

In The Matter Of:
THE CANOE CLUB, INC.
13TH ANNUAL MEMBERSHIP MEETING

July 16, 2020

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THE CANOE CLUB, INC.

13th Annual Membership Meeting
The Canoe Club, Inc.
Thursday, July 16, 2020, 6:30 p.m.

Held at: The Canoe Club Clubhouse
4219 River Lakes Parkway
Whitefish, Montana

Reported by David E. Hix, ASCR, for Sheri J. Hazlett
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A P P E A R A N C E S

Board Members:
Steve Kane - President
Don Hanson
June Hanson (Monterra Appointee)
Julie Hankinson
John Murrey - Secretary Treasurer

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1 Thursday, July 16, 2020

2 MR. KANE: It's 6:30 everyone, so let's go
3 ahead and get started with our Canoe Club meeting. I'd
4 like to call the meeting to order. And, again, the
5 purpose here is virtually the same thing as we had with
6 the HOA meeting; although, we're now talking about the
7 Canoe Club rather than the overall HOA. And they're
8 actually two separate entities recognized by the state
9 of Montana.

10 And the -- you know, the opportunity here is
11 for everyone to hear the board discuss all the things
12 that have taken place in the Canoe Club this year and
13 this last year. And there's been a lot, especially
14 since the covid-19 pandemic hit us here in Montana, so
15 we'll talk about that. And as far as board members are
16 concerned, we won't go ahead and introduce the board
17 members again, since we've already done that. No sense
18 in doing that.

19 But I just want to let everyone know that as
20 part of our governing documents, guiding documents, we
21 have on our board one representative from Monterra. And
22 that's been June Hanson for the last several years.
23 And she's been part of our board, and -- but she doesn't
24 -- she doesn't have a vote. As part of our guiding
25 documents, governing documents, she doesn't have a vote,

1 per se, in issues that come up relative to the Canoe
2 Club. She does the HOA, but doesn't -- that's the
3 difference. But, June, of course, is a very valuable
4 member of this board, and we do appreciate all of her
5 comments whether they're the Canoe Club or the HOA. So
6 I just wanted to make sure everybody was somewhat aware
7 of what the Monterra representative's responsibilities
8 are on this board. It's strictly for HOA activities.

9 Our court reporter, you know, Dave, is still
10 here. He hasn't changed, and we don't have a different
11 one from what we had just a few minutes ago. So he's
12 here taking down everything that's being said.

13 Our year in review, the headliner here, like
14 in many things, is COVID-19. The -- we've had a lot of
15 member restrictions and communication. You've seen a
16 lot come out from Karley relative to the things that
17 have been changing with Phase 1 and Phase 2 with this
18 pandemic. And I wanted to make sure that everybody
19 understood that part of what we're doing here, the
20 restrictions and the communications, we're trying to
21 align ourselves as closely as possible with the state of
22 Montana and the government of Montana. And we're really
23 using their guidelines and the things that they're
24 asking people to do: Face masks, restrictions in the
25 number of people in gathering, the social distancing.

1 We're really trying to follow as closely as possible
2 their guidelines. So that's what you'll see -- it's
3 what you see from us now and what you'll see from us
4 going forward. And as we move, hopefully quickly into
5 Phase 3, you'll see the restrictions change from what
6 they are today.

7 But what we've also tried to do and Karley
8 and the rest of the staff here have been trying to do
9 over the course of the last couple of months is make
10 sure there's more than adequate signage so everybody is
11 very clear on what the issues are that are the
12 restrictions and guidelines. And, again, that's the
13 state of Montana government and Flathead County, City of
14 Whitefish and the state of Montana government.

15 So we've got kind of a long list. The
16 clubhouse was shut down on the 16th of March. We opened
17 5/1. And I'm going to get into here in a minute a lot
18 of the things that took place here in the Canoe Club
19 while it was closed down. We hated to do that, but it
20 was really the best thing for all the members to do so,
21 as well as the staff.

