

**Meeting Minutes**  
**Mountain Springs Ranch Homeowners Association Board Meeting August 16, 2022**  
**7:00 pm MST – 10:05 pm MST**

**In attendance:**

**Board Members present:** Louisa Morrissey; Cyndie Rippy; Matt Graham; Tim O’Sullivan; Jennifer Tomsen

**Board Members absent:** Gary Starr (in hospital – proxy given to Louisa Morrissey); Tony Thrienen

**Board Member titles, ownership, and account responsibilities:**

- Gary Starr, President; signer on account; owner of one of 43 lots
- Tony Thrienan, Vice President; monthly approval of Treasurer’s Report concerning the account; owner of one of 43 lots
- Cyndie Rippy, Treasurer; bookkeeper responsible for bank balance, deposits, and expenditures; owner of three of 43 lots
- Louisa Morrissey, Secretary; monthly approval of Treasurer’s report concerning the account; owner of two of 43 lots
- Matt Graham, Member at Large; monthly approval of Treasurer’s Report concerning the account; owner of one of 43 lots
- Tim O’Sullivan, Member at Large; monthly approval of Treasurer’s Report concerning the account; owner of one of 43 lots
- Jennifer Tomsen, Member at Large; monthly approval of Treasurer’s Report concerning the account; owner of one of 43 lots

**Community Members:** Ben Young (part); Sean Elias (part), Tucker Hinchliffe (part)

Louisa indicated the purpose of the meeting is to finish the review of covenants.

**Approval of meeting minutes:** Louisa will make the changes previously suggested by Jennifer. **Tim moved to accept the minutes. Cyndie seconded. All Board Members present voted in favor.**

**Discussion of covenants:**

**III. Mountain Springs Ranch Homeowners Association.**

(6) Assessments to Become Liens on Property. Agreed to add “or arbitration forum.”

**IV. Architectural Committee.**

(1) Architectural Committee. Discussed makeup of AC and whether it should potentially be expanded beyond the Board. Cyndie noted that the AC needs to be up on the provisions of the

covenants, legal implications, etc. and having Board members comprise the AC ensures that. Those present agreed to the present composition with the AC comprised of Board Members.

(2) Approval by Architectural Committee. Discussed Matt Graham's suggested language. Minor edits agreed on. Discussion of the meaning of "work." Matt noted that the proposed language creates uniformity rather than trying to name all examples or exceptions. Trying to identify exceptions leads to inconsistency. Discussion of whether the language would permit owners to clear walking trails on their own property. Very cumbersome if owners need to come to the AC every time they want to do something like this. A tough issue. Further discussion, with Matt noting that "work" is intending to alter land in some way. Proposed not to define work except as already defined in section V(5) and in Fire-Defensible Zones provision. Discussion and agreement to broaden definition of what can be done for fire mitigation to extend beyond 200 feet.

(5) Preliminary approvals. Discussion about whether to make more specific, but decided to leave as is. Change "buildings" to "buildings and access." Tim noted he had used the preliminary approval process and it was critical for his build.

(6) Architectural Plans. Agreed to move all of this paragraph to paragraph 2.

(7) Enforcement Actions. Agreed to move text to Article 8 and here, just reference that article.

## **V. Restrictions on Residential Tracts.**

(1) Number, Type, and Location of Buildings. Lengthy discussion of whether additional specific structures should be added to list of approved structures, to address smaller structures such as greenhouses or sheds. Considered whether to reference by size, or by number, or whether the structure used utilities, and whether to make use of the variance process. **Matt will work on language and circulate a proposal.**

(3) Towers and Antennae. Determined to add reference to OTARD to be compliant with this law: "minimum height required to receive signal consistent with OTARD."

(5) Trees and Landscaping. Agreement that fire mitigation should be allowed on entire property, but discussion of implications if owner uses this provision as excuse to clear-cut or otherwise exceed what is necessary for fire mitigation. Discussion about whether to limit "trails." Agreed to take out "recreational" and reference purposes in Article I. **Louisa will work on language and circulate a proposal.**

(2) Dwelling House to be Constructed First. Discussion of "guest house" and order of building structures. Noted that deviation from this can be approved by variance. Agreed to remove the language "guest house, caretaker house."

## **Article IX. Enforcement.**

Noted that language in green was taken from another HOA's provisions. Proposal to ask HOA attorney to write this section and make sure it is compliant with CCIOA. Louisa made this motion, Jennifer seconded – unanimous approval by all Board members present.

#### **Article VI. General Restrictions on All Tracts.**

(5) Animals. Lengthy discussion of other pets and hazards of permitting “prey” animals such as chickens that would be attractive to predators, which impacts the entire community. Noted that this provision needs “teeth” to allow HOA to enforce and/or revisit prior approval, if, for example, an owner does not follow approved specifications, or maintain enclosures to approved specifications, or despite approval, the pets become nuisances or hazards. Agreed to add additional considerations to list, including “upkeep/maintenance” and “humane” conditions and treatment for animals. Louisa will work on language and circulate a proposal. Discussion of dogs not on leash and whether this is too restrictive and hard to enforce. Agreed to add reference to “leash or voice control,” and also to reference Garfield County’s Code relating to nuisance animals.

(6) Subdivision. Lengthy discussion of pros and cons. Very difficult issue. Some owners may wish to subdivide to give their children property and may have bought their lots with that purpose in mind. Subdivision increases revenues, but also increases costs, because of more people on the roads. The road is not able to handle a significant increase in traffic. Subdividing would further change the whole feel of the community. Discussion of whether to “grandfather” in current lots but prohibit subdividing going forward, but given the number of lots, this could create all the problems referenced above. Noted that in the Community Survey, 60% of respondents were against subdividing. Noted that there is still a variance option whereby something like this could be considered. Matt will work on this language and circulate a proposal.

(7) Combining Tracts. Discussion of whether this should be allowed. Cyndie noted that owners who wish to combine their own tracts should be able to do so for tax purposes. Louisa noted that configuration of certain lots may make combining lots make sense, if for example, a neighboring lot goes up for sale. Query whether in such circumstances the owner of a combined lot would pay one set of dues or dues for both/all lots as if not combined. Agreed to ask HOA attorney for advice on this provision.

Set next meeting, to start with Subsection (8), Service Yards/Trash. Louisa moved to adjourn; Cyndie seconded. Motion passed unanimously by all Board members present.

Meeting adjourned at 10:05 pm MST.