



# Pinto Point Owners' Association

## Priest Lake, Idaho

Denny Christenson-Chairman / Melanie Mikkelsen-Vice Chairman /  
Jan Tewel – Secretary/Treasurer / Jeff Christenson / Bryan Dearden / Jim McLean /  
Dave Tewel Trustees: Jim Neal, Tom Lindquist, Joe Blumel & Sheila Rucker

### **ANNUAL MEMBER MEETING MINUTES**

**July 30, 2022 10:00 am**  
**Legacy Lot 218,**  
**142 Pinto Point**  
**Coolin, ID**

**1) Call to Order** and Proof of Quorum – 30 cabins are represented at this meeting. There is a quorum. Board Members present: Denny Christenson – President, Melanie Mikkelsen – Vice-President, Jan Tewel – Secretary/Treasurer, Bryan Dearden – Board Member, Jim McLean – Board Member & Dave Tewel - Board Member. Trustees present: Jim Neal, Joe Blumel & Sheila Rucker.

**2) Board members and Trustees introduction** – Denny introduced all the Board Members and Trustees. The average tenure serving the PPOA/PPSD Boards is 17 years.

President – Denny Christenson, 2 years left on current term, served 18 years

Vice-President – Melanie Mikkelsen, served 4 years

Secretary/Treasurer – Jan Tewel, 1 year left on current term, served 8 years

Dave Tewel, 1 year left on current term, served 8 years

Bryan Dearden, PPOA term expired, 19 years

Jim McLean, PPOA/PPSD term expired, 40 years

Jeff Christenson, resigning from PPOA Board for health reasons, 2 years left on current term, 19 years

**3) Approve minutes** from 7/21/2021 Annual Meeting, approved as written

**4) Guest speaker** – Chase Youngdahl, Bonner County Noxious Weed Control

Noxious Weeds – Chase Youngdahl from Bonner County Weed Control gave a presentation regarding the noxious weeds in Bonner County. The definition of noxious weed is any plant that interferes with the native vegetation control on your land and are usually non-native plants. There are 28 noxious weeds monitored in Bonner County. Chase advised the members that Bonner County has resources to help eliminate noxious weeds, including sprayers for rent. The goal is to eradicate the noxious weeds and stop them from becoming wide spread. Chase had pamphlets available listing the Bonner County evasive weeds being tracked. PPOA has the remaining pamphlets, along with Sound at the Lake pamphlets, if you would like one, please let us know. We are currently holding steady on the control of the Bonner County noxious weeds. A question was asked regarding Bonner County Noxious Weed jurisdiction over the land that is being logged. Chase advised that



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they have jurisdiction over private land but not over state or federal land.

### 5) Reports of Officers, guests and Committees

- a) **President** – Denny Christenson – Denny thanked Russ Mager for the use of his space. Denny reminded everyone that there is an AED on the front porch at Monson's cabin. The location is shown on the Neighborhood Map. This is the seventh Annual PPOA Member Meeting. PPOA is the only neighborhood formed by IDL that Denny believes has had a neighborhood meeting. The 2016 PPSD Board Members became the PPOA Board Members, and have served until other Members volunteer to be on the Board.
- b) **Treasurer's Report** - The PPOA Spring Board Meeting Minutes, in May. The current PPOA Checking Account balance is \$6,151.55.
- c) **East Priest Lake Fire District** – Dave Tewel reported that the EPLFD has ordered a new Quick Response truck. This truck is a Ford F550, which will carry a lot of equipment and 450 gallons of water. The cost is approximately \$290,000. There is no delivery date yet but is estimated to be delivered sometime next year. The EPLFD is now research fire boats, which will cost approximately the same amount. Most cabins are within 100' of the water, so a fire boat will be a frequently used response vehicle during summer season. The donated fire truck is not ready to be put into service until several leaks in the tank and lines are fixed. It is being used for training. The EPLFD is currently finalizing the search for property for the fire station. The most likely location is still the PPOA Community Lot. The Parks Department cannot allow a fire station to be built on Idaho Parks land due to federal restrictions regarding endowment land. IDL also cannot donate land for the fire station due to federal restrictions. Dave Advised that we now have 12 volunteers who are being trained. Anyone interested in volunteering to be a First Responder is welcome to apply. The applications for volunteers are available by selecting the "Contact Button" on the EPLFD website: "eastpriestlakefire.org". All EPLFD Meeting Minutes are available on the website. The latest the EPLFD is available on the EPLFD Facebook page.
- d) **Priest Lake Indian Creek Road District** – Tom Clevenger thanked those who contributed to the Priest Lake Indian Creek Road District funding. There are 121 lots in the PLICRD. 106 have contributed as of this meeting. 3 lots belong to IDL and they do not contribute to the road fund. The PPOA provided funding for every lot in the PPOA. Denny Christenson reminded the members that funding for our roads is not a contribution. We are required to maintain road since it is an IDL owned lot which is Lot 3, Block 1.  
Tom gave information regarding the PLICRD funds:  
Checking Account balance - \$10,649.26



