

Glacier Hills Homeowners Association

Board of Directors' Meeting

August 1, 2022

On August 1, 2022 at 1730, Glacier Hills Homeowners Association Board of Directors members Greg Doggett, Scott Ogrodnik, and Sol Polen met and participated in a special meeting. Also in attendance at the meeting was Flip Paulson, owner of Mountain Meadows Campground in Martin City. The meeting was held at the Highway 2 gate of the Glacier Hills secondary access.

The meeting was arranged after Paulson had telephonically contacted Greg Doggett and expressed extreme displeasure with the secondary access being maintained open during the winter season. Additionally Paulson had threatened to block the roadway and turn off power to the gate. Paulson supplies power to the gate for \$100 annually as part of an earlier verbal agreement between Paulson and Glacier Hills HOA.

During the meeting Paulson expressed concerns that the roadway was being used in a manner different than what had been conveyed to him when he purchased the land with the accompanying legal easement. He stated he had been told that the roadway would only be used as an emergency ingress/egress and not as an additional entrance to Glacier Hills. He was unhappy with the amount of traffic now using the roadway and felt it would only increase as the amount of homes in Glacier Hills increased. He felt that he would be liable for any accidents occurring along the roadway. Paulson stated that while he understood he could not block off the easement he felt he still owned the property and had the right to install additional gates along the easement if he desired to do so. Additionally, Paulson was unhappy that he had not been informed of the decision to open the roadway during the winter months at the time the decision was made. Finally, Paulson offered to sell the roadway back to Glacier Hills for a substantial amount of money.

During the discussion the Board members offered an apology for a lack of notification and emphasized a desire to be a “good neighbor.” Also, to work to find common ground, but that the easement was clear, legal and binding without restrictions in use. Paulson was informed of the investigations the Board had completed with the insurance company and HOA attorney which revealed he would not be liable should an accident happen along the easement. The only possible liability he could incur would be as a result of a negligent act on his part to restrict traffic along the easement. Paulson was assured that Glacier Hills had policies in place to control and limit use of the roadway to residents only.

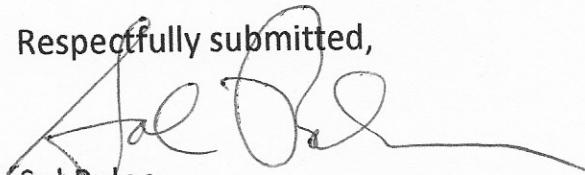
Once Paulson understood and accepted knowledge that the easement was for the non-restricted use of Glacier Hills residents the conversation turned to the supply of electricity. Based on information provided at the July 11, 2022 HOA meeting the Board had been concerned that Paulson had in the past turned off electricity to the gate. Greg Doggett clarified that Paulson had not done so since the 2016 agreement to make \$100 annual payments, and since then the supply of electricity has been uninterrupted. In the ensuing negotiations with Paulson regarding the cost of him supplying electricity the Board considered absolute minimum annual billing costs from Flathead Electric Co. of \$276 (for meter in place and monthly billing, **NOT** including actual supplied electricity cost). Also considered was cost of new installation by outside contractors or time and materials by Glacier Hills residents. Negotiations ended with Paulson and the Board compromising and meeting on a final cost of \$250 per year for Paulson to continue to supply electricity to the Highway 2 gate. The Board felt that the \$250 annual cost was substantially cheaper than any other option would be and would be in the best interest of Glacier Hills residents to agree to.

The last component of the negotiation was a desire by the Board to obtain a written agreement with Paulson that he would not purposefully turn off the supply of electricity in the future. Paulson stated that he had concerns that any written agreement could result in him being held liable for not supplying electricity even if it had happened for a reason beyond his control. He went on to

say that he had never intentionally turned off the power in the past and would not do so in the future. He too stated that he wished to be a "good neighbor" and that he could be trusted. The Board felt that while the "verbal/handshake" agreement was not ideal, it resolved the electrical supply issue for Glacier Hills as cheaply and as efficiently as possible and was in the best interests of Glacier Hills. Should Paulson renege on his agreement to supply electricity in the future, Glacier Hills would be in the same position as it was just prior to the meeting with Paulson and would then have to obtain its own electrical service.

The meeting ended with Paulson showing the Board how the electricity is supplied from his property and showing how the supply had already been rendered tamper proof.

Respectfully submitted,



Sol Polen

Director, Glacier Hills Homeowners Association