22 The fitness center and hot tub reopened on
23 5/29, and the pool opened on 5/29 as well, and this was
24 under Phase 1. Phase 2, what we decided to do here --
25 and I don't know if all of you have noticed this -- but

1 we've changed our hours, and we now have someone here
2 from 9 a.m. through 9 p.m. daily. So we've got 12 hours
3 a day, 7 days a week that we have someone here. And
4 that is part of the government mandate. We have to have
5 someone here on staff making sure that people follow the
6 state-mandated guidelines.

7 We, like I mentioned here, the staff was
8 really busy with projects during our 46-day shutdown
9 that we had for the Canoe Club. The clubhouse was deep
10 cleaned. The concrete floors were sealed. The exterior
11 trim was stained. The office was painted and
12 miscellaneous touch-ups through the Canoe Club,
13 everywhere in the Canoe Club. And the furniture was
14 repaired. And we also did fertilizing here on the
15 grounds as well. So there was a lot going on while the
16 Canoe Club was closed.

17 As far as club improvements are concerned,
18 did a lot: The theater room was painted. You can see
19 the new patio umbrellas. And I was kind of resistant to
20 those at first. They were on sale, but they were fairly
21 expensive. But I've come to like them now that I've had
22 a chance to use them. So I think they're actually a big
23 improvement over the old umbrellas that we had.

24 We've got new club chairs here. We've tried
25 to update the furniture and move the furniture around in

1 the Canoe Club. And I think it's made a difference in
2 there. It's really improved the look of it, and the
3 feel of it, and the use of it. The patio here that you
4 see has been sealed.

5 One of the big issues that came up in the
6 meeting last year, Canoe Club meeting last year, was
7 security. There was one particular -- well, several
8 actually -- several members that complained about, you
9 know, some of the things that were going on from the
10 security standpoint here in the Canoe Club, and we
11 noticed that as well. And we had, you know, it was
12 almost to the point of vandalism here in the Canoe Club.

13 So what we decided to do was put some
14 additional cameras up. And we do have cameras really
15 covering the whole property now. And we even have a
16 horn. I don't think that horn has gone off yet has it,
17 Karley?

18 MS. CONNOLLY: There were probably some
19 animal issues.

20 MR. KANE: Oh, animal issues, so we had --
21 the deer were apparently, and the geese or whatnot were
22 making the alarm go off. But I think we've noticed here
23 a reduction in the number of security issues that we've
24 had and breaches of security. People -- and these were
25 younger people by and large jumping the fence at night

1 after the Canoe Club was closed for swimming in the hot
2 tub. And, you know, there were things that we found in
3 the hot tub that were really not appropriate to talk
4 about. So we've kind of clamped down on that. And
5 Karley does a good job of making sure she checks these
6 cameras for people that are violating the rules, and I
7 think it has made a difference this year. So I wanted
8 to make everyone aware of the fact that the cameras were
9 installed in response to the comments that were made
10 last year.

11 We made some changes to the fireplace here.
12 In the past, it was just you could stick your hand
13 through it if you wanted to, even if the thing was on,
14 the fireplace. So we decided from a safety standpoint
15 it would probably be a good idea to put safety glass on
16 one side and then put a screen on the other side. And
17 we also improved the logs in there and made them a
18 little bit nicer than what we had in the past. So that
19 was a nice way to touch up the fireplace.

20 We -- one of the members here thought it
21 would be a great idea to have a book exchange. We
22 didn't really have a great place to put it, but for
23 those of you looking for things to read during various
24 clampdowns due to COVID, we do have in the gym, in the
25 wall cabinet in the gym there, there's a book exchange.

1 And there have been a couple books in there that are
2 pretty decent. I picked up a few myself, so please
3 check it out.

4 I've had a couple of questions regarding the
5 hot tub and the fact that the hot tub no longer has
6 jets. And there was a reason for that, is that we've
7 had a leak in the hot tub, and we've had a leak for some
8 time. We thought we had it fixed, but we've had to turn
9 the jets off because we can't fix it without literally
10 jackhammering out the pool and the patio deck.

11 So one of the things that we're going to be
12 looking at here in 2020 is to replace the hot tub. I
13 think it's timely. And it certainly wouldn't hurt my
14 feelings any to do away with that rock that's there. I
15 don't know how others feel about it, but it wouldn't
16 hurt my feelings any. We'd probably have fewer stubbed
17 toes by kids that are using the hot tub. But anyway,
18 please bear with us as we take some action on the hot
19 tub. For now the jets are not going to be operational.
20 But if we can get something else put in here, we
21 certainly will.

