

**Mountain Springs Ranch Homeowners Association
Board of Trustees Meeting Minutes
September 22, 2021**

Attendance:

Carrie Clark, President
Cyndie Rippy, Vice President and Treasurer
Julie Coy, Co-Treasurer and Secretary
Tom Heald, Trustee at Large
Gary Starr, Trustee at Large
Chris DeSantis, Trustee at Large

Also Present at the meeting:

Peggy Hill
Louisa Morrissey
Jon Zalinski
Jack and Leslie Metcalf
John Rippy
Louise Marron
Justyn McGrigor
Christie Milner

Call to Order: Carrie Clark called the meeting to order at 6:00 p.m.

Meeting Expectations, Approval of Meeting Minutes from 9/1/21 and 9/8/21

Expectations for conduct during the meeting were restated.

Cyndie moved approval of the 9/1 minutes. Carrie seconded. All approved.

Julie Coy moved approval of 9/8 minutes. Gary seconded. All approved.

Member Comments

Louisa Morrissey wanted to let the Board she and Ben completed survey feedback late last evening and thanked the group for their work. She indicated she wished she had stated her initial comment more constructively and would restate it.

Budget

Cyndie Rippy invited questions on the budget. She thanked everyone who made donations to help cover road expenses that were above expected. Because of those contributions, less than expected had to be taken from our contingency fund. One owner has not yet paid dues and Cyndie will follow up. Cyndie said if those dues are not paid, we will be \$1700 over budget on expenses. Carrie Clark and Cyndie Rippy suggested that in future years, dues be requested

January 1st with a due date of January 31st to make sure funds are available for early year snow removal and Spring road maintenance.

Committee Updates

Fire: Louisa Morrissey reported that the committee met August 28. The new road signs are in. Matt Graham paid for the entire cost of the signage out of pocket (\$1400.00) and Louisa expressed gratitude on behalf of the whole community for his generosity. Chris Fedrizzi has experience installing signs and will take care of getting them up. Volunteers will be needed. Julie Coy has updated the MSR addresses and home locations for emergency personnel, and Louisa noted that several addresses are out of order and one home has no address. The list has been sent to the Board, and Louisa asked the Board to distribute to members so owners are aware if their addresses are out of alignment. Four people have expressed interest in a Fall Chipper Day so far and the Committee will need 8 volunteers. Peg Hill has done some research on external funding opportunities, including a grant program we may be eligible for through State Farm. Jeff Fedrizzi and Louisa are very close to having our Colorado Wildfire Protection Plan ready to submit for approval. Jeff is also following up with Chief Tillotson to clarify what would be needed to join the Glenwood Springs Fire District. Louisa has also been working on input for the Covenant revision process regarding homeowners' ability to remove dead vegetation for fire risk mitigation. Carrie asked that potential open burning in winter be addressed. Steve Mills has determined that using the headwaters of Paradise Creek is not an option for MSR fire mitigation. Contact will be made with the Longoria family to seek an agreement for water use from their land for fire intervention. Louisa has a sign indicating MSR is a FireWise community and will hang it at the main gate when she has time.

Habitat: Carrie will re-send guidance to membership for re-seeding exposed areas with Pitkin County Mix.

Architecture: Lot 7 owners have submitted their final plans, and 3 Board members have indicated they would approve. Lot 10 has identified the location for a new well and it has been approved.

Road:

Tom Heald reported that the first of 3 scheduled meetings of the Snowplow Committee was held. Fundamental agreements were established that include a statement of what people value most about living on MSR (solitude, quiet, nature, wildlife, etc.); and that the primary purpose of our road system is to enable access to people's homes and properties. Next Monday's meeting will focus on defining key problems and desired solutions, as well as considering examples of success from other communities.

Survey Feedback: Tom Heald reported that 26 people responded, with 80% of survey respondents being owners who live on secondary roads. Tom asked the Board to think about

how to get better input from those who live on the main road. He will create a summary to distribute to members. Tom next shared highlights of survey feedback.

