the board that covenant enforcement is within the purview of the Developer and not the board members.

### **Stickney Bridge Construction - Update**

Sharon stated that the trusses had arrived and would be in place shortly. No estimated completion date yet.

Emergency Services – Lewis & Clark Co. Sheriff has been notified, along with Dearborn Volunteer Fire, and St. Peter's Ambulance services.

**Annual LOC Meeting Date** – August 24 was suggested for the next Annual Meeting date. Board members will look at their calendars and make a final decision at the April meeting date.

**Meeting Closed** Richard moved to close the meeting. Mark seconded. All in favor. Meeting adjourned at 7:06 p.m.