

**Meeting Minutes**  
**Mountain Springs Ranch Homeowners Association Board Meeting**

**Tuesday August 2, 2022 7:00 pm MST via Zoom**

**In attendance:**

**Board Members:** Gary Starr, Tim O’Sullivan, Cyndie Rippy, Matt Graham, Louisa Morrissey

**Community Members:** Carrie Clark (Lot 18), Mike Freeman (Lot 18), Jack Metcalf (Lot 27), Christy Milner (Lot 10), Chris DeSantis (Lot 12), Susan Starr (Lot 37), Justyn McGrigor (Lot 29), Kurt Peterson of Focal Studios Arch (builders for Justyn McGrigor), John Rippy (Lots 38, 43 and 44).

**Reminder of rules of decorum.** Raise your hand and wait for 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. There will be one request to change behavior from the President or the facilitator of the meeting. If it happens again, the person will be removed from the meeting.

**Member Comments Not Related to Agenda Items Below**

- Louisa Morrissey thanked the Board for their dedication, hard work and service to the community and especially to Cyndie Rippy, who has donated her skills as a professional book keeper to be the Treasurer for the Board for several years. Jack Metcalf (Lot 27) seconded this comment.
- Louisa Morrissey clarified the assertion from Chris DeSantis in the July 12, 2022 meeting regarding the shed built on Lot 9 (Morrissey/Young). She stated that Lot 9 had submitted complete building plans and site map to the Board, notified neighbors and had the Board perform a site visit. The building was approved by the Board at that time and is in compliance of the Covenants.

**Approval of draft meeting minutes from July 12th, 2022**

- Chris DeSantis (Lot 12) wanted to correct the minutes to state that he submitted an updated drawing to the Board/Architectural Committee at the May 15, 2022 meeting, not a formal submission of plans.
- Mike Freeman (Lot 18) wanted to point out that Lot 17 had several covenant violations including moving the building onto lot 17 without prior Board approval, having a temporary structure and having a used structure.
- Gary Starr motioned to approve the minutes, Tim O’Sullivan seconded the motion. Motion approved by all Board members present at the meeting.

## **Treasurer's Report – Cyndie Rippy**

- One set of dues still outstanding. Notice has been sent with phone call follow up. Fines and late fees have been assessed.
- The budgeted funds for legal expenses are almost used. Funds are still needed to complete the legal review of the documents.
- The Board will need to approve use of the contingency funds to pay for the additional legal expenses.
- Mike Freeman noted that the expenses on the road were over what was budgeted.
  - Once the dues and neighbor donations are all collected the expense will be within the budget.
  - The cost of the recent summer maintenance on the main road was less than the estimate and budgeted amount.
  - Walter's Company donated \$7000 to the road maintenance. Matt Graham expressed gratitude for Ed Walters' generosity.

## **Committee Reports**

### **Road Committee – Matt Graham**

- Maintenance of the main MSR road is complete: it included grading, crowning, pulling ditches and application of Mag Chloride.
- Culverts along Mountain Springs Road from the gate and including 2 culverts beyond Black Bear Road were cleaned.
- The amount of work completed was very efficient in terms of cost.
- A sink hole recently developed above the concrete barriers that Walters Company immediately fixed. Gary Starr is monitoring the situation and is working with Ed Walters to improve water diversion at the site.
- John Rippy offered to give advice to Christy Milner regarding the damaged culvert from her well pad to North Marsh Lane that needs repair and the drainage from her driveway onto North Marsh Lane that needs to be addressed.

### **Fire Committee – Louisa Morrissey (See attached report)**

- Work with the State and local agencies to install a fire detection camera on Sunlight Peak is ongoing.
- FC did not apply for a Community Assistance Grant this year because we would need the reimbursement funds approved in the annual budget by the HOA membership.
- FC is researching the cost of fuels reduction and mitigation along the main road and will come up with a mitigation plan to use funds yearly for mitigation and

maintenance of mitigation along the main road and secondary roads. This could potentially be paid with a five-year Community Assistance Grant.

- Research continues on other grant opportunities. including a new Federal Grant from the Bipartisan Infrastructure Bill.
- Louisa hopes to meet with the Glenwood Springs Fire Dept. to evaluate location and size for fire truck turn arounds. She will then ask Walters Company for an estimate of the cost to create the turnarounds. Dirt from additional ditch work along the road could be used.
- Development of a survey regarding community interest to become part of a Fire Protection District is ongoing.
- Matt Graham expressed appreciation for the work that the FC is doing.

