

**Mountain Springs Ranch Homeowners Association
Annual Members Meeting 2022
10 am MST via Zoom**

Meeting opened at 10:08 am MST
Role call and meeting attendees:

Lot 2: Martha Cochran
Lot 3: Jerry and Jan Fedrizzi, Jeff Fedrizzi
Lot 4: Bob Noone (limited proxies emailed into Board)
Lot 5: Julie Coy and Peg Hill
Lot 6: Deborah Tumulty
Lot 7: Louise Marron
Lot 9: Louisa Morrissey and Ben Young
Lot 10: Christy Milner, Micah Embrey
Lot 11: Scott and Melinda Delmonico (general proxy held by Jennifer Tomsen)
Lot 12: Chris DeSantis
Lot 13: Will Evans
Lot 14: Michael Green
Lot 15: Jim and Jeannie Lucas (limited proxies emailed into Board)
Lot 16: Sean Elias
Lot 17: Megan Chance
Lot 18: Carrie Clark and Mike Freeman
Lot 20: Nancy Culkin
Lot 22: Jennifer Tomsen and Chris Jermaine
Lot 23: Thomas and Danielle Warnes (General proxy held by Louisa Morrissey)
Lot 25: Marlena MacArthur and Tucker Hinchliffe
Lot 26: Larry Sather (General proxy held by the Board President, Gary Starr)
Lot 27: Jack and Leslie Metcalf
Lot 28: Alan Short
Lot 29: Justyn McGrigor
Lot 31: Tim O'Sullivan
Lot 32: Jack and John Cody
Lot 33: Matthew Graham
Lot 34: Tony Threinen
Lot 36: Jon Zalinski
Lot 37: Susan and Gary Starr
Lots 38, 43 and 44: John and Cyndie Rippy
Lot 39: Ben Young and Louisa Morrissey
Lot 42: Tom Heald

No attendance or proxies: Lot 1, Lot 8, Lot 19, Lot 21, Lot 24, Lot 35, Lot 40 and Lot 41. There is no Lot 30.

A quorum of members was present.

Meeting conduct reminder Gary Starr, President

Raise your hand and wait to be recognized by the President for your turn to speak; Limit comments to 3 minutes; Do not interrupt the member with the floor; Be respectful of all members; no abusive language; If there is disrespectful language or abusive language, there will be one request/warning to change

behavior or language; If the behavior continues the person will be removed from the meeting.

President's Comments Gary Starr

Gary Starr thanked the current Board for all of the work it has done this past year, especially with continuing the documents revision. The work was a group effort based on community feedback. He reminded all that the Board members are volunteers, donating their time and effort to the greater good of the community.

Members Comments (limit to three minutes)

- Nancy Culkin, Lot 20
 - Nancy thanked the Board for it's transparency and hard work.
 - She asked the community members to treat each other with kindness and respect.
 - Suggested that the annual meeting be in person for next year.
- Sean Elias, Lot 16
 - Felt that the vote on the covenants was too hasty and residents did not have time to review the materials.
 - Wanted to postpone the vote on the revised documents.
- Will Evans, Lot 13 (please see the complete record of Will's comments attached to the minutes)
 - Expressed concerns for the water quality in the Community
 - Expressed concerns regarding civility and the civil process in our community and the departures from basic values.
 - Would like to see a return to values of honesty, cooperation and kindness.
- Martha Cochran, Lot 2
 - Expressed concern about disallowance of remote wilderness cabins proposed in the revised covenants and asked that this be reconsidered. Small cabins have less impact on the habitat.