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Accounts Receivable - \$3,000

Expenses: Grading - \$3,137.00, Dust Abatement - \$10,236.70, Supplies - \$21.00 &  
Postage - \$10.60

The Net Income is \$2,801.95

- e) **Pinto Point Mailboxes** – Travis Brown advised the members that there are 3 – 16 slot letter units and 2 parcel boxes. The State Park will be moving the existing mailboxes closer to the turn off to the campground and removing some trees and leveling where the current mailboxes are now. They had planned to do that this spring but their backhoe broke down. The Park does not want to move the existing mailboxes the Post Master who is in Priest River gives approval. She is currently on vacation.  
The new USPS carrier for the east side of Priest Lake is Amy. The Parks is estimating that the existing mailboxes will be moved in Sept.
- f) PPOA Board Meeting topics since last Annual Member Meeting:
- i. Property Taxes and appeals
  - ii. Fire Station location
  - iii. Bylaws changes – removed the limit for 2 Trustees, changed the number of Directors elected each year from 3 to 1 or more.
  - iv. Appointed Trustees – Sheila Rucker, Tom Lindquist, Jim Neal and Joe Blumel. Trustees were added as non-voting members to the Board, with a one year renewable term. This was done to bring members in with a chance to see if they would like to become members of the Board and to give the Board an opportunity to understand what they can contribute to the Board.
  - v. Appointed the CC&R Amendment Committee.
  - vi. Investigated the PPOA ownership of the Pinto Point Road Lot and natural boat launch area to try to keep IDL from establishing that area as a public access.
  - vii. Requested Lot 330 be placed into the 2022 VAFO – was in the VAFO and then removed since the appraiser could not find a comparable lot with only a 25 sq. ft. allowable building area, due to the small size of the lot and Bonner County and CC&R setback restrictions. IDL believes that the issues with Lot 330 will be resolved in time for the 2023 VAFO.
  - viii. Distributed a list of Construction Considerations to the members
  - ix. Considered Land Expressions (Dave Nelson) offer to donate hauling and spreading of gravel on a portion of Pinto Point Road. We could not make arrangements prior to the planned road district grading.
  - x. The Road District donated “Dead End” and “No Trailer Turn Around” signs for Pinto Point Road. Ashley Wolfe volunteered to place the signs.
  - xi. CC&R Amendment
  - xii. Published 3 Newsletters
  - xiv. Assisted Members with filing for water rights



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- xv. Provided IDL Leasing Option information – 5 year at 4% of appraised value,  
10 year at 4.5% of appraised value and 30 years at 5% of appraised value
- xvi. The proposed Trident Land Exchange at Payette Lake was rejected by IDL

### **6) Unfinished Business**

Board Member Election – Jim Neal and Tom Lindquist were elected to serve on the PPOA Board of Directors by a 51% Member approval of the votes cast. Joy York requested that a clear process be Implemented for PPOA Members to request to be nominated for the Board of Directors. Denny requested a Motion. Joy York made the motion, after discussion it was seconded and voted to be implemented. The exact process will be discussed at the PPOA Fall Board Meeting. Joy also requested that the members be provided information on each nominee, approximately one month prior to ballots being sent out. This will also be an agenda item at the Fall Board Meeting.

