

# AVR HOA Annual Meeting Minutes

## September 8, 2021

Board Members Present: Gary Leaman, President; Becky Kimmel, Secretary; Kevin LaRose, Treasurer

Board Member Not Present: Dave Werner, Resigned July 2021

The meeting was called to order at 6:10 pm.

### Agenda:

1. Lincoln County Sheriff
2. Approve Minutes from 2020 Annual Mtg
3. Financial Report
4. AVR annual assessment
5. Board of Directors activity
6. Road Repair update
7. CC&R brief
8. Open Forum (CC&R, Q&A)
9. Election (1 seat)

1. Lincoln County Sheriff's office Captain Brian Andrews from Afton was invited to discuss concerns that have been expressed by homeowners at last year's meeting and in numerous email complaints:
  - a) Trespassing - He provided copies of the trespass law and also explained that Lincoln County does have a leash law, so dogs are required to be under control at all times. If you sign a complaint, then a citation may be issued to the dog owners. Homeowners can give a verbal warning, or post no trespassing signs or ask law enforcement to give a warning.
  - b) Property destruction - such as pushing snow and damaging fences, landscaping, etc - take photos if possible. It may be easier to file a civil lawsuit than to prove malicious intent through a criminal suit.
  - c) Littering, partying – holes in fence line along Targhee Place are not being repaired.
  - d) Speeding on County Road 100 – removable speed bumps (Captain Andrews will pass request on to Mark Luthi in the County's Road & Bridge department) and a presence to write tickets, place the radar speed sign more routinely.
  - e) Shooting fireworks – it is illegal to shoot fireworks on the BLM. LC Sheriffs can curb that problem, although he explained that because of the Idaho State border at the end of the road, his jurisdiction extends only to the WY side of the peninsula. If a Memorandum of Understanding is signed between the Caribou County, ID and Lincoln County, WY entities, as has been done with the WY Highway Patrol, then the situation could be improved.

- f) Calling 911 – ask your cell phone provider to ensure that your calls are going to dispatch in Afton rather than to Bonneville County
- g) Captain Andrews ended his comments by explaining what we all know, that growth is happening, the 2020 census showed an increase in population in Alpine from 800 to 1,200, and his office is seeing an increase in crime, traffic and calls for service.
- h) The Homeowners thanked Captain Andrews with a round of applause

2. Introduction of Board candidates: Kristin Miller, Mat Perkins

Several homeowners suggested expanding the board to 5 and allowing both candidates to serve.

3. Minutes from the homeowners meeting on September 17, 2020 were distributed and approved as recorded.

4. Financials: Year to date financials were presented by the Board President. We have \$32,291 available cash. The board has been trying to save enough money to chip seal Airport Road. Bid for this work increased from \$32,000 last year to \$50,000 this year, so decision was made to delay another year.

- a) Future big expenses: Palisades Circle, paving Elkhorn Drive's and Palisades Drive's gravel sections.
- b) Board recommendation is to keep our annual dues assessment at \$300.

5. Summary of board activities, also provided as an attachment to the Agenda and Financials. Gary further explained: Snow removal, installation and maintenance of roads, review of applications to develop a property by homeowners and prospective new buyers, under the Design Guidelines previously established by Marion Schulte and former board members. Anytime a homeowner wants to do something to their home, the board reviews their application to see if it is in alignment with the CC&Rs and the Design Guidelines. Flat roofs, high density developments do not have a place near the Airpark. The alignment and synergy between the 2 entities is important, it was helpful to have 2 board members overlap (Gary and Dave Werner) and half of our roads go through the Airpark.

Gary gave a brief history of the HOA. It was formed in 1973 although there were no Articles of Incorporation until 1993. The CC&Rs need to be updated to provide better guidance for the board decisions. Our guiding principle has been, and remains, "What is in the best interests of the AVR HOA?"

6. CC&R update – the voters turned down the board's request for changes, largely due to the inclusion of a proposed ½% real estate transfer fee. Gary, speaking for the board, viewed it as a way to generate future revenues, similar to the Airpark transfer fee. Others have explained that they viewed this tax as a trade space for negotiating a sale price. So, rightfully, the voters turned it down. There are 159 lots in the AVR HOA, less the 10 or so homeowners who cannot

vote for failure to pay dues, and who have liens on their properties for the HOA to collect at the time of sale.

Break at 7:10 pm to allow for voting in the board election.

The meeting reassembled at 7:25 pm.

7. Based on member input at the meeting the board endorsed expanding to 5 members. Both Kristin Miller and Matt Perkins were voted onto the board by homeowners present. Essentially a tie (the actual count was 36 votes for Kristin, 33 for Matt.) There was a good turnout with 52% of lot owners either present or with a proxy.

8. Open Forum for Q & A: Gary was asked to further explain proposed changes to the CC&Rs. Essentially, the board would like to vote again on the proposed changes, without the real estate transfer fee. Hard copies of the old CC&Rs were available for pick-up, as was the revised Section 9 without the transfer fee. Gary will resend electronically in the future.

Does the HOA have to pay a fee to the federal government for excess income? Gary will research further, although others present stated that the HOA can have long term plans for future needs. – Answer: HOA pays no taxes.

Air traffic noise, flight patterns and safety concerns were discussed. FAA rules are on the Airpark website, however, transient traffic frequently does not know the rules for Alpine. Helicopters discussed extensively, and they are required to avoid the regular traffic patterns.

Fencing height restrictions – aesthetics and location determine whether an exception is made. No wire fences, and height is 2 and ½ feet in the guidelines; one exception granted to a homeowner trying to block out unsightly commercial building nearby, approved by the board.

May we change the rules to allow for rabbits and chickens? Board will consider it, however, no roosters please! Homeowner was asked to send an email to Gary for consideration by the full board.

Meeting adjourned at 7:40 pm.

Respectfully recorded by Becky Kimmel