

RIVERVIEW ORCHARD LANDOWNERS' ASSOCIATION, INC
P.O. BOX 313, FLORENCE, MONTANA 59833
Monthly Meeting - Thursday, June 27, 2024, 6:30 pm
The Bears Lair II, Florence, MT

Meeting called to order: 6:30 pm

Attendance: ("x" indicates in attendance. E indicates an officer notified of absence prior to meeting)

Board Members

Todd McCollum – President	X	Joe Bauer	X
Casey Polly – Vice-President	X	Allie Bethea	X
Kim Bauer – Treasurer	X	Maddie Hayward	X
Donene Dillow - Secretary	X	Bob Owen	X
		John Snell	E

ROLA Members

Rob Hayward – Architectural Committee	X	Shawn Garrison	X
Paul Moore – Roads	X		
Steve Hall – Roads			
Rodney Pollette	X		
Brenda Polly	X		

Guests

Name	Affiliation
Lisa Hayward	Hayward's guest
Russell Biskeborn	Hayward's guest

Board Housekeeping: none

Any comments or issues from General Members: none

- Members will be allowed up to 10 minutes to make their comments that are **NOT** on the regular agenda. Each member will have the floor to speak, but there will not be any comments made by any Board member nor any Association Member at this time. No discussions at all please. Please hold your comments to 10 minutes.
- The Board, under New Business, will address these issues and comments.

Meeting Minutes

- May 2024 Meeting Minutes approved via email: 6/6/24
 - Approval vote: 7-Yea, 2-no vote cast
 - Minutes posted to Facebook page: 6/6/24

Treasurer's Report

- See p.4
 - Maddie Hayward asked if all ROLA dues are current. Kim believes there are still 3 owners who have not paid 2024 dues.
 - Donene Dillow comments that she like the month breakdown but would also like to see bank account totals at least quarterly. Kim said she could add that to the report.
 - Kim clarified the line item under Income "Other types of income" was for a refund from Quickbooks that Todd McCollum worked very hard to get.

- Casey Polly accessed the bank website and to date (6/27/24) Road fund \$1686.06, Savings \$20,599.12, and regular checking \$2611.09.
- Motion to pass May 2024 Treasurer's Report
 - Motioned by: Casey Polly
 - Seconded by: Maddie Hayward
 - Vote result: yea-unanimous

Correspondence

- One from Linda. Will be addressed with Old Business #5

Old Business

1. Tax filing & Third party update – Kim Bauer
 - a. General update
 - i. Kim indicated she was ready to provide documents to the CPA for tax and audit purposes. She hopes to complete this delivery Monday July 1.
 1. She also mentioned that the CPA agrees taxes should be filed.
 - ii. She will be very clear with the CPA on audit parameters including our budgetary and hour limits
 - iii. Kim will continue to take the lead on this and be the contact for the CPA.
 - b. Update on reconciliation of records – pending withdrawals.
 - i. To date all the accounts have been balanced, however, there is still some money expenditures that were not adequately documented leading to ambiguity of those particular expenditures. The group agreed, since the accounts balance this matter is closed.
2. ROLA Insurance discussion – Todd McCollum
 - a. Current policy: Directors and Officers policy
 - i. Policy protects the Board of Directors from Member grievances concerning Board decisions.
 - b. Need for General Liability coverage
 - i. Todd McCollum shared that his understanding is that this type of insurance would cover such things as the proposed Water Depth study but the HUB agent (insurance carrier agent) indicated that events like Clean up Days would be covered under the homeowner insurance of the property where the dumpsters are located.
 1. A ROLA member mentioned that the homeowner coverage option was how past events were handled.
 - ii. Casey Polly and Donene Dillow were quite vocal that this was not acceptable due to the nature of the insurance industry and the litigious world we live in. Others in attendance agreed.
 - iii. Allie Bethea asked if there was a way that specific event insurance could be added to the policy as needed. Todd McCollum agreed to ask the question.
 - c. Application sent to all Board members 6/22/24 for review.
 - i. No discussion concerning the application except Board members agreeing that ROLA needs to proceed with application completion so a quote may be attained.
 - ii. Todd McCollum agreed to complete the application asking Donene Dillow to assist. Donene countered with she would start the application completion then get with Todd.
3. Clean up days event close out report – Donene Dillow
 - a. Participation

