

**Minutes of Legendary Hills Homeowners Association  
April 29, 2004  
Liberty Christian Church**

Meeting was called to order at 7:00 p.m. by President, Steve Leonard.

Report of Maintenance Committee-Hap Gillespie

-An inventory was made last fall and estimates were received for 6 priority locations for road repair

-All bidders will honor their original bid:     \$1,895           (I didn't get the name)  
   \$2, 987           Tri-County  
   \$3,400           Danny Duckworth (with  
   additional \$3,500 to seal the entire road.  
   This is the same company that did the last  
   road work at Painted Hills.)

-Last fall's list is not adequate for the current needs. There are now more than 6 priority areas.

Steve Leonard stated that once the proposed amendment passes to raise the monthly fees to \$27.00, the HOA Board should be able to show the bank an income stream that would enable it to borrow to get the work done this year.

Report of Architectural Control Committee-David Sutherlin

-The committee has written new guidelines as to how to apply to make modifications to property. Property owners should contact David for the paperwork.

-There is a 30-day time frame for action on modifications to property or to existing structures. (Covenants, Article V)

Kelly Flanagan questioned the decision of the Arch. Control Comm. on the Flanagan's garage construction request. David stated that the committee had decided to deny the request, but had not yet notified the Flanagans.

Discussion followed as to the past practice established by Mike Wolff of not allowing detached garages to be built. Kelly Flanagan asked what to do now, and Steve responded that she could appeal the decision to the Board of Directors, although the Board would probably uphold the Arch. Committee's decision. Kelly responded that she would contact her attorney to take action against the Board and the Architectural Committee.

Report of Finance Committee-Tim Spears

-Reviewed the budget.

-Road work discussion followed, with the following expressed: A question about the bids for road work and what is covered. The need to "piecemeal" the road work because of the lack of funds. A request that all roads be redone at once and that nothing be done until all could be done. Others were concerned that we should not get into the same situation as Painted Hills, but to catch up on what must be done now.

-The proposed Special Assessment amendment was discussed.

-A concern was raised about there being no "cap" on the amount of such assessments. Steve and Tim responded that any Special Assessment would have to be approved by 2/3 of the members. The amendment would merely make it possible to propose an assessment, if needed.

-The question was raised as whether it could be an assessment for money that had already been spent, based on a line of credit.

-Unimproved lots and their special assessment were discussed. It was suggested that these lots pay a percentage similar to the difference between the regular fees of \$15 versus \$27.

-Tim was asked about members who are not current on their fees. Tim stated that 2 members are not current, and that liens have been placed on their properties. Such liens will show up on a title search, which is always done when property is sold. These charges must be paid by purchasers of the property. The question was raised as to who is a “member in good standing” and whether voting privileges should be taken away from members who don’t pay fees for a particular length of time.

Some members felt the Maintenance Fee amendment should be asking for a higher fee, while others felt that the increase would be a hardship for some.

There was lengthy discussion of the roads and how money can be allocated to repair them.

-Tim stated that snow removal is the big variable in the budget, and is not within our control.

#### Other discussion:

Garages: Larry Patrick, Vice President, expressed concern that Kelly Flanagan was treated badly and that, as a homeowner, she should be able to express her concerns. Carolyn McNeely, Arch. Control Committee member, said that she felt Kelly was trying to force the issue before the committee had even communicated their decision. Further discussion followed about detached garages. There is no statement in the Covenants that they are not allowed, but was the past practice of the previous Board (Mike Wolff).

Mowing: Some expressed concern about the minimal mowing of common areas that is now being done. Steve stated that more mowing would be done when there was money to pay for it.

Complaints: Barking dogs, homeowners keeping a horse trailer and farm tractors on property, and fishing by non-members. It was suggested that a membership card be issued that would identify them, or could be given to a friend, for fishing privileges.

Pond maintenance: Steve Collier volunteered and requested help to apply chemicals to the pond.

Billing: A request was made that the next billing to members should show how much it would cost to pay fees for the entire remainder of the year.

#### Announcements:

-The regular Board meeting will be held the 4<sup>th</sup> Thursday of even-numbered months.

-The Annual Meeting will be held the 4<sup>th</sup> Thursday of September.

Adjourned at 8:30 p.m.

Respectfully submitted  
Susan Leonard