Approval of annual meeting minutes from 2021

- Julie Coy motioned to approve the meeting minutes from 2021
- Nancy Culkin seconded the motion
- Motion passed

Committee Reports (please see complete reports attached to the minutes)

- Road Committee Matthew Graham
 - Put about 20 loads of road base on main road.
 - Hydrovac cleaned culverts which were blocked and water was spilling across the roads creating damage. Cleaned culverts should prevent damage to road.
 - Have ordered speed limit and yield to uphill traffic signs.
 - Overspent on the budget due to cost of cleaning culverts.
 - Anticipates costs rising 20 to 25% next year due to inflation.
 - Gary Starr thanked Ed Walters for his generous donations and contributions to the road.
- Architectural committee, Gary Starr
 - Lot 7 (Louise Marron and Tim Hasselmann): building in progress
 - Lot 32 (Jack Cody): building in progress
 - Lot 29 (Justyn and Jenny McGrigor): building plans approved
 - Lot 31 (Tim O'Sullivan): building plans approved
 - Lot 17 (Bill Slavinski and Megan Chance): structure has been removed
 - Lot 12 (Chris DeSantis): building in progress
 - Mr. DeSantis inquired about the legal matter and was informed that the HOA lawyer was responding to his lawyer.

- Habitat committee, Martha Cochran
 - Weed mitigation along the roadsides doing very well with less amounts of herbicide needed.
 - Encouraged private property owners to manage weeds on their own properties. Contact the habitat committee with questions and information.
 - Jerry Fedrizzi will order spruce and Douglas fir beetle pheromones again.
 - Several subalpine fir trees are succumbing to disease and dying.
- Fire committee, Louisa Morrissey and Jeff Fedrizzi
 - Community Wildfire Protection Plan (CWPP) was approved by the Colorado State Forest Service, BLM, Garfield County and Glenwood Springs Fire Protection District.
 - Jerry Fedrizzi walked the fire escape route and has made some great suggestions (see report).
 - Jeff Fedrizzi has been coordinating with several agencies on the installment of an Alert Wildfire camera system on Sunlight Peak.
 - Fire Protection District: currently the Fire Department has no legal responsibility to respond to structure fires in MSR. The agency would be excited to have MSR join. Joining the protection district would be a fairly long, legal process that would require community support and approval. The first step would be to create informational material for the community and to perform a community wide survey to assess interest in joining the fire protection district.

Treasurer's Report Cyndie Rippey (see annual budget and report attached to minutes)

- Over run on legal and road expenses for 2022.
- Proposed budget reflects dues increase in order to replenish the contingency fund.
- Cyndie Rippey thanked Ed Walters for his generous contribution of \$6800 credit from his family.
- Ed Walters successfully encouraged Xcel energy to donate \$2600 to the road.
- Several other community members and neighbors have made generous donations to the road. Thank you!
- Louisa Morrissey noted that she will contribute \$1000 to the Fire Committee reserve fund.

Vote for approval/veto of the proposed budget: Gary Starr asked the members if anyone vetoed the proposed 2023 MSR budget which included an increase of dues to \$1750 per year per lot. No one vetoed the budget so the budget is deemed accepted per CCIOA.

Documents revision (Articles of Incorporation, Bylaws and Covenants); discussion and vote

Comments:

- Gary Starr:
 - These revisions have taken 2 years and reflect the work of two different boards, a community survey, several open work meetings, and community input.
 - All revisions and language have been reviewed by the HOA lawyer for compliance with Colorado state law.
 - The revisions comply with state law and are much better than the current documents.
- Jennifer Tomsen:
 - There will never be a "perfect" set of documents for every individual, but the documents are to reflect an overall consensus of community members.
 - Several changes were necessary in order to comply with Colorado state law.