- i. Overall the event was well utilized.
 - ii. Forty-one separate properties brought loads to be dumped. Numerous properties brought multiple loads.
 - iii. Schedule
 - 1. Thursday/Friday were well utilized for the hours of the event on those days.
 - 2. Saturday early afternoon had light utilization with the evening being “dead”
 - 3. Sunday utilization was “dead”.
- b. Dumpster capacity
 - i. Bitterroot Disposal supplied 3 smaller dumpsters and 4 large dumpsters.
 - ii. By event end Donene Dillow estimated that there was approximately a ¼ to ½ of one of a larger dumpster available.
 - iii. There was no compacting of materials done via tractor at this event.
- c. Thanks to Event volunteers
 - i. ROLA Members: Rob Hayward, Paul Moore, Kurt Brunner, Brenda Polly, Rodney Pollette
 - ii. Board Members: Donene Dillow, Kim Bauer, Bob Owen, Casey Polly
 - iii. As evident, nine individuals ensured this event could happen. This leads to “d.” below.
- d. Ideas for Event redesign in 2025
 - i. Ideas proposed
 - 1. Do as part of a Board hosted BBQ
 - 2. Provide a “lemonade” social tent for participants, i.e. dump your junk meet your HOA Board and your neighbors.
 - 3. Event attendants based on streets – i.e. each street or streets must provide Event attendants for that day.
 - 4. Event attendants filled by Board members – every Board member takes shifts or finds a substitute
 - ii. Kim Bauer spoke in strong support of making shift coverage part of the Board members duties.
 - iii. Allie Bethea was not in support of this.
 - iv. Maddie Hayward like the food idea. There was some additional conversation around this idea with the final consensus being that the Board will pursue this during the 2025 event planning.
- e. Motion: Board members are responsible for performing attendant duties for a shift(s) or finding a replacement to perform those duties during the Clean Up Days event.
 - i. Motioned by: Donene Dillow
 - ii. Seconded by: Kim Bauer
 - iii. Vote result: yea – unanimous
 - iv. At the request of Allie Bethea, during the meeting, and upon the concurrence of no opposition by any other Board member a vote was recalled. Vote result: yea – 7, nay – 1 (Allie Bethea).
- 4. ROLA HOA Water Study update/discussion – Donene Dillow
 - a. Due to liability concerns Board Officers were provided three options from Donene & Rodney via email on 6/3/24. (See p.5)
 - b. No discussion on this Study. The item will be moved to the Parking Lot pending Liability Insurance decisions.
- 5. Snowplow bids – Casey Polly
 - a. Linda correspondence see p. 6.
 - b. All 3 bids same price (\$350.00/event).

- i. Donene Dillow asked what the quotes included. Plowing to occur with 3" or greater accumulation, plowing would do the 4.5 miles of ROLA roads, response time not indicated, and no backup contingencies were listed.
- c. Bids A & B submitted as a written quote
 - i. Bid A general quote no insurance coverage listed.
 - ii. Bid B is bonded and insured.
- d. Bid C only a verbal quote received
 - i. No insurance coverage discussed as part of quote.
 - ii. This verbal quote is no longer considered since it was Linda's.
- e. Paul Moore (Road Committee) did ask who each bid belonged to. Casey deferred disclosure wanting the vote to be a blind vote based solely on the quotes.
- f. Motion: Vote between Bid A (no insurance, no bond) and Bid B (insured, bonded) to offer the ROLA snowplowing to that company.
 - i. Motioned by: Donene Dillow
 - ii. Seconded by: Kim Bauer
 - iii. Vote result: Bid B – unanimous
- g. Bid B is G2 Works. Casey will proceed with securing the snowplowing services.
- h. Upon further discussion Casey will also reach out to Bid A to determine if they are willing to be an ad hoc snowplowing provider.
- i. Post vote a ROLA member asked about the plowing of Sapphire View Rd which connects to Mountain View Rd S.
 - i. This road was not included in the quoting process.
 - ii. It is somewhat unclear whether under the previous snowplow agreement if this road was done with ROLA being reimbursed. Todd McCollum and Casey Polly will work on getting more information concerning this.