22 We've got some policy changes that we made
23 also. And these policy changes you can see here are --
24 we haven't really had these before. They haven't been
25 spelled out clearly, so that's one of the things that we

1 wanted to do this year. And that's, again, in response
2 to some of these security issues and security breaches
3 that we had last year. And you can read for yourself
4 what these fines and damages might be.

5 Underaged guests, members' children under
6 the age of 18 may not host guests at the clubhouse after
7 5 p.m. unless accompanied with an adult member. And
8 adult is defined as a person 18 years of age or over.
9 And this is in response to some issues that we've had
10 with some younger people that are here in both the
11 kitchen, in the clubhouse, as well as out here on the
12 pool deck in the summer. And they -- it hasn't been --
13 they haven't taken good care of these areas, so we
14 really need to have some greater adult supervision here.

15 Evening/weekend attendance, I kind of talked
16 about that. Don't need to go over that again. It's
17 nice to have somebody here 9 to 9 Monday through Sunday,
18 seven days a week. And, John, you've got our financial
19 report now?

20 MR. MURREY: Yeah. Okay. What I said about
21 the audit, the agreed upon procedures, the same applies
22 as it did for the association: Every other year. And
23 Karley's efforts to document all of that apply equally.
24 These books are kept jointly, the same computer, same
25 system.

1 Operating account 2019 year-end, you see the
2 checking is 8,869; money market 50,269; reserve account,
3 76,495. Forward to June 30th of this year you can see
4 the checking account has ballooned: 34,370. The money
5 market is 30,000. It's come down, and those two numbers
6 will go back and forth depending upon when we're
7 collecting money and when we're spending it. The
8 reserve account you'll notice went from 76,495 back up
9 to 111 -- \$111,000 roughly. If you look down the page
10 there, part of the reason is the expenditures were
11 \$42,044.59 last year for the furniture upgrades, changes
12 in security, the cameras and so forth, the theater room
13 flooring and the fireplace replacement, and the pool
14 water feature, which is down at the end of the pool
15 there and so forth.

16 The -- we have a budget surplus so far for
17 half the year, \$7,621. And the expense there, your
18 quarterly assessments, are 263 currently and have gone
19 up dramatically over the years. But I think they're
20 going to be slowing down in that regard.

21 Anyone who wants a copy of the financial
22 statements are welcome to one, and Karley and I or any
23 of the other board members would be more than happy to
24 discuss them with them and answer any questions that
25 they have.

1 MR. KANE: Don is next.

2 MR. HANSON: I don't really have a whole lot
3 about the association goals and the clubhouse. We're
4 trying to continue to maintain the clubhouse facility to
5 a high standard, trying to maximize the use for our
6 members.

7 What I'd really like to try to accomplish
8 over a number of months and years is to increase the
9 membership to allow for improved facilities and possible
10 expansion. So if you get a chance to promote the club,
11 if you like it, if you see potential here and things we
12 can improve on and expand, then talk to the -- the CC&Rs
13 and the Omnibus is such that there are a number of
14 people in the Lakes area that have property and they
15 don't live here or for whatever reason are not members
16 of the Canoe Club. So as they build, you know,
17 encourage them to join to be part -- we're all part of
18 the Lakes community, so it would be nice to have
19 everyone participate in this and allow us to do some
20 good things in the future. Thank you.

21 MR. KANE: I just wanted to add one item
22 here. And I kind of forgot to mention this earlier, so
23 I apologize. But just to kind of add on to what Don had
24 to say, now that we're kind of managing everyone that's
25 coming into the club, which we've never really done

1 before, taking their names down so we know now the
2 number of people that are coming in, the time of day
3 that they're coming in, and the amenities that they're
4 using, it's really been eye-opening for us.