- Last minute changes were made a result of community and legal feedback to the Board.
- A vote in favor of the documents does not mean they cannot be amended in the future pursuant to legal requirements.
- Questioned if the voting window needed to be extended longer to give members more time.
- Christy Milner:
 - Concerned about last minute changes to documents.
 - Opposed removing ability to subdivide lots.
 - Questioned merging of lots and merged lot pays one set of dues.
- Chris DeSantis:
 - Concerned that requiring all new buildings to meet Garfield County codes will prohibit recreational cabins as defined by the County.
- Alan Short:
 - Suggested that the changes in the documents be highlighted.
- Matthew Graham:
 - Subdivision of lots will lead to increased traffic on the road and higher costs of maintenance.
 - No intention to “ban” recreational cabins or small cabins. Intention was to limit the risk of fire from dwellings built with little regulation or adherence to code.
 - Gary Starr noted that if you already have an existing structure, you cannot build a recreational cabin per the definition by the County. Only a few remaining lots do not have structures. There is not a limit to how small a structure may be. Small cabins are allowed if they meet Garfield county building code.
- Louisa Morrissey:
 - Current covenants allow for combining lots. The clause is not new and has been in the Covenants for years.
 - Current covenants say that dues are assessed equally per lot. The HOA lawyer confirmed that this means that if lots are combined, then the new lot pays one set of dues. If a lot is subdivided into two lots, then each lot pays a set of dues.
- Jeff Fedrizzi (in the chat):
 - Assessments are based on the impacts a lot has to the roads, land, fire risk etc. Increasing the number of developments creates increased impact, while combining two lots into one lowers the impact.
- Martha Cochran:
 - Most members are not in favor of subdividing lots. It would create twice the traffic, twice the number of lots and twice the impact on the land. Gary Starr clarified that the proposed covenants prevent subdivision of lots under 35 acres.

Vote on revised documents:

- Discussion regarding to extend the vote for seven days or vote at this meeting.
- Julie Coy motioned to vote today on the approval of the revised Articles of Incorporation, Bylaws and Covenants. Nancy Culkin seconded the motion.
- Vote was by rollcall (see meeting results excel chart):
 - 27 Lots in favor, 8 Lots opposed, 8 Lots absent.
 - 2/3 (67%) of 43 lots needed to pass: 29 votes needed to pass
 - Motion did not pass

- Documents will be sent out to the Community in the future for another vote. Matthew Graham mentioned that the documents must be updated to conform to state law.

2023 MSR Board of Directors Election

- Nominees: Tim O’Sullivan, Cyndie Rippy, Tony Threinen, Louisa Morrissey, Jennifer Tomsen, Matthew Graham, Christy Milner and Chris Fedrizzi.
- Because there were 8 nominees for 7 positions the vote went to a secret ballot.
- Jack and Leslie Metcalf volunteered to do the secret ballot and count by email.
- Louisa Morrissey motioned to approve Jack and Leslie Metcalf to count the secret ballots, send an email ballot by the end of the day to all members in attendance at this meeting, members will send their votes back to Jack and Leslie count the results by the end of the day. Leslie Metcalf seconded the motion. Motion was approved.
- Jack and Leslie Metcalf said they would have the results sent to the Board email by the next morning.
- Election results as determined by secret ballot email results:
 - **New Board for 2023: Matthew Graham, Chris Fedrizzi, Louisa Morrissey, Tim O’ Sullivan, Cyndie Rippy, Tony Threinen and Jennifer Tomsen.**

2023 Committee memberships will be decided at the first meeting of the new board.

Next annual meeting date: Saturday November 4, 2023 10 am. Location TBD.

Gary Starr motioned to close the meeting. Several members seconded the motion. Motion passed. Meeting closed at 12:45 pm MST

Will Evans Comments MSR Homeowners Meeting 2022

“From the living water in me

I send greetings to the living water in you.

Last year I spoke at our homeowners meeting about my concerns for water quality and hopes that we might come together as neighbors with a collective commitment to source water protection.

This year, as I observe our membership, I realize it is premature to convene a source water protection educational program. Mountain Springs is in turbulent water; we are at risk of getting caught in a net of confusing, wasteful local deviance from the civil process of our community.

This deviance is a departure from our basic values of cooperation, decency, honesty, integrity and respect - this disturbance to the long term intelligence of good heartedness threatens the peace of our community.

We are at a critical point and one characteristic of passing through such an inflection point is a transition from **value systems** which prevailed in another location or earlier era - which of necessity are

replaced by values appropriate to this place and time we inhabit today.

