

Meeting Minutes
Mountain Springs Ranch Homeowner's Association Regular Board Meeting

Tuesday October 4, 2022 at 7 pm MST via Zoom

Meeting opened by Gary Starr, Board President, at 7 pm MST

Attendance:

Board members: Gary Starr, Cyndie Rippy, Tim O'Sullivan, Tony Threinan, Matt Graham, Jennifer Tomsen, Louisa Morrissey

MSR members: Carrie Clark and Mike Freeman (Lot 18), Jerry Fedrizzi (Lot 3), Susan Starr (Lot 37), John Rippy (Lots 38, 43, 44) , Justyn McGrigor (Lot 29), Jack Metcalf (Lot 27), Peg Hill (Lot 5), Sean Elias (Lot 16), Christy Milner (Lot 10), Chris DeSantis (Lot 12).

Reminder of the 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. 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 remove from the meeting.

Approval of Meeting minutes from September 7, 2022:

Cyndie Rippy motioned to approve the minutes. Tim O'Sullivan seconded the motion. The motion passed with all Board members present in favor.

Member Comments not related to Agenda:

Sean Elias (Lot 16) gave an official announcement that he was in the process of subdividing his lot. He has sent a plat to the Board. Under the current Covenants this is allowed and Mr. Elias is grandfathered in.

- Tim O'Sullivan asked to email Mr. Elias for more information.
- Mr. Elias expressed concern that the proposed Covenants will restrict subdivision of lots.
- Gary Starr told Mr. Elias that he was grandfathered in by the old Covenants.

Treasurer's Report, Cyndie Rippy:

- Current report:
 - Over spent on road and insurance
 - Have \$1675 remaining in the legal budget but expecting another bill.
 - Still missing one set of dues. She has sent several notices and applied late fees and penalties.
 - Recent donations: \$1500 to the Road and \$1500 to the Legal budget.
 - Road over expenditure due to cleaning of culverts.
- Proposed Budget for 2023:
 - No dues increase included in this budget. (Based on current dues).

- Matt Graham pointed out that overall materials for road maintenance are running about 20% higher for next year than this year.
- Jennifer Tomsen volunteered that she and Chris Jermaine will donate additional funds to next year's road budget.
- Fire Committee Reserve Fund: Louisa Morrissey requested that the remaining amount in the Fire Committee funds be put into the reserve fund. She requested that the reserve fund be for fuels mitigation along the roads and that the fund is built up to a point that MSR can apply for matching or reimbursement grants for fire mitigation efforts.
- Louisa Morrissey made a motion to put the remaining Fire Committee funds into the reserve and change the reserve designation from fire truck turn arounds to fire mitigation. Cindy Rippy seconded the motion. The motion passed with all Board members present in favor.
- Discussion of whether to raise dues, assess lots equally or charge full time residents more:
 - Cyndie Rippy pointed out that the dues increase would need to be approved by the Board and a new budget would need to be made based on the total amount of funds available after a dues increase. When the 2023 proposed budget is sent to the Membership, any dues increase must be noted.
 - Louisa Morrissey noted that the HOA counsel strongly advised against charging full time residents more in dues. The current bylaws state that dues assessments are equal per Lot.
 - Tim O'Sullivan stated that dues should be applied equally.
- Matt Graham made a motion to raise dues by \$200 per lot for 2023. Tim O'Sullivan seconded the motion. The motion passed with all Board members present in favor.
- Cyndie Rippy will create a new Budget for 2023 that will reflect the dues increase and present it for approval at the next Board meeting.

Committee Reports:

Road Committee, Matt Graham:

- Speed limit signs and yield to uphill traffic have arrived.
- Need volunteers to put up. Mike Freeman volunteered to help.
- Noted that the road held up well this year.
- Noted that electrical power to lot 31 is being put in across South Marsh Lane.

Fire Committee, Louisa Morrissey:

- Fire egress route was inspected by Jerry Fedrizzi: passable with high clearance 4WD vehicles and in good shape. Encouraged Members to contact the Rippy's and become familiar with the egress.
- Neighbor in Glen Park has put in a culvert to smooth the transition between the egress and Red Mountain Road.
- Cyndie Rippy noted that Glen Park has put in a new gate that does not automatically open. The Glen Park community is currently working to address this concern. In the case of an emergency there is an old road around the gate.
- Continued projects: Wildfire detection camera on Sunlight Peak, grants, investigation of possible fire truck turnarounds, investigation of becoming part of the Fire District.
- See FC report attached to the minutes.

Habitat Committee: no report.

Governing Documents /Community member input and feedback.

Carrie Clark (Lot 18) requested that this topic be put at the end of the agenda in order to address Architectural Committee and building concerns. Gary Starr agreed to this request.

Current Architectural issues:

Lot 17 (Bill Slavinski and Megan Chance):

- Carrie Clark read a letter from her and Mike Freeman (Lot 18) addressed to the Board regarding their concerns about the structure on lot 17 continuing to be there in violation of Covenants. They are concerned that the electrical cords spread across the vegetation that appear in the photos taken by a Board member last December pose a fire hazard. It is unknown if the electrical cords are still in place at this time. They requested their letter be sent out with the minutes.
- Carrie Clark and Mike Freeman are concerned that the statute of limitations to remove the structure will run out on December 4, 2022, a year from when they notified the Board of the existence of the structure that was in violation of Covenants and on their property.
- Louisa Morrissey confirmed that the HOA counsel said that the timing of the statute of limitations began at the first notice to the Board of the violations.
- Carrie Clark and Mike Freeman requested that the Board decide at this meeting to pursue legal action and get a court ordered injunction before the statute of limitations runs out.
- Gary Starr stated that the Board was not prepared nor notified in advance to make this decision at this meeting.
- Tim O’Sullivan noted Carrie Clark’s and Mike Freeman’s concerns, and said that the Board is in the process of trying to get the structure removed before October 15th. The Board has offered to waive all of the fines on Lot 17 (Slavinski/Chance) for Covenant violations if the structure is removed by October 15, 2022.
- Gary Starr will contact Garfield County to see if the County can get the structure removed.

Lot 12, Chris DeSantis:

- Discussion continued from the last meeting without resolution.

Lot 29, Justyn McGrigor:

- Lot 29 has received final approval by the Board for their building project in the new location and after confirmation that the colors of the buildings will blend into the environment as much as possible.

Lot 25, Tucker Hinchliffe

- Tucker Hinchliffe has applied for a variance for a garage. The Board has asked him to raise story poles and obtain a Geotech consultation in regards to the impact his project would have on the road before considering a variance. Mr. Hinchliffe was not present at this meeting.

Governing Documents Review; community input and feedback:

Time ran out and this item was tabled for the next Board meeting.

Next Board meeting will be October 13, 2022 at 7 pm via zoom:

- Governing documents review and community feedback.
- Proposal and vote on the 2023 Budget.
- Preparation for the annual Members meeting.
- Louisa Morrissey motioned to have the next meeting on October 13, 2023 to address the above items, Tim O'Sullivan seconded the motion. The motion passed with all Board members present in favor.

Gary Starr motioned to adjourn the meeting. Tim O'Sullivan seconded the motion. The motion passed with all Board members present in favor.

Meeting adjourned at 8:26 pm MST