

BSCOA Annual Meeting Minutes

October 28th, 2025 at 6:00 pm

Via Zoom

Board of Directors Present: Randy Nelson & Dave Kraft, along with HOA attorney Susan Swimly.

Gallatin Creeks to Peaks Representation: Mike McDonough & Sarah Jones

Meeting called to order: By Randy Nelson at 6:00PM

Attendance: 18 owners were present via Zoom

Randy called the meeting to order.

- It was determined that a quorum was present with over 63 votes. The first order of business was the board election. There were 6 owners who put their name up for board positions. Randy Nelson, Dave Kraft, Zach Waterman, Stephen Biggs, Jessica Langlais, & Justin Kline. Candidates spoke for 2-3 minutes about their experience and interest in a board position. The voting process was explained, votes can be cast for up to three board members, or fewer if desired. Owners cast their votes into the Zoom chat to be tallied. Results revealed Randy Nelson, Dave kraft and Stephen Biggs as the new board members.
- A few concerns were addressed as Phil raised an issue regarding the Montana Unit Ownership Act, stating it mandates one-third of the board exits every year. Susan clarified that the act staggers terms to avoid 100% turnover annually. The condominium declarations already require 100% board- re-election each year, exceeding the Act's requirements.
- Mike suggested getting a standard protocol in place for past due accounts including, but not limited to late fees, interest and collections. Referring to the bylaws and including administrative time for Gallatin Creeks to Peaks to initiate this process. Susan confirmed that the bylaws allow the board to set fines and lien properties for non-payment, which has already been implemented.
- Patio guidelines were mentioned and a request to get something in place was proposed. The bylaws have restrictions on the patio condition and storage, including but not limited to, hanging items (lights, flags, curtains. Ect.) or mounting items to the exterior of the building.
- Concerns were raised over dog waste and a recent incident involving a dog killing another dog. More restrictions with situations like this to avoid potential lawsuits. These would require all owners to provide all animal information. A picture of the animal, vaccination records, and City of Bozeman pet license or kennel license if applicable. The board agreed to move forward with getting these amended to the bylaws.
- Randy Nelson discussed a recent complaint filed against him with the state bar, which was rejected. These complains end up costing the HOA time and money for complaints that are open ended...
- Gallatin Creeks to Peaks has tried working with owners to gain access to units for issues that might affect all owners. These include water usage, electricity, or any situation that is deemed and emergency. Allowing Gallatin Creeks to Peaks to do this would help monitor and perform

potential services rather than having to have each owner hire a professional vendor to complete the work. When owners do not cooperate or comply it effects the whole building. Building 2240 has high water usage. The additional charges are assessed to the building owners of that particular building.

- Retaining walls are an ongoing item discussed at the meeting. Gallatin Creeks to Peaks informed the HOA that the vendor offered a 10% on the materials if we were to move forward this year. Retaining walls manage elevation changes between building slabs, sidewalks, and utilities. Building footings are situated med-elevation of the walls, keeping them below the freeze-thaw line. Leaving the retaining walls undone could lead to erosion around the buildings structural concrete. The area in front pf the building is wetlands and a scupper drain for the parking lot. The parking lot runoff flows into the scupper drain and leeches into the wetlands. The retaining walls help protect the wetlands from erosion. There are two options for these, conventional concrete walls and landscape boulders.
- A financial overview was discussed, \$30,000 is allocated to a reserve yearly. Currently the HOA is over budget for snow removal and water. The water is directly related to particular buildings and assessments will need to be made. It was suggested to increase the quarterly dues to accommodate these increases. Legal expense is another charge that continues to occur along with administrative fees for the board and Gallatin Creeks to Peaks to document and deal with complaints submitted by owners.
- Phil brought up “incongruities” and “irregularities” with the supplemental declarations. Mentioning the \$1000 assessment from Declarations 14, questioning the quorum and meeting records. Phil made it clear that he does not trust board president Randy Nelson. Phil accused Randy of deflecting an audit of the reserve account and other accusations. Phil appears to be the only owner to complain on any items. These items are not relevant to the current situation and Phil appears to be fishing for inconsistencies just to complain. Randy suggested Stephen Biggs be the board chair next year to avoid further antagonizing behavior from Phil.

Although there were a couple disruptions, the board stayed focused and successfully covered all planned topics. Action items and next steps are confirmed as noted above.

Please find the video of the meeting with the link below. Since the annual meeting was recorded by video, its entire contents are identified as the meeting minutes w/ the link.

<https://youtu.be/h8AGBC7hJeg>