Healing can come when fundamental enduring truths return.”

Mountain Springs Ranch HOA Treasurer's Report 10/31/2022

Income

Dues	\$65,100.00
Road Maintenance Contributions	\$6,900.00
Weed Control Cost Share	\$662.50
Gate Openers	\$0.00
Late Fees	\$150.00
BOC Interest	\$28.17
Contributions	\$1,510.00
Construction Deposits	\$0.00
Total Income	\$74,550.67

Expenses

Legal	\$13,022.75
Legal Water	\$438.50
Road	\$42,489.31
Snowblowing	\$28,535.00
Utilities	\$715.21
Insurance	\$1,101.00
Gate	\$105.00
Gate Openers	\$0.00
Office Expense	\$10.00
Food-Picnic	\$0.00
Weed Control	\$4,400.00
Fire Mitigation	\$425.43
Total Expenses	\$87,232.20

01/01/2022 Bank Balance	\$49,530.06
Income	\$74,550.67
Expenses	-\$87,232.20
Construction Deposit Bank Acct.	<u>\$15,000.00</u>
Bank Balance 10/31/2022	\$26,847.53

Bank Balance 10/31/2022	\$26,847.53
Contingency Fund	-\$29,338.83
Reserve Account	<u>\$6,725.23</u>
Cash On Hand	-\$7,216.53

Uncollected Dues \$1,550.00

Cash On Hand -\$5,666.53

Cash on Hand	-\$5,666.53
Road Budget	\$4,309.31
Insurance	\$144.00
Fire Mitigation Budget	-\$574.57
Weed Control Budget	\$1,537.50
Gate Budget	-\$585.00
Legal Budget	\$1,961.25
Utilities	-\$284.79
Office Expense	<u>\$650.00</u>

Actual Cash On Hand **\$178.17**

Reserve Account

2020 Excess Funds/Fire Mitigation	\$1,425.23
2022 Gate Master Board	\$2,300.00
2022 Budget/Fire Mitigation	<u>\$1,000.00</u>
Reserve Account Balance	\$4,725.23

MSR 2023 Proposed Budget Report

Income

Dues (43 X \$1750)	\$72,250.00
Uncollected Dues	-\$1,770.00
2022 Carryover	<u>\$1,874.38</u>
Total Income	\$72,354.38

Expenses

Legal	\$3,000.00
Road Maintenance	\$51,112.44
Utilities	\$1,000.00
Insurance	\$1,200.00
Gate	\$650.00
Office	\$650.00
Weed Control/Habitat	\$3,000.00
Fire Mitigation	\$1,000.00
Reserve Carryover Funds	\$1,874.38
2022 Excess Expenditures	<u>\$8,867.56</u>

Total Expenses **\$72,354.38**

Reserve Account

Gate Mother Board	\$2,580.00
Fire Mitigation	<u>\$4,019.61</u>
Reserve Account Balance	\$6,599.61

Construction Deposit

Cody	\$5,000.00
Hasselmann	\$5,000.00
O'Sullivan	<u>\$5,000.00</u>
Deposit Account Balance	\$15,000.00

Contingency Account

Balance Forward	\$29,338.83
2022 Excess Expenditures	-\$8,867.56
2023 Budget Reimburse	<u>\$8,867.56</u>
Contingency Balance	\$29,338.83

MSR 2022 Budget

Income

Dues (43 X \$1550) \$66,650.00

Total Income **\$66,650.00**

Expenses

Legal	\$10,000.00
Road Maintenance	\$47,043.00
Utilities	\$1,000.00
Insurance	\$957.00
Gate	\$3,000.00
Office	\$650.00
Weed Control/Habitat	\$2,000.00
Fire Mitigation	\$1,000.00
Reserve	<u>\$1,000.00</u>

Total Expenses **\$66,650.00**

Road Committee Report

We had an above average winter snowfall this year. As a result, we spent a higher than average cost for snowplowing of \$19,525. The road budget for summer maintenance is the amount left over after snowplowing. Thanks to the efforts last summer's maintenance and double application of Mag Chloride the road survived the winter in great shape.