5 And just May/June through July 15th, so two
6 and a half months, there have been 1,678 people
7 visiting. These are individuals, separate individuals,
8 visiting the clubhouse here for a variety of usage. And
9 the number one, as you could probably imagine, not many
10 people in the pool in May, but there sure have been a
11 lot in June, and now in July even more. And that's
12 1,080 individuals have -- up through yesterday have come
13 in to swim in the pool. The theater doesn't get quite
14 as many individuals, any members, about 13, the lounge
15 35, and there's an all-other category. I'm not sure
16 what that is, but that's 338. The gym is 212.

17 The most popular time for people to come to
18 the Canoe Club is from noon to 5 p.m. So it really is
19 getting a lot of usage, and I -- we've had some members,
20 you know, just wonder how many people have been using
21 the club. And then we thought, well, hey, we know. We
22 take account of everybody that comes into the Canoe Club
23 on a daily basis. So we thought we'd share that with
24 the membership this afternoon to, you know, let
25 everybody know that, yes, in fact, it is being used and

1 is being used a lot.

2 I just have a couple other items here, and
3 one is this open discussion. And I'd like to open the
4 discussion up to all the members for owner feedback. If
5 there are any members that have any suggestions or ideas
6 that -- things that we could be doing better, could be
7 doing differently here, expansion of the Canoe Club.
8 Anything thoughts from owners out there, if there are
9 thoughts of things that we could do to do things better?
10 Anyone on the phone that could hear us? I guess we've
11 got seven or eight people on the phone as well. Have
12 there been any comments, folks on the phone? No one
13 here?

14 MS. CONNOLLY: No.

15 MR. KANE: Okay. I just actually have one.
16 I just have one item that I would like us to think
17 about. One of the things that my grandkids get a big
18 kick out of when they're here is the osprey and the
19 eagles. And one of my grandkids mentioned to me the
20 other day, said -- they call me Bop -- they say, Bop,
21 why don't we get an osprey nest, an area where an osprey
22 can nest or an eagle can nest? And that island out here
23 is a perfect opportunity for that. And I guess it's not
24 a very expensive endeavor to do that. But that's
25 something I'd kind of like us to look into. Karley, I

1 don't know if Tom could build something like that.

2 You know, it's something I think everybody
3 would really -- if an osprey did nest there, I think it
4 would be really cool to have the osprey there. And then
5 if they have chicks, it would be a pretty neat deal for
6 the kids. And there certainly is food in the lake, so
7 we have an opportunity for them there. So I think we
8 ought to take a look at that.

9 Anyone else out there with a comment, or --
10 yeah, I'll get to questions. I'm still on comments
11 here, on improvement comments.

12 Okay. I'll move on. Let's go ahead and
13 take questions from the audience here.

14 MS. OGELSBY: Hello. I'm Audrey Ogelsby at
15 3071 River Lakes Drive. And I just had a couple of
16 things. The first one is I love the osprey idea. We
17 get a kick out of -- I once saw a bald eagle dip down
18 and rip a fish out of the water.

19 And also just comments on the hot tub. I
20 definitely would be for it. I know many people -- I've
21 talked to several people. We use it all winter.
22 Sometimes it's just the three or four faithful families
23 up here after skiing, and love it. And, of course,
24 we're appreciative that it's nice warm water. But the
25 jets are sure nice after a hard day of skiing. So it

1 looks like we have some money that we could look at a
2 bid. So I'm open to that. And also just I do like the
3 resort look of the rocks. I know that had been
4 mentioned. I'm not about stubbed toes. I have stubbed
5 my toe there before also.

6 MR. KANE: You're not alone, I think,
7 Audrey.

8 MS. OGELSBY: I love the resort look. It
9 does add kind of an extra element. So if there's
10 something like that if you wanted to change it. But I
11 do -- I think it brings a nice kind of lodge look.

12 MR. KANE: Okay.

13 MS. OGELSBY: And then also I guess the
14 second thing is is that I was talking to several members
15 also about the policy of who is allowed to come to the
16 pool this summer. So I do appreciate -- and Karley and
17 I have spoken that we are trying to limit the numbers,
18 which I agree is obviously what we need to do. And
19 alongside the governor I feel like we probably won't be
20 moving to Phase 3 anytime soon. So I am concerned
21 about, you know, this summer. And I see, you know,
22 people whose grandkids are here every week or every, you
23 know, lots of times. And I looked at the list of people
24 that are allowed.