### **Habitat Committee**

- No report from Habitat Committee

### **Architectural Committee /Board**

- **Chris DeSantis (Lot 12)**
  - Mr. DeSantis was sent a letter from the Board regarding Covenant and Policy violations discussed at previous meetings (lack of sufficient plans for the Board to give final building approval and refusal to submit the \$5000 refundable building deposit).
  - Mr. DeSantis acknowledged receipt of the letter and supplied the Board with a drawing of the building footprint since the last July 12, 2022 Board meeting.
  - The Board has reviewed the written statement the Mr. DeSantis sent after the July 12, 2022 meeting.
  - Mr. DeSantis continues to refuse to pay the \$5000 refundable deposit as specified in the Policy Regarding Construction Procedures.
  - Discussion followed, including comments in the Zoom online chat.
  - Mr. DeSantis wants an impartial fact-finding process and quoted Colorado Law
  - Gary Starr proposed that if Mr. DeSantis submits the required \$5000 deposit by August 31, then any fines assessed will be waived.
  - Chris DeSantis offered a counter proposal that if he supplied the Board with more information regarding his building plans the Board would wave the \$5000 deposit. The Board rejected this proposal.
  - Matt Graham made a motion to fine Mr. DeSantis (Lot 12) \$50 per day from the first notice of covenant and policy violation. If the

HOA Board receives the \$5000 by August 31, 2022, then all fines will be waived and the matter considered closed. Cyndie Rippy seconded the motion. The motion was approved by all Board members present.

- **Bill Slavinski (Lot 17)**

- The structure was to have been removed from Lot 17 by July 1, 2022 and has not been removed.
- Gary Starr has emailed, called and sent a letter to Mr. Slavinski and has received no response.
- The Board voted at the July 12, 2022 meeting to impose a fine for continued covenant violations (see meeting minutes from July 12<sup>th</sup> Board meeting).
- Gary Starr requested that Cyndie Rippy send Mr. Slavinski an invoice for the amount of fines due.
- There was discussion regarding the amount of fines assessed on Lot 17 (Slavinski) compared to Lot 12 (DeSantis). Comments were also made in the online Zoom chat.
- Mike Freeman (Lot 18) asked if the Board would be placing a lien on lot 17 because the structure has now been placed directly above Lot 18's house. Mr. Freeman is concerned that without a lien placed on the property, the Owners of lot 17 will not remove the structure. It was explained that Mr. Slavinski needs to be given a reasonable chance to pay the fines before a lien is placed upon the property.
- Matt Graham commented that the Board is doing its best as a volunteer Board. It is not taking actions to personally hurt members, but to try to fairly enforce the Covenants and policies.

- **Tucker Hinchliffe (Lot 25)**

- Mr. Hinchliffe has applied to the Board for a variance to build a garage addition to his home that would encroach within the 100 feet required set back from the road.
- Discussion followed.
- The Board decided that it needed more information about why the structure needed to be placed at that location rather than at another location on the property. Gary Starr will invite Mr. Heathcliff to have a conversation with the Board to resolve this matter.
- Matt Graham made a motion to not approve the variance application at this time because the Board needs more information about why the structure must be placed at the proposed location

rather than elsewhere on the property. Louisa Morrissey seconded the motion. The motion was approved by all Board members present at the meeting

- **Justyn McGrigor (Lot 29)**
  - Justyn Mc Grigor was in attendance with his builder, Focal Studios Arch represented by Kurt Peterson, to follow up on their building plans.
  - A site plan and building plans have been submitted.
  - The Board clarified the information needed and procedure for construction: site plan, elevations, outside cladding/colors, foot print of the building, notification of adjacent neighbors, site visit from the Board/AC, \$5000 refundable building deposit.
  - Neighbors may comment on the project to the Board but may not veto the project.
  - Mr. McGrigor and Mr. Peterson asked to go forward with final approval. They do not want to go to the expense of putting in a driveway if the plans will not be approved.
  - Louisa Morrissey will send Mr. Peterson the contact information (mailing addresses and emails) on file with the Board for the neighbors.
  - Mr. McGrigor and Mr. Peterson will submit all of the necessary documents and will schedule a site visit.
  - Carrie Clark questioned how close the building will be to the west side of the ridge. Mr. Mc Grigor stated that the building is on the east side and below the top of the ridge.

#### **Old/New Business**

- Christie Milner asked Cyndie Rippy if she had opened up separate interest earning accounts for the construction deposits.
- Cyndie Rippy said that she is in the process of doing that.

- Matt Graham motioned that the Board meet in two weeks on August 16, 2022 to finalize our review of the Covenants. Louisa Morrissey seconded the motion. The motion passed with all Board members present approved the motion.

Matt Graham made a motion to adjourn the meeting. Tim O'Sullivan seconded the motion. All Board members present approved the motion.

**Meeting adjourned at 8:41 pm.**