This year we added 15 loads of road base, spread, watered and compacted. We also cleaned out 7 culverts that were at risk of closing. This will help several of the problematic spots on the road. Due to budget constraints, we only applied one coat of Magchloride. We were able to get an earlier start this year to make use of the road improvements and dust control for more of the spring and summer. The road has survived the construction traffic and use very well going into the winter.

A special thanks needs to go out to many nonmember's donations. Especially Ed Walters Company and Family who once again provide great pricing and workmanship and an additional \$6800 generous donation to the road.

We have experienced, like everything else, a rise in the cost of materials. Road base and magchloride being the greatest increases. This trend is more than likely to continue. The new budget reflects the need for additional funds to maintain the current level of maintenance on our road.

Fire Committee Report for the 2022 MSR Annual Meeting

Mary Noone. The Fire Committee lost one of our valuable and longest members this year, Mary Noone. We express our condolences to her family and friends. We would like to recognize all of the contributions she made to Fire Committee and our community, especially for Chipper Day. Mary, we will treasure your memory always.

Community Wildfire Protection Plan (CWPP). The MSR CWPP was approved the Glenwood Springs Fire Protection District (GSRPD), Garfield County, the BLM and the Colorado State Forest Service (CSFS) this past spring. This is a comprehensive plan that includes community fire mitigation efforts and education, historical fire risk and collaboration with the Colorado State Forest Service (CSFS), BLM, GarCo Sheriff's emergency management operations, the Glenwood Springs Fire Dept (GSFPD). The CWPP action plan will guide our community's efforts as we move forward and will give our community better opportunities as we apply for Grants to fund these efforts.

Fire escape route. The main emergency egress route out of MSR is on the north east corner of the neighborhood via Hidden Springs, through the Rippy's private property and exiting into Glen Park down Red Mountain Road. The Glen Park neighborhood shared their gate code with our community recently. This code was emailed to MSR members with the stipulation that the code is not to be shared and only used in case of an emergency. A Glen Park neighbor contributed towards fixing the ditch where the egress route meets Red Mountain Road so that it is now a smooth transition.

Fire Committee member, Jerry Fedrizzi, with permission from the Rippys, recently drove the fire egress route and made the following observations and suggestions:

- It is considered passable by a four-wheel drive or ATV/UTV. A regular car/vehicle could get stuck and impede egressing traffic due to it is a one-lane road with three gates.
- All gates can be accessed by pulling up the post even though it locked.
- Suggested evacuation route signs for awareness; need reflective red signs at the intersection of Saddle

and Mountain Springs Road, North/South Marsh intersection, North Marsh and Hidden Springs

intersection for guidance to the route.

- Encouraged residents to familiarize themselves with the route. Please contact John or Cyndie Rippy

for permission to explore the route.

Much gratitude to the Rippy's for the use of the egress route and all of the effort and time they take to keep it open.

Fire safety zone and helicopter landing area. Thank you to Tim Hasselman and Louise Marron for volunteering the large meadow on their lot (lot 7) at the intersection of Mountain Springs Road and Forest Glen as a safe zone for the community in the event that residents were trapped in MSR during a wild fire. This can also become a helicopter landing area. A windsock is now in place.

Emergency contact list. The fire committee continues to update and expand on this opt in emergency directory. Most of the MSR neighborhood has joined. If new members of the community wish to be included in the emergency directory please contact:
LouisaMMorrissey@gmail.com

Chipper day. The spring chipper day on June 4, 2022 was again successful and fun community event. Thanks to all of the volunteers who helped load slash into the chipper, rent the machine and drive it around the neighborhood.

