

Meeting Minutes
Mountain Springs Ranch Homeowners Association Board Meeting
Tuesday May 3, 2022 7:00 pm

An executive session of the Board was held at 6 pm MST with the HOA Counsel, Mary Elizabeth Geiger in order to discuss legal matters.

Open Board meeting:

Called to Order by the President, Gary Starr, at 7 pm MST

In Attendance:

- Board Members: Gary Starr, Cyndie Rippy, Louisa Morrissey, Tim O Sullivan, Jennifer Tomsen, Matthew Graham
- Community members: Carrie Clark, Chris DeSantis, Micah Embrey, Peg Hill, Mike Freeman, Jack Metcalf, Christy Milner, John Rippy, Ed Walters

Reminder of rules of decorum:

- Raise your hand and wait to be recognized by the President for your turn to speak, limit your comments to 3 minutes, do not interrupt the member with the floor, be respectful of all members, no abusive language. If there is disrespectful behavior or abusive language there will be one request to change behavior/ warning from the president or the facilitator of the zoom meeting. If it happens again the person will be removed from the meeting.

Approval of draft meeting minutes from April 5, 2022:

- Cyndi Rippy made a motion to approve the minutes
- Tim O Sullivan seconded the motion
- Motion passed unanimously with 6 Board members present

Member Comments Not Related to Agenda Items Below

- ❖ Chris DeSantis raised concerns regarding tree damage near the road by his property. He asserted that an aspen tree had been nicked by the grader wing during plowing and that plowing had snapped the evergreen near his driveway.
- ❖ Discussion followed:
 - Gary Starr, Ed Walters, John Rippy and Matt Graham explained that the evergreen tree in question was most likely snapped during the recent extreme wind events. The tree had fallen to the south. The grader plowing with a wing traveling north on N. Marsh would have pushed the tree in the other direction, to the north /northeast.
 - A photo had been taken on April 1, 2022 showing the tree in question upright and beyond the plow berm, the road was mud (no snow).

- The tree was noticed to be blown down on April 7 after an extreme wind event. The road was melted out and no plowing had occurred in that time period.
- ❖ The aspen tree in question had a couple of nicks from the grader wing.
- ❖ Chris DeSantis will put pruning paint on the nicks.
- ❖ Matt Graham and Ed Walters explained that the road needed to be plowed to the width it is plowed in order to keep snowmelt from damaging the road and to keep the road from closing in during storms.

Treasurers Report: Cyndie Rippy

- ❖ Submitted to Board
- ❖ Three lots have not paid dues. Cyndie has notified owners that if dues were not received by April 30 that \$150 late fee will be assessed. Because of mail slowness, she will give one more week of grace period to receive the dues and then assess the late fee.
- ❖ Budget: if all dues are collected
 - \$35,133 remaining in the road budget
 - Insurance was budgeted at \$957, but bill was \$1101 (increase of \$144)
 - Fire /Weed have not had any expenditures
 - Gate \$595 remaining
 - Legal fees: \$1882.75 remaining
 - Utilities: \$691.27 remaining
 - Office expense: \$650 remaining
 - Actual cash on hand after budgeted items: \$13.56 (interest on bank account)
- ❖ Three construction deposits for: Elias, Marron/Hasselmann, and O Sullivan. Jack Cody has told Gary that he has paid the deposit. This matter needs to be resolved.

Committee Reports

Road Committee: Gary Starr

- ❖ Open meeting attended by Gary Starr, Matt Graham and Ed Walters
- ❖ Drove the road, got good idea of areas that need maintenance, but road overall is in good shape after winter. Less snow was left on the road after plowing and there was less erosion.
- ❖ Have \$35,000 for maintenance
- ❖ Will get estimate from Ed Walters
- ❖ Because of later winter and more moisture, work can commence a little later than in the past couple of years
- ❖ Any plans to clear culverts
 - Road Committee needs to do inventory and get a estimate from "Brand X"
 - Need to allot funds into the capital fund to allow for about 2 culverts cleaned a year
 - Estimate \$4000-5000 for two culverts cleaned
 - Priority is the intersection of Mountain Springs Road and Hidden Glen and the first switchback above the gate
 - It has been about 4 or 5 years since culverts have been cleaned
 - Ed Walters suggested it might be more cost effective to clean 4 or 5 culverts every three years