New Business

1. US 93: Missoula to Florence Corridor Study – Donene Dillow
 - a. Open House held 6/25/24.
 - b. Information can be found at the following links
<https://www.youtube.com/watch?v=cQRRDDh7sHE>
<https://www.mdt.mt.gov/pubinvolve/us93missoulaflorence/becca@bigskypublicrelations.com>
 Study hotline Monday through Friday, 9 a.m. to 5 p.m., at 406-207-4484.
2. Newsletter – Allie Bethea/All
 - a. Past minutes indicated 2024 publication April, June, November/December. Status of next letter?
 - i. Allie Bethea has agreed to draft a Summer newsletter. There was limited discussion to make this a seasonal letter versus assigning it to publication months.
 - b. Donene added the 2024 & 2025 publish dates to the Parking lot as a reminder.
 - i. Parking lot has been modified for this ongoing task to reflect seasonal publication
3. Continuous Improvement Idea – Rodney Pollette
 - a. Purchase a cell phone and a phone plan for the Board President. One point of contact with a single number to post in newsletters and Facebook.
 - b. Lots of discussion concerning this idea.
 - i. A ROLA member was in strong opposition of pursuing this and the ongoing cost.
 - ii. Todd McCollum mentioned he would just transfer that phone to his personal number

- iii. Maddie Hayward liked the idea understanding that it would be a 1-call solution for members.
- iv. After much discussion it was decided that Todd McCollum's and Casey Polly's personal cell phone numbers would be added to the ROLA Face Book site. Donene Dillow will get these added. **Phone numbers added to the Facebook site Saturday 7/6/24 by Kim Bauer. (Task completion note added by DDillow prior to minutes being approved. 7/8/24)**

4. Covenants Summary revisions – Todd McCollum

- a. See p.7
- b. Todd McCollum indicated that this summary was a good checklist for what is needed for architectural approval.
 - i. Discussion around changing the title to include "Architectural" to clarify what was being looked at.
- c. A motion to adopt this summary was made but tabled prior to a vote due to additional concerns.
 - i. Allie Bethea also commented that some of the items were not strictly architectural in nature. Allie will draft an updated General Covenants Summary so both can be reviewed.

Request for any other new business?

Next Meeting:

Thursday, July 25, 2024 , at: 6:30pm
The Bears Lair II, Florence, MT.

Motion to Adjourn

Motion made by: Todd McCollum

Seconded by: Bob Owen

Vote result: yea - unanimous

Adjournment at: 7:50 pm

Parking Lot Items

Item Description	Responsible Party	Added to Parking lot (date)
Sapphire Valley Estates- updates	Todd McCollum	5/30/24
Newsletter publish dates 2024 – Apr, Jun, Nov/Dec. 2025 – Feb, May, Jul, Nov/Dec	Allie Bethea	6/18/24
Architectural request checklist	Architectural Comm.	6/27/24
Water Depth Study	Donene Dillow	6/27/24

Riverview Orchard Landowner's Inc.

Profit and Loss

May 2024

	TOTAL
Income	
Other Types of Income	150.00
Program Income	
Membership Dues	1,070.00
Total Program Income	1,070.00
Total Income	\$1,220.00
GROSS PROFIT	\$1,220.00
Expenses	
Operations	
Postage, Mailing Service	81.60
Supplies	42.50
Total Operations	124.10
Total Expenses	\$124.10
NET OPERATING INCOME	\$1,095.90
NET INCOME	\$1,095.90

Water Study options - post discussion with Insurance

To Riverview Orchard <riverview.orchard.hoa@gmail.com> Copy
riverview.orchard.coin@gmail.com <riverview.orchard.coin@gmail.com> • KC P <thepollys@msn.com>

Todd,

We were discussing what I found out from the insurance agent and next steps for the Water Study via text but I wanted to type my thoughts up and cc Kim an Casey. We may actually need to bring the entire Board into this discussion.

To recap. I spoke with the insurance agent and the HOA only carries a Directors and Officers policy there is NO liability coverage at all. Basically the policy protects the Board from member grievances concerning Board decisions. E.g. A homeowner claims unfair treatment when they want to build an outbuilding and the Board denies the request.

So with that in mind along with what the lawyer told us about the unenforceable nature of liability waivers Rod and I have come up with three potential paths forward for the Water Study. These are listed in no particular order.