Wild Fire Detection Camera on Sunlight Peak. Fire Committee member, Jeff Fedrizzi, reached out to personnel from University of Nevada at Reno (UNR) to encourage the installation of a thermal fire camera [Alert Wildfire System (AWS)] on Sunlight Peak. The camera would help to detect fires earlier 24/7 in all areas within a certain radius of Sunlight Peak, including MSR. The idea is to detect smaller blazes, before they get out of control. Many of these cameras have been installed in California, Nevada and Oregon; they are a promising tool. Only one in Colorado so far at Harvey Gap near Silt.

After months of cooperative work between several agencies, all components are in alignment and only awaiting a USFS tower climber to install the equipment.

Grants and funding. Research begun on possible grand and funding opportunities.

- Community Assistance Grant (BLM). This is a reimbursement grant. The HOA would need to have

the funds to pay first, then submit the invoices for reimbursement. Reimbursement usually happens in

a few days.
- Community Wildfire Defense Grant Program. This is a new Federal grant funding opportunity from

the Bipartisan Infrastructure Bill. Grants are intended to help at-risk local communities plan and reduce the risk against wildfire. The MSR community has a very good chance of qualifying for this grant especially with our recent approval of the CWPP. This is a cost share grant and work in kind would be considered in the cost sharing.
- The FC approached the Board at the October 4th meeting and requested that the remaining amount in the Fire Committee funds be put into a reserve fund for fuels mitigation along the roads and to provide funding for reimbursement or cost in kind grants.

Many thanks to Peg Hill and Susan Starr for their work.

Newsletter and Community Outreach. The Fire Committee has developed a bi annual newsletter in its mission of community outreach and education.

Glenwood Springs Fire Protection District. The next step is to develop a survey to gauge the interest of MSR residents and surrounding communities in joining the Fire District. The FC also

plans to create and distribute a communication letter/pamphlet to explain in lay persons' terms what is legally involved in joining the fire district and the process of joining. Legal advice is needed regarding the paths forward.

Firewise community: MSR renewed our Firewise status. For the 2021 season our total community volunteer hours reported totaled 1333 hours! The total value of reported MSR volunteer efforts came to \$36, 257.95. Each year the number of reported volunteer hours has been increasing. This is a reflection of our community's dedication to fire mitigation and education. Great job everyone!

Maintaining our Firewise status and reporting the value of our community fire mitigation efforts is an important part of the CWPP and will be included in our application for grants and funding.

Please send your hours spent doing fire mitigation work to Louisa Morrissey at LouisaMMorrissey@gmail.com. Please include the date, hours and a description of the work. These are due by November 12, 2022. Thank you.

Thank you to all of the amazing Fire Committee volunteers!!

Mountain Springs Ranch Habitat Committee Report 2022

The native vegetation continues to be diverse and relatively healthy. This year the good news is that we had more rain and the bad news is that it brought more invasive and noxious weeds.

The Habitat Committee again worked with the Mt. Sopris Soil Conservation District to identify and map noxious and invasive weeds in the Mountain Springs Ranch road system rights-of-way. Those maps were then used to direct weed treatment and to apply for matching funds from the Garfield County cost-share program.

Primary invasive weeds treated were:

- Houndstongue, (easily controlled by pulling by hand)
- Musk, bull, plumeless, Scotch and Canada thistle, (these have also spread to adjacent private properties)

- Dame's rocket
- Dalmatian toadflax
- Mullein
- Whitetop (hoary cress)
- Cheat grass
- Jointed goat grass

Spraying for weeds in the right-of-way this year cost \$4,400 and the homeowners association was reimbursed \$1,500. Committee members work with Outdoor Services to assure that the minimum amount of herbicides were used and that weeds were hand-sprayed individually.

Committee members will be contacting homeowners again this winter about ordering pheromones for Douglas fir beetles. There was some die off of subalpine fir along Mountain Springs Road but little Douglas fir beetle kill this past year.

We appreciate MSR members' vigilance in contacting Habitat Committee about weed concerns. If you would like to have Outdoor Services treat weeds on your property, you may contact them at 970-625-1002 or outdoorservices@live.com.