### **7) 6/10 Amendment**

This amendment eliminates the requirement for IDL to vote on future amendments. If this amendment is not accepted by 67% of the members, it will probably take at Least a year to compose a new amendment, receive input from members and more time to receive IDL approval before the amendment can be presented to the members for a vote. It is unknown how the new State of Idaho personnel will react to the possibility of a CC&R Amendment. Robert Follett's tenure is unknown. Many of the state leaders have changed – new Attorney General, unknown Assistant Attorney General, new Controller and new head of the Department of Education.

Member Comments – members were asked for any comments regarding the CC&R Amendment. Each member will be allowed to state their comment without a rebuttal.

a) Coalition of Concerned PPOA Members – Denny asked who the representative was for the coalition. No one initially spoke up. Denny asked who Anthony Bell was and did not receive a response. He also asked who the 20 members were to show the Coalition transparency and also received no response. Denny then asked how the Anthony Bell or the PPOA C obtained the private email address list of the PPOA Members. There was no response. Sheila Rucker spoke up and stated that she would speak for the Coalition. She read a prepared statement to the members which included comment regarding a lack of transparency from the Board. Sheila stated that they should be able to share information to all members, instead of information be distributed by blind copy, with member permission. Denny asked if Anthony Bell or the PPOA C received permission from the members to use their private email address. Denny stated that the email address list was not provided by the PPOA and the PPOA only emails documentation or information via blind copy. Jim Bell stated that he



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believed that the Idaho Non-profit Act states that contact information of members can be shared. It was restated that release of private contact information requires a consent from the individual. Neither Anthony Bell nor the PPOA C reported that they had received permission from the members to use their email addresses. Sheila continued by stating that the members should have had more involvement in the CC&R Amendment. Jim Bell asked how the Board received member input? Denny responded that the members had given input through multiple Annual Member Meetings and through email requests for questions.

Melanie Mikkelsen stated that she did not feel that she had the full information regarding the amendment. She missed several Executive Sessions and was frustrated by the short deadlines for votes to move forward with the amendment presentation to the members. She was aware of the urgency due to the unknown tenure of Robert Follett. She feels that there should be a chance for more member input. Without that happening, she felt that there is a potential for conflict. Melanie also stated that she believes that there should only be one Board Member vote per lot.

Denny explained how the Amendment got to this point. Prior to the 2013 CC&R's, he worked with Robert Follett to negotiate the 2013 CC&R's. The 2013 CC&R's were based off of the IDL Cottage Site Handbook. The purpose of the 2013 CC&R's was to preserve the existing character of the lake. Representatives from 18 neighborhoods worked with IDL to construct the CC&R's. Twenty items were considered and distributed to 354 lessees for comment. Only 10% of the lessees returned comments. IDL and the Priest Lake State Lessees Assoc. (PLSLA) worked to consider the disposition of the leased lots through auctions. The 20 items in the proposed CC&R's were reduced to just 4 items, which were Presented to IDL by the PLSLA. The original CC&R's were filed in 2013. The first VAFO took place in 2014. It has taken many years to compose the CC&R Amendment. The PPOA CC&R Amendment is the first Amendment to be presented to IDL. Denny stated that there was a rush to receive IDL approval and present the amendment to the members due to the change in Idaho administration. If this amendment passes, there will not be a requirement for IDL approval of future amendments and we will be able to have more time for discussion with members.

Jim Bell stated that we need a process to receive member input prior to going to IDL. Denny restated that we will not need IDL approval in the future, if this Amendment is accepted by the members but Denny agreed that we should set up a process to receive member input for future amendments.

b) Comments from others not in the Coalition

Betsy Scott commented regarding her 50 years as a cabin owner at Priest Lake.



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She stated that she believes that the CC&R's should protect the neighborhood and the lake. She doesn't feel that that is happening with the CC&R's. She did not pay her annual PPOA dues and did not feel that the PPOA should have stopped sending her email information or refusing to allow her to be included in meetings, even though she had not paid her dues. She also mentioned her frustration with the possibility of a lien being placed on her property for failure to pay her dues and stated her 3/6 letter stating her objections was never shared with the Board.

Kerry Nelson stated that she believes that there is more attention being paid to the process by some people than there is attention being paid to the amendment itself.

Bruce Scott stated that there are changes happening to the east side of the lake that are making it look more like the west side of the lake. He feels that the CC&R's are not maintaining the existing character of the lake.