25 But we were thinking that perhaps, you know,

1 a solution might be because maybe someone has family in
2 Canada or family in another state that isn't going to be
3 able to come at all, so I might never have a guest. But
4 if we were kind of allowed to maybe have some guest
5 passes, almost the way that we used to do it, to where
6 we could have some guest passes for people to come if we
7 don't have our grandkids here in this town, or our
8 parents, or our immediate family to where, you know, I
9 do want to -- you know, if I had six passes or
10 something, you know, I could bring a friend or for my
11 daughter to play with or something like that so that
12 it's a little bit more evenly distributed of who gets to
13 bring guests who doesn't. Does that make sense?

14 MR. KANE: Yeah, it does make sense.

15 MS. OGELSBY: It's still limiting because
16 we're only --

17 MR. KANE: And we do need to limit it. And
18 it's especially concerning now that, you know, we've
19 heard this week that there was an employee at the Wave
20 that has now tested positive. The Northern is shut down
21 because of an employee that had COVID. I don't know if
22 there's any others that have hit the news lately, but
23 those are the last two. But the Wave had a person. And
24 that's very concerning especially in that very public
25 place.

1 But I think that the idea of a guest pass is
2 something that we ought to take a look at and just see
3 if that's something that's viable. The concern is, you
4 know, the governor's mandate is, you know, immediate
5 family or people that you're living with. So it's a
6 little concerning with letting people in, additional
7 people, guests and whatnot.

8 MS. OGELSBY: Right. And so I --

9 MR. KANE: But if we can limit it to a way
10 and it would be, you know, up to I guess the homeowner
11 to screen those individuals for health.

12 MS. OGELSBY: Right, of course.

13 MR. KANE: But I think that's worth looking
14 at. So I appreciate the idea of a guest pass. That
15 might be workable if we can limit that and make that
16 reasonable so we don't have a lot of exposure --

17 MS. OGELSBY: Right.

18 MR. KANE: -- to people that are outside this
19 community.

20 MS. OGELSBY: Yeah, I mean with the current
21 way that it stands now with a parent's spouse, you know,
22 someone that's married, they may not live here in this
23 neighborhood or someone's brother, or sister, you know,
24 they may not live in this neighborhood either. So I
25 think we are bringing in people from the community

1 already with the current --

2 MR. KANE: Yes, we are, we are, but this
3 adds more.

4 MS. OGELSBY: So another family in the -- a
5 child that lives in this community also that's going to
6 be your child's guest wouldn't be very much different
7 from the current policy, you know. So just a thought.

8 MR. KANE: Okay. No, it's a good thought,
9 and I appreciate the comment. And we'll take a look at
10 that and see if that's manageable.

11 MS. OGELSBY: Thank you.

12 MR. KANE: Any other comments here or
13 questions? Dennis.

14 MR. GIBSON: Dennis Gibson, 3025 River Lakes
15 Drive. Just to agree with Audrey about the osprey nest
16 and the proposal. I think that's fantastic, just the
17 eagle in this area, just amazing. A follow-up on that
18 last question. If somebody had to test positive having
19 been in this facility, what would the result be?

20 MR. KANE: What --

21 MR. GIBSON: So if we had somebody that was
22 tested that was known to have used the facility, would
23 it have to be an employee that -- for example, the
24 Northern or whatever the place is that had to actually
25 shut down because somebody had it. Would we be impacted

1 along those lines at all?

2 MR. KANE: Yeah, you know, Dennis, I'm not
3 sure what the policy is there. We'd have to get
4 guidance from the city and the county on that to be
5 honest with you. If there was somebody here that tested
6 positive, there was a, let's say, a child and an adult
7 that has been using the facility that tested positive
8 for COVID-19, I'm not sure what our action would be. I
9 think we'd need to seek guidance. Karley, unless you
10 know what that is already.

11 MS. CONNOLLY: Well, we would notify the
12 health department, obviously. They would need to know
13 who has been here. And that's why we were tracking
14 everyone that comes through the door, so we know who has
15 been here on what day so that they can contact trace and
16 find out who may have been exposed. And then, you know,
17 if an employee like myself, or Tom, or something got it,
18 we'd probably have to do at least a temporary shutdown
19 to sanitize the facility, you know. And depending on
20 when that person was here, if they, you know, what they
21 were doing, using, you know, again sanitizing and doing
22 all of that, which we do anyway, but an intense version.