Fire Committee: Louisa

- ❖ CWPP (Community Wildfire Protection Plan) approved and signed by all agencies
- ❖ Fire Committee moving forward with the action plan in the CWPP.
- ❖ Priorities are:
 - Fuels reduction
 - Fire truck turnarounds
 - Grants for funding (Thank you for Peg Hill and Susan Starr)
- ❖ Newsletter coming out soon
- ❖ Chipper Day June 11th
- ❖ Fire detection camera on Sunlight Peak (Jeff Fedrizzi)

Habitat Committee: No report

Old Business

Policy Regarding Enforcement of Covenants and Rules

- ❖ Proposal to add a section to this property regarding procedure for Board inspection of a property should an allegation of covenant violation be filed.
- ❖ The purpose is to protect private property owners right to privacy and to prevent trespassing onto private property by the Board members or any other community member.
- ❖ Proposed wording to be added:

"If the violation of covenants requires the Board to perform a site visit to the property to investigate the alleged violation, the following procedure must be followed:

- *The property owner must be informed as to the nature of the alleged violation.*
- *The Board must arrange with the property owner a time and date in which to inspect the property.*
- *No members of the Board of the MSR Community may trespass on the land of a property owner without the owner's permission"*
- ❖ Discussion followed:
 - Suggest adding a clause regarding making a reasonable arrangement so that both home owner and Board member need to be reasonable and cooperate to agree upon a time for inspection.
 - Set a time to rectify the violation, for instance the Board member and property owner have two weeks to meet (or another amount of time or if circumstances demand a different time.)
 - Suggestion to re-read entire policy. Time limits are already mentioned
- ❖ Matt Graham motioned to table this for tonight. Louisa will work further on the wording and bring it back to the Board at the next meeting. Louisa seconded the motion. All six members approved the motion.

Road Construction Deposits

- ❖ Matt Graham has given the Board a suggested construction deposit based upon square footage of the building project and whether it is an inhabited structure vs shed or barn.
- ❖ Cyndie Rippey and Gary Starr came up with a rate structure and presented it to the Board.
- ❖ Discussion about whether to keep a percentage of construction deposits or return entire deposit if no damage has been done.
 - Historically deposits have been returned as long as the property owner has not caused damage.
 - Damage does happen to road during high construction periods
 - Average cost of road base right now is \$750 to \$1000 per load to repair the road
 - Should responsibility be put on the property owner who is building or should the community as a whole bear the cost with a possible increase in dues?
- ❖ Suggest to continue discussion in the future: new policy? Add to existing construction policies? Merge policies?
- ❖ Matt will retool chart for scaled percentage to be treated fairly
- ❖ Do we need to run this by the HOA Counsel?

Lot 17 update

- ❖ Survey has been completed. The Board is awaiting the results from the property owner of lot 17
- ❖ Lot 17 property owner has withdrawn his application to the Architectural Committee
- ❖ Proposal that Board work with lot 17 owner to have Board members come up and look at the location of the structure once we have the survey. If it is encroaching on lot 18 it must be moved off and establish a timeline for removal and restoration of vegetation.
- ❖ Lot 17 owner needs to submit a plan to the Board regarding his plans going forward and comply with the Covenants
- ❖ Temporary buildings only allowed while in construction of a permanent residence per the Covenants

Motion to Adjourn

Gary Starr made a motion to adjourn, Matt Graham seconded the motion

Louisa Morrissey suggested sending the results of the survey regarding the revision of the Covenants to all of the community members. Also to thank Tom Heald for putting the survey together and to the Documents work group for all of their efforts.

Gary wants to propose a longer meeting next time to start on the Covenants revision.

All Board members present in favor of adjournment.

Meeting adjourned at 8:22 pm MST.