1. Keep the Water Study Project Plan essentially the same with the following caveats:
 - a. The Homeowner must be present during all sampling events. The homeowner will be required to remove and replace the well head cap and sign a form that states they were present during the sampling and the area was left in the same condition as it was found. I believe this will result in fewer people being interested in participating since it means scheduling and at times standing out in the cold/hot.
 - b. Redraft the participation letter and consent form to include the suggestions made by the lawyer. Have the lawyer also review the time of sampling form mentioned in 1.a. above.
 - c. Donene and/or Rodney will take pictures or video of the well head prior to and after sampling has occurred to document well head condition.
2. Donene/Rodney will buy the meter from the ROLA and conduct a smaller study using wells of people we are comfortable working with. This means the ROLA will not "own" the data, Rodney, I and the participating members of the subdivision will. However, I suspect we would be willing to share the data if/when needed or requested.
3. ROLA purchase an association Liability insurance policy ensuring it covers sanctioned events and volunteers involved in such events.
 - a. In my opinion this really should be considered regardless of the direction taken with the well depth study. Already we are doing events/tasks that should be covered; e.g. Clean up days - damage to property where the dumpsters are or someone gets hurt throwing things in the dumpsters etc., setting signs - using of a post hole digger and someone gets hurt. You can see where I'm headed with this.

So there are our thoughts about this issue. I am passionate about water protection, heck my whole 32 year career was about water, but I just can't (won't) put Rod's and my future at stake to do this study. Rod and I are open to hearing ideas, brainstorming and discussing.

My apologies for the long email. Best,
Donene



Todd McCollum <todd.custom.design@gmail.com>

snow plowing resignation

1 message

Linda Adelle <wildhorses5@hotmail.com>

Tue, Jun 25, 2024 at 7:49 AM

To: "todd.custom.design@gmail.com" <todd.custom.design@gmail.com>

Hi Todd,

After quite a bit of thinking back and forth I have decided to resign from snow plowing the Riverview Orchard roads. I loved doing it all these years, also helping different land owners during big snow years keep their driveways clear. It has always been a challenge to stay ahead of the snow as I worked full time. Also a challenge to keep my equipment functioning well because after it snows, the plow is 1st to discover how the landowners have altered the road in the summer months to slow traffic down in front of their homes. It is that factor that has led to my resignation, I need a truck and plow to maintain my own acreage during the winter and the wear and tear of plowing these 10 roads will eventually prove to be too much for my equipment.

It's really been my pleasure to have done a quality thoughtful job serving this HOA and subdivision snow plowing.

Thanks, Linda Swendsen

RIVERVIEW ORCHARD LANDOWNER'S ASSOCIATION

P.O. Box 313, Florence, Montana 59833

SUMMARY OF KEY POINTS IN PROTECTIVE COVENANTS - 06.27.24

- The handbook of by-laws and covenants has a more detailed description of the requirements that must be met. This document is to be used as a quick reference and only states part of the requirements.
- All construction of new houses, additions, or outbuildings/barns as well as fences must be approved by architectural committee prior to construction. Submitted plans must show the address, lot boundaries and size, adjacent roads, size of the structures, property line setbacks, location of well and drain field, location of mercury light and fences.
- Duplexes are allowed if they are approved by the architectural committee.
- All sewage systems and water systems must be constructed per government regulations.
- All lots must be a minimum of 5 acres and cannot be divided into any less than 5 acres.
- All new structures and/or additions must be completed in 6 months.
- All driveways shall be a minimum of 10' wide.
- Mobile homes are not allowed.
- Mobile homes may be lived in for 6 months while a home is being built and have to have full containment of sewage water.
- Setback minimums are 15' from each side and back, and 75' from the roadway.
- New structures must be in harmony with existing structures.
- Single floor house must be 1,000 square feet minimum, excluding garage.
- For a two-story house, each floor must be 800 square feet minimum.
- No outbuilding or pole barn type structure can be occupied or lived in.
- Pre-engineered homes must be on a proper permanent foundation and must be reviewed and approved by the architectural committee.
- All businesses must submit an application for review and be approved by the HOA Board.
- No signage is allowed for any approved business.
- Dues are \$100/year. Road maintenance fees are \$75/year.

Todd McCollum, President
5569 Mountainview Dr. S.
Florence, MT 59833
(406) 544-6412 cell or text
Riverview.Orchard.HOA@gmail.com