

Mountain Springs Ranch Homeowners Association
Board of Trustees Meeting
December 7, 2021
7:00 p.m.

Minutes

In attendance:

Board Members: Julie Coy, Gary Starr, Cyndie Rippey, Tony Threinen, Louisa Morrissey, Jennifer Tomsen, Matt Graham
Others: Peggy Hill, Carrie Clark, Justyn McGrigor, Christie Milner, Jack Metcalf

Call to Order:

Gary Starr called the meeting to order at 7:01 p.m.

Approval of Minutes from Nov 18, 2021

Louisa moved approval of the minutes from 11/18. Gary clarified with Carrie Clark, then asked that the minutes from 11/18 be made consistent with the snowplow policy regarding seeking written permission from owners for creating parking areas or pullouts. With that correction, Cyndie Rippey seconded the motion. Board members all approved the minutes as corrected.

Member Comments Not Related to Agenda Items

None offered.

Committee Reports

Road Committee Report: no update

Fire Committee Report: Louisa Morrissey shared highlights from her written report that was emailed out. Our Firewise Community designation renewal application was submitted, with an updated community action plan. The Fire Committee was able to report 1,333 hours of volunteerism across Mountain Springs Ranch members, valued at \$27.20 per hour, giving us over \$36,000 of matching funds for potential grant applications. Members also invested over \$43,000 of their own funding into fire mitigation on their own properties. The Fire Marshal, Greg Bak, provided risk assessments on several owner's lots last summer and Louisa will distribute his findings. The project to update addressing of lots and homes is stalled because there is only one building inspector with the County and the project is understandably not a high priority. Louisa will reach out to him again early in 2022. The Committee would like to speak to the Board in depth about the process for considering becoming part of the Glenwood Springs Fire Protection District, including providing information and surveying members. Still working on the Community Wildfire Protection Plan, but it is hopefully in final review by Kamie Long.

Jennifer Tomsen volunteered to help with development or review of the MSR member survey.

Habitat Committee Report: No Update

Old Business:

- *Process for Review of Governing Documents:* Gary Starr suggested that the Board start with the work that Christie Milner, Chris DeSantis and Carrie Clark did on the Articles and Bylaws and finish those up first by

addressing any remaining questions. The Covenants have been put into a spreadsheet for tracking changes and the rationale for any revisions. Gary proposed that the Board simply do the work to finish this up and get it out to members for input. Carrie Clark indicated there is significant work yet to be done on the Covenants, including adding elements that were previously either in the Articles or By-Laws but belong in the Covenants, and items that belong in the Covenants required by CCIOA. Julie Coy suggested that a subcommittee create a complete draft and bring that back to the Board to review. Julie volunteered to help, as did Peggy Hill, and Julie nominated Carrie Clark to be part of the process as well given her history of work on it. Carrie agreed to serve. Louisa Morrissey added that she would like the process we use to assure that the Covenants reflect the community's interests; and that a survey tied to issues in the Covenants would help accomplish that. She also urged transparency in the process with a lot of communication with members along the way. Matt Graham urged building on the work done by the previous Board to maintain momentum; and liked the idea of doing a survey tied specifically to key issues in the Covenants, using survey findings to guide any changes. Carrie Clark added that a list of CCIOA requirements for the Covenants was provided by the HOA's attorney in 2017. The Covenants also need changes that reflect community changes over the past 40 years, including the need for many to have home offices and the priority to make it easier for owners to do fire risk mitigation on their properties such as removing dead trees without HOA Architectural Committee approval. Carrie has shared with the Board an example of approved Covenants from Panorama Ranch which does have CCIOA requirements included. Julie Coy pointed out that CCIOA may have changed since 2017, and we will still need legal review at some point. Matt Graham volunteered to help on the committee when he can. Carrie Clark added that the map and plat that we have already will suffice for inclusion. Louisa Morrissey pointed out that in 2017, our legal counsel estimated that having an attorney update the Covenants to include all necessary CCIOA requirements might require \$2,700.00.

