

**Mountain Springs Ranch Homeowners Association**  
**Board of Trustees Regular Meeting**  
April 5, 2022

**Attendance:**

Board Members: Gary Starr, Louisa Morrissey, Cyndie Rippy, Tony Threinen, Matt Graham & Jennifer Tomsen

MSR Members: Jan and Jerry Fedrizzi, John Rippy, Tim O’Sullivan, Peggy Hill, Susan Starr, Jack Metcalf, Christy Milner, Carrie Clark & Mike Freeman

**Call to Order by the President:**

Gary Starr called the meeting to order at 7:00 p.m. and reminded all participants of the rules of decorum.

**New Board Member Nomination**

Gary Starr introduced Tim O’Sullivan, Lot 31 as a prospective Board Member. Louisa Morrissey put forth a motion that Tim be appointed to the Board to complete the remainder of Julie Coy’s term. Cyndie Rippy seconded the motion. Tim O’Sullivan was voted unanimously to become the newest Board member.

**Approval of Minutes from March 1, 2022**

Gary Starr moved to approve March meeting minutes and Cyndie Rippy Seconded. Minutes were approved unanimously.

**Member Comments Not Related to Agenda Items**

None noted

**Treasurer’s Report**

Cyndie Rippy reported that we have \$57,350 in dues collected, \$2,850 donated from neighbors, and \$9,300 in uncollected dues. Cyndie sent a note out to those who have not paid dues as yet that dues are due by the end of April.

**Committee Reports**

- Road Report: Not a lot to report on the roads other than Ed Walter’s crew had pushed back the banks a few weeks ago and that has really helped dry out the roads. The overall condition of the main road is quite good. Matt Graham suggested the road committee do a walk of the roads sooner rather than later to assess work needing to be done. Saturday April 23rd at 9:00 am is the date decided upon. Notice will be sent out to the community. Matt Graham asked about signs to be ordered and how many. 2

speed limit signs and 2 traffic signs stating downhill traffic must yield to uphill traffic due to Colorado State Law.

- Fire: Louisa Morrissey reported that the MSR CWPP got excellent reviews by Colorado State Forest Service and was approved by Kamie Long. The Board needs to approve and Gary Starr, as HOA President needs to sign. The GWS Fire Department and BLM must also approve and sign. Jennifer Tompsen requested clarification regarding what the plan imposes on those who participate. Louisa Morrissey & Jeff Fedrizzi clarified that there is no financial obligation or commitment by HOA BOT or HOA members. Jennifer also suggested that any Grants should go through the Board. Jeff Fedrizzi had a follow-up conversation with Chief Tillotson regarding joining the Fire District. The Fire Committee hopes to have a newsletter sent out by the end of April. Gary Starr moved to accept the CWPP. The motion was seconded. The motion was passed unanimously.
- **Chipper day will be in June 4th.**
- Habitat: No report this month

### **Old Business**

- Covenant Workgroup: Gary Starr thanked the work group for their work and good progress. Carrie Clark discussed how they tracked changes and color codes. They would like to nail down the survey questions and get that out asap. Louisa Morrissey also thanked the work group for their work and supported the survey being done. She requested the survey be sent to the BOT for feedback before it is sent out. Louisa posed questions regarding landscaping, fuels reduction including removal of live and dead trees, and fire hardening considerations for the Architectural Committee. She also requested that the Pros and Cons of each item on the survey be shown for additional clarity of the questions posed. Matt Graham moved to have the questions on the survey completed in the next week and sent to the BOT for review. Gary Starr 2nd the motion. Motion passed unanimously.
- Flannery Water:  
Jennifer also raised some concerns about the Flannery water settlement. Gary Starr suggested that the BOT needs to do a more thorough review.
- Construction Deposit Refund and Refund Process: Workgroup had not made any progress on this since the last meeting and will report in the future. Tim O'Sullivan suggested an equation that would be based on the size of the home to be built. Gary,

Cyndie and Matt will draft a proposed rate structure for retention of percentages of the Construction Deposits and report back to the Board at the next BOT meeting.

