

MOUNTAIN SHADOWS HOA BOARD MEETING

Date/Time: Feb 9, 2018, 10:00 AM – 12:30 PM

Location: Garden Valley Library Conference Room

Meeting called by: Scott Brown, MSHOA President

Board members present:

Scott Brown, President

Stacy Perryman, Vice President

Cherry VanCour, Treasurer

Ellen Bush, Board of Director

Jim Sipple, Board of Director

Others present: Linda Ruppel, Harry and Barb Tumanjan, Larry Hellhake, Bob Hammond, Billie Davolt, Al Webster

Meeting opened by Scott Brown at 10:08.

Ellen moved to accept the Agenda.

NEW BUSINESS:

1. **Announcement of Acting Treasurer:** Cherry VanCour was introduced as Acting Treasurer until the June MSHOA meeting.
2. **Possible dates/times for Annual Meeting in June:** June 9 was proposed as the meeting date. June 16 was proposed as back up date. Meeting would be at 10:00 AM
 - 2.1. **ACTION ITEM/OWNER:** Scott will reserve the Senior Hall
3. **Presentation by Larry Hellhake re: Phase 4, 5, 6:** Larry Hellhake was introduced by Scott. Larry does have phase 4 and 5 (there is no phase 6) under contract. Nothing is officially sold at this point. The offer is currently in the due diligence phase for the next 3 months. Larry is working with the BOD to keep us updated. The BOD will keep you updated as more information becomes available.
 - 3.1. Larry said there is a ¼ inch cable across the road that has access to the wells (Packer John Road?) and the cable needs to be removed.
 - 3.1.1. **ACTION ITEM/OWNER:** Jim Sipple will clarify with Larry to resolve. Jim will also ask Larry for the easement document; it could not be located in our files.
 - 3.1.2. **ACTION ITEM/OWNER:** Jim Sipple will obtain a copy of the legal easement for the 5 acres the wells are on.

OLD BUSINESS:

4. **Financial Report:** Cherry VanCour modified the spreadsheet to make sure all data was included. In order to make account for all funds, Cherry added a “Starting Balance” and “Current Balance” and columns for “Transfer to CD”, “Monthly Expended”, Deposits” and “Monthly Balance”. Ellen thanked Cherry for the spreadsheet format.
 - 4.1. In January, \$1659.57 was spent. Most of the dues are in. Ellen asked if Cherry was told how to handle delinquent dues. Cherry responded that she found and are using letters from past years and appropriately modified before sending out. The next letter she sends will be a registered letter. Ellen wanted Cherry to feel supported by the board with the collections.
 - 4.2. Cherry had separate spreadsheets for water categories that were more specified. Review of the water category spreadsheets will be part of the water committee report. Cherry must go to each individual receipt to separate out the water data, and then make sure the water numbers match. It takes a lot of time. She said that Quick Books would help. She will be able to categorize and easily pull reports using the Quick Books program. It’s about \$300, no monthly fees, with a \$100 coupon. Jim moved to approve. All agreed.
 - 4.2.1. **ACTION ITEM/OWNER:** Cherry will purchase QuickBooks and will work with Jim Sipple and Bob Hammond regarding the sub categories under the Water category.
5. **Architectural Review Committee Report (ACC):** Stacy has not been asked for anything regarding the ACC. The ACC documents are on the website. There is one document and one checklist. Everyone on the ACC committee needs to review the forms on the website. Bob said there is some interpretation of colors that is different from the CC&Rs. Stacy believes it agrees with the CC&Rs. Bob will e-mail her the differences he sees.
 - 5.1. **ACTION ITEM/OWNER:** Stacy will review color differences Bob identifies.
6. **Water Committee Report:** Jim reported it is a huge project to inventory all water components, assign lifespans and to gather replacement. He said it will take some time to accomplish. Ellen asked if there is a process or updates as they go along. Jim looked at a piece of free software, from the EPA, designed for small water systems called CUPSS. Jim thinks it could work, but he wants to get Ray VanCour and Bob Hammond involved to help assess. It will generate reports and identifies what needs to be replaced. Jim has a preliminary list of water parts. The Board requests they look at the software and report back at the next meeting.
 - 6.1. Cherry responds, as treasurer she needs to know what parts are going to expire and how much they cost. She needs that kind of information for the upcoming budget. There needs to be a way to predict or forecast these expenses to the best of our knowledge, budget for all forecasted known expenses and then have a reserve fund for emergencies. Bob says that for