Dave Tewel stated that he will be stepping back to become a Trustee for the PPOA Board to limit the Board Member vote to one vote per lot.

Jan Tewel stated that the majority of the changes to the 2013 CC&R's, in the amendment were a result of requests from members. Tory Daniewicz had voiced concerns about the Bonner County Zoning regulations that restricted the amount of structures built on a lot to a percentage of the size of the lot. That is why the Board added the change to two secondary structures per lot. Jan also stated that a member requested clarification regarding the 2013 CC&R paragraph regarding fences. The Board changed that paragraph to read no fences are allowed.

Another was concerned about the lack of language regarding native vegetation and removal of trees. The Board added language that stated that the Bonner County shoreline and vegetation restrictions must be followed. Jan stated that the point is that the changes to the 2013 CC&R's in this amendment are a result of member input and were not composed by the Board alone. She stated that the Board has attempted to include the members' input to this amendment and does not feel that some of the members appreciate that effort.

Denny stated that this was a good discussion and the committee appreciates the the comments made and would hope that this discussion will start to bring us back together as a community.

c) Explanation of next steps in process – This amendment requires a 67% (36 acceptance votes) of the 53 lots in the PPOA. If the members vote to accept the amendment, the President and Secretary will certify the vote in the presence of an attorney. The vote is then certified by the attorney and the notarized documents are then sent to IDL for filing with Bonner County and recording for the State of Idaho.



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- d) CC&R Committee report – Joe Blumel stated that he feels that, in his experience, this is a gem of a Board and he has really enjoyed working with them. The Amendment Committee tried to make sure the CC&R restrictions are fair and Benefit the majority of the members. They tried not to make it a dictatorial Document. Changes can be made through future amendments, if something doesn't work. Joe felt that Denny's ability to have a relationship with Robert Follet enabled discussions for this amendment.

Dave Nelson stated that members need to reach out to the Board and not just wait for the Board to contact them.

**8) Results of CC&R Amendment Vote** - Denny mentioned the results of this vote will be included in the minutes of the Annual Meeting. On 8/9/22, Zachary Jones, attorney with Lake City Law Group, signed an affidavit certifying 37 members voted in favor of the amendment, 7 members voted against and 9 members did not participate in the vote. On 8/9/22, the attorney's affidavit, President and Secretary/Treasurer notarized certifications of 67% membership approval and signed and the notarized Amendment document were sent to IDL for their consent. IDL has agreed to record the amendment.

### **9) New Business**

- a) Bylaw amendments – will be discussed at the Fall Board Meeting  
b) 2022 VAFO will take place on August 13<sup>th</sup>. There are no lots in the PPOA included in this VAFO.  
c) Professional Management – Denny stated that he has been contacting accounting firms but none of them will take on the management of the PPOA. Denny requested that the members let him know if they know of any accounting firms that he might contact.  
d) Road Signs – the road signs will be given to Ashley Wolfe so she can install them.

### **9) Comments for the good of the Order - none**

**10) Adjournment:** Meeting adjourned at 12:10 pm.

**11) Denny's follow up statement regarding 3 of Betsy Scott's statements during the annual meeting:**

Betsy stated that her 3/6 protest letter was never provided to the Board. Betsy emailed her letter to me at 2:56PM, Sunday March 6, 2022. I emailed her letter to the Board and Trustees the next morning, at 9:17AM, Monday, 3/7/22.

Betsy stated she was kicked out of PPOA because of her protest of the 2/8/13 CC&Rs. Betsy chose to protest the CC&Rs by refusing to pay her annual PPOA dues. During that time, she requested and was denied a copy of the Board's 6/10 amendment because she was no



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longer a member of the Association. She objected to that decision. On 6/21/22, I provided Betsy with copies of the bylaws and 2/8/13 CC&Rs supporting the decision. Bylaw Article VI limits membership in PPOA “to members within the association who have paid all dues and fees. . .”

Betsy stated the Board was going to place a lien on her property. The Board discussed Betsy’s 3/6 protest letter as well as the Bylaws and CC&R language addressing unpaid dues, during a 4/20/22 Executive Session. There was no decision to place a lien on her property.