Carrie Clark shared that the original language about the road easement said that the road should be maintained according to County Road and Bridge standards. Carrie will explore further what those standards suggest for our road maintenance practices.

One highlight was that roughly 80% indicated they were satisfied with the quality of main road maintenance in summer. Fewer people indicated they were satisfied with secondary road maintenance in summer. 73% of respondents indicated they were satisfied with winter road maintenance. Fewer, generally, expressed satisfaction with the quality of secondary roads in winter. A large majority of owners access their properties by car or truck in winter, with a significant minority using snow machines.

Chris DeSantis brought up the issue, previously discussed, of using dues funding for snowplowing the main roads. Chris DeSantis and Gary Starr expressed opposing views.

Tom Heald summarized by indicating the value of having data to inform decision-making.

Draft Articles and By-Laws Update

One key survey question dealt with placing limitations on the Board for spending from the contingency fund, and another on use of any excess assessment funds still available at year end.

About 58% of members responding to the survey indicated they wish to have spending limitations placed on the Board for use of the contingency funds except in emergencies. Discussion ensued about what that spending limit should be, if additional member input should be sought, and how the Board should seek member input for spending above the limit.

Gary Starr moved that a restriction of \$10,000 per year be set on the Board's ability to spend from the contingency fund except in emergencies; and that if a need for spending exceeds that amount, a special meeting should be held in which 67% of those present in person or by proxy can approve additional spending. Cyndie Rippey seconded the motion. The motion passed unanimously.

Carrie Clark shared feedback from a member that in Article 5.0 of the Articles of Incorporation that ownership should be changed from Glenwood Mountain, Ltd to Mountain Springs Ranch Homeowners Association. Chris DeSantis clarified that it is a historical reference to prior to 1980 and is fine to leave as is. Gary Starr concurred with the property description as is.

Carrie indicated that someone else suggested adding the word preserve as well as protect and maintain to the purpose statement. The Board agreed to the change, and Chris DeSantis made the revision.

Carrie asked that all references to the Board read “Board of Directors” not “Board of Trustees” throughout the Articles and other Governing Documents to align with CCIOA language. Chris DeSantis made revisions where needed.

Carrie then moved on to report on other member input on the By-Laws. She will reach to clarify input on defining “member” and the section referenced as there was some confusion.

Tom Heald returned to the survey item on member opinion on how the Board should handle excess assessments at the end of each calendar year. The most responses as first choice was to roll over excess funds into operating for next year, followed by reserve, then contingency, then divide at the Board’s discretion. The fewest members recommended returning the funds to members. Tom summarized by saying that contingency, capital reserve, and general operations were the options most frequently recommended.

Discussion occurred, as it has in previous meetings, about what CCIOA says regarding how an HOA can use excess funds. Chris DeSantis cited the law. Legal counsel suggested placing excess funds in either reserve or contingency (or a combination) and leaving it in the Bylaws. In order to roll over excess funds into operating expense, it would have to become part of the covenants, and in essence would reduce the dues by that amount.

Julie Coy urged the Board to keep in mind that we have no capital reserve now at all, and one is required under CCIOA. We must start funding a reserve with a plan to use it over time. For example, the Fire Committee would recommend specific work on a rolling basis to reduce fire risk along the road such as use of the SWIFT team to keep brush pushed back along the roads.

Gary Starr presented a motion to say excess funds can be placed in the capital reserve, contingency fund, or used as operating expense the following year at the discretion of the Board. There was not a second to this motion. Carrie Clark amended Gary’s motion to say that any excess funds can be placed in either the contingency or capital reserve funds, or a combination of the two, at the discretion of the Board.

Julie Coy seconded Carrie Clark’s amended motion. Cyndie Rippy, Chris DeSantis, Tom Heald, Julie Coy, and Carrie Clark voted to approve the motion. Gary Starr voted against the amended motion. Motion passed

Next Meeting: Wednesday, September 29th at 6:00 p.m.

Meeting Adjournment: Julie Coy moved adjournment. Cyndie Rippy seconded. All approved. Meeting adjourned at 8:25 p.m.