Christie Milner said that the Articles of Incorporation must be amended before we can impose an assessment that is not prorated on lots.

- Building Construction guidelines policy adopted last April: authorization and language need to be clarified then followed up with BOT and MEG.
- Policy Regarding Enforcement of Covenants and Rules - Needs to be reviewed by MEG. Louisa suggested additional verbiage that clarifies the process of the inspection of properties in the event of an alleged violation, including notification of the property owner of the alleged violation and arrangements made with the property owner for inspection.

### **New Business**

- Lot 17 submission for Preliminary Approval (note that the following has been confirmed by review of the zoom recording taken during the meeting).

Carrie Clark and Mike Freeman expressed their continued concerns regarding Bill Slavinski and Megan Chance's (Lot 17) application. Discussion followed.

- It was stated that Lot 17 has filed a site plan and building plan with the Board (AC). The site plan has the structure at least 50 feet from the property boundaries and 100 feet from the road. Lot 17 owners will mount the structure on a permanent foundation and will re clad the exterior of the structure. The preliminary proposal includes plans for grey water and septic and electric.
- It was agreed by all that a survey was absolutely necessary and if the structure is on Carrie and Mike's property that it must be removed immediately and the landscape/habitat restored at Lot 17's expense.
- Lot 17 owners need a variance because it is a used building and the covenants state that no used buildings may be placed on lots. Gary reviewed the process of granting a variance.
- There was agreement by all that the electrical lines on the ground pose a fire hazard and cannot at any time be allowed.
- There was agreement that county and state codes must be followed regarding electrical and sewer. Electrical will need an inspection.
- It was questioned if the house is off grid would it need an electrical inspection.
- Carrie Clark wanted to know what the Board will require of lot 17 and who will oversee the building.
- Gary stated that there would be a final inspection by the Board (AC).

- Carrie asked if the Board (AC) would require the structure to meet Garfield County codes.
- Gary will talk with the Building Department to clarify which codes will need to be followed and met.
- There was agreement that the covenants were violated by not notifying the Board (Architectural Committee) prior to moving the structure onto lot 17.
- There was agreement that the structure, being temporary and also previously used, was in violation of the covenants.
- It was stated that the Board followed covenants by notifying the lot 17 owners of the violations in writing. The Board has followed through with the owners of lot 17 to attempt to bring them into compliance with the covenants and county codes.
- Lot 17 has applied to the county for a “wilderness cabin” designation. The cabin designation states that no other structures may be planned. It is important to clarify with lot 17 owners if, indeed, this will be the only building and the intended use is part time.
- Carrie and Mike were asked to clarify their objections to the project. They object to the initial placement of the structure without AC approval. They are concerned that the structure is on their property and that vegetation has been damaged, and the risk of fire danger from the electrical lines on the ground.
- The Board had not previously approved any plans for lot 17 **nor** had approved any variance.
- Gary asked the Board to give preliminary approval to the plans, however the Board decided to wait to give approval.
- Matt Graham motioned to postpone the preliminary approval of lot 17’s plans until the survey is completed and that the owners of lot 17 apply for a variance. Louisa seconded the motion. Motion passed unanimously. We need to put notice of the variance application out to the community to give members a chance to object. The Board will send a notice of the application for a variance to the community at large.

#### **Discussion regarding policy updates**

- Policy on the Collection of Unpaid Assessments was approved at the last Board meeting.
- Policy for the Enforcement of Covenants will be reviewed.

Gary Starr moved to adjourn. Matt Graham seconded the motion. Motion passed unanimously. Meeting adjourned at 8:20 p.m.

**Next meeting is May 3rd at 7 p.m.**

Respectfully submitted,

Susan Starr & Louisa Morrissey