Louisa moved that we asked Mary Elizabeth Geiger to give us an estimate what it would cost to have her update the Covenants to be CCIOA-compliant. Gary Starr seconded the motion. The motion passed unanimously. Gary Starr will call Mary Elizabeth to introduce himself and ask for the estimate after emailing her the minutes of the meeting showing the election of the new officers. Christie Milner suggested redrafting the Covenants on the substantive, community-specific issues first before sending to the lawyer for CCIOA compliance review. Matt Graham agreed that we should request legal work in the most cost-effective way possible.

- *Snowplow Policy - requirement for owner's written approval for parking area and pull out snow removal.* Gary Starr pointed out that getting written permission from owners to plow snow off the parking area and pull outs and into the easement is cumbersome, and that the Board could clarify the language to avoid what seems like unnecessary administrative burden. Louisa Morrissey acknowledged that a lot of work went into creating the policy but agreed with Gary that the Board does have the right to change it and that if plowing and piled snow for parking areas and passing areas remains within the easement, it should not require owner approval. Matt agreed and suggested amending the policy to clarify that use of the easements for moving snow and creating pullouts is acceptable. Cyndie Rippey urged creation of those pull-outs for safety reasons; and that work in the easements to assure ingress and egress to properties should be considered reasonable. Julie Coy moved to change the sentence in the Snowplow Policy page 2 #3 c. to read "...Existing parking and passing pullouts may be maintained within the road easement without requiring owners' permission. If the creation of a parking area or passing pullout must extend beyond the easement, the owner's permission must be obtained in writing." Matt seconded the motion. All Board members approved the change. Julie will make the change to the policy and distribute it.
- *Review of additional snowplow operators seeking Board approval:* Louisa Morrissey will reach out to Tom Heald to find out if he needs any help to get his coverage for snowplowing in place. Gary Starr emailed Tim

Hasselmann earlier with guidance and will check back with him. Matt Graham said he would get his insurance documentation to the Board.

New Business:

- *Lot 17 Covenant Compliance Issue:* Lot 17 owners have placed what appears to be a “tiny home” on their property without Architectural Committee review or approval. Gary Starr will write a letter to them to ask what their plans are, indicate they are out of compliance and let them know what they need to do to come into compliance and conform with the Covenants, HOA Architectural Committee approval process and with county regulations. Carrie Clark pointed out that the Covenants prohibit temporary structures, and the building is currently on skids rather than on a foundation. The building could also be partially on the Clark-Freeman lot and lot lines need to be identified and the building must be set back 50 feet from the property line in accordance with the Covenants. Carrie shared that the Lot 17 owners have also cleared a fairly large area and removed a large pine tree that may have been on the Freeman/Clark property. Carrie added that this needs to be addressed in a timely manner.
- *Timing for Membership Dues Billing and Due Date:* The Board approved sending out the bill for dues to members now with an explanation for the rationale for moving the due date of January 1, 2022. CCIOA requires we have Reserve, Contingency and Operating Funds and with these funds being kept in different account we no longer have the ability to cover bills that come in before the Homeowner Dues arrive, which in years past has been March 31st. Matt Graham volunteered to draft the letter.
- *Speed Limit Signage:* Gary Starr asked Matt Graham to order two 15 MPH speed limit signs using Road Committee funds to place at the bottom of the road and at the gate.
- *When to Distribute Road Use Rules and Snowplow Policy to New Members and Neighbors:* Road Use Rules have been informal but distributed historically; the Board agreed it should become formal policy. This will need to be brought to the January 4th Board meeting.
- *Construction Deposit Refund and Refund Process* (postponed to next meeting)

Next Meeting will be January 4th, 2022, at 7 p.m.

Agenda Items for Next Meeting:

- Construction Deposit Refund and Refund Process
- Fire District process
- Follow-Up on Lot 17
- Treasurer’s Report and Discussion Regarding Use of Contingency Funds
- Road Use Rules to Road Use Policy

Meeting Adjournment:

Julie Coy moved adjournment. Louisa Morrissey seconded the motion. All agreed. Meeting adjourned at 8:37 p.m.

Respectfully submitted,

Julie Coy