23 MR. KANE: And, Karley, I would guess too
24 that we'd need to notify members.

25 MS. CONNOLLY: Yes, both e-mail or directly.

1 MR. KANE: That, you know, if you were at
2 the pool on such and such a day, and an individual has
3 been identified as testing positive for COVID-19. But,
4 you know, Karley, I appreciate that. And, you know,
5 whatever other guidance from a health care standpoint
6 that we get from the county, the county health
7 department.

8 MR. GIBSON: Yeah, that's great, Steve. I
9 just from what I can gather we don't have a determined
10 route to hit. I was just concerned if, you know, some
11 of these places had to shut down just because they had
12 one case of COVID-19 that they weren't pretty much --
13 that we weren't in the same situation.

14 MR. KANE: I don't think that's the same
15 situation. And the Wave has not shut down. There's
16 just one employee that was ill, and they've assessed it.
17 And that's something we'd need to go through, is an
18 assessment process. And, you know, it was not
19 determined that they needed to shut down.

20 MR. GIBSON: That's great. Thanks, Steve.

21 MR. KANE: I hope that answers your
22 question. Thank you. Anybody else? John?

23 MR. HANKINSON: John Hankinson, 3015 River
24 Lakes Drive. I just think we have a lovely facility
25 here. But I am concerned that within the next few years

1 it's not going to be able to keep up with the growth.
2 So somewhere along the line we probably need to talk
3 about a budget to expand out into the water over this
4 way. And that's why I mention in the future we're going
5 to need growth for this facility.

6 MR. KANE: So, John, I think you're spot on.
7 And I don't know many people that would disagree,
8 especially as this whole development, the whole
9 community, fills up with new members. We certainly have
10 the usage now, and it's only going to grow. So I
11 totally agree.

12 And I think what we need to do as a board
13 maybe this year is take a strategic look at the Canoe
14 Club and see just what we need to do to make some
15 changes to this and think about what the future is and
16 include this in our plans for investment back into the
17 Canoe Club. So thank you, John. I agree 100 percent.
18 Go ahead.

19 MS. NEWAY: Lela Neway, 4009 Red Eagle
20 Drive. And in following John's comment and expanding,
21 the only disappointment I had when we moved in was the
22 swimming pool is just not very big. And so I'd like to
23 add that as an expansion list.

24 MR. KANE: Definitely. It's a great kid
25 pool, not so much a great adult pool. So I appreciate

1 that, Lela. Anything else? Any other comments?

2 Questions from folks?

3 Well, I think that is about it. I do have a
4 question. Well, I guess -- yeah, those were Audrey's
5 questions. So I guess we have answered your questions,
6 so I think we're good on that. I don't think we've got
7 anything else here on the agenda, ladies and gentlemen.
8 So I think we can go ahead and adjourn the Canoe Club
9 meeting officially. And it would be great if we could
10 move on into the Canoe Club for the potluck that we've
11 traditionally had. But unfortunately we can't do that
12 today. So go home and have a good dinner and we'll look
13 forward to seeing every one of you next year.

14 (Thereupon, the Canoe Club HOA meeting adjourned at 7:01
15 p.m.)

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C E R T I F I C A T E

STATE OF MONTANA)
: SS.
County of Missoula)

I, David E. Hix, ASCR, Freelance Court Reporter and Notary Public for the State of Montana, residing in Missoula, Montana, do hereby certify:

That I was duly authorized to and did report the testimony and evidence in this cause;

That the foregoing pages of this Canoe Club, Inc., Membership Meeting transcript constitute a true and accurate transcription of my stenotype notes.

I further certify that I am not an attorney nor counsel of any of the parties; nor a relative or employee of any attorney or counsel connected with the action, nor financially interested in the action.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 7th day of October, 2019.

David E. Hix, ASCR
Freelance Court Reporter,
Notary Public, State of Montana
Residing in Missoula, Montana.
My Commission expires: August 1, 2021

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