pipes underground it's hard to anticipate an expiration date. Bob doesn't want to work on software, but he is willing to help with estimating the cost of replacing water parts and maintenance. Jim said there is maintenance that has to be done, but no documentation of previous work. There needs to be a system to document maintenance - preventative, corrective, and emergency maintenance. They need to capture where they are spending the money. Jim said he is going to start taking photos of all the assets and then tag them. Stacy says they still need to have a repair list.

- 6.1.1. **ACTION ITEM/OWNER:** Jim to decide if the CUPSS software is something we want to move forward with. Jim resigned from BOD 2/22/18 and Jim's response to this ACTION ITEM is: The CUPSS software was re-evaluated and the software was determined to be more than needed and too complicated.
7. **Water "Bill" Timeline:** Jim Sipple reported the first meter reading will be done in April/May. Most likely there will be billing for the May to June reading.
 - 7.1. Bob Hammond wondered if everyone knew that there was going to be billing. It was sent through e-mail. Billie Davolt suggested once a fee schedule is established that the board send it out in the mail and also post on the web-site. The fee structure has been established and will be implemented. Emails have been sent out to members. To remind people, Scott said he would reiterate the fee structure in 3 ways: notification letter through the mail, email, and the website. Scott will put the letter together.
 - 7.1.1. **ACTION ITEM/OWNER:** Scott will reiterate the water fee structure via 3 venues: mail, email and the website.
 - 7.2. Status of Off-Site Users: Some properties have changed hands so agreements with off-site water users need to be clarified and revisited.
8. **Website Cost to Date:** To date (2/9/18) the cost for the website is \$45.00 and is being handled by an outside contractor, Brian Ellis. He has been very responsive to our requests. There is a Water Outage Hotline number posted on the website, 208-598-8446. When this number is called it will generate an email that currently is being forwarded to Scott. It was suggested the website should also make it clear what number to call if there is an emergency other than water outages. Cherry suggested there should be a sign posted with the telephone number under the red light on the pump house so if someone sees the red light on, they will also see the number to call.
 - 8.1. **ACTION ITEM/OWNER:** Stacy will update the website to show a telephone number for emergencies.
 - 8.2. **ACTION ITEM/OWNER:** Scott will obtain a quote for a sign for under the red light on the pump house.
9. **Public comment:**
 - 9.1. Al Webster: He commends the present board of directors. Everyone has done a fabulous job. He would like the board to republish the list of

homeowners, phone number and e-mail address. It serves people to know who their neighbors are. Continuity is very important in an HOA. Stacy responded that some homeowners do not want their information revealed.

9.1.1. **ACTION ITEM/OWNER**: Cherry will drive the decision regarding if the BOD will create and maintain a 'public' membership contact list.

9.2. Bob Hammond: Bob has asked questions of the board thru e-mail and hasn't gotten anything back. He's asked questions, similar to the ones that Ellen is asking. For 8 months he's been asking questions. Why does the board not respond to his e-mails? Bob provided a list of questions he would like the board to respond to. Scott mentioned they will review the questions and the comments/answers will reflect in the minutes. Answers (*in blue*) to these questions are below.

Meeting was adjourned at 12:20 PM.

BOB's QUESTIONS:

Questions related to Mountain Shadows Developer sale Not all might have answers currently but are considerations that need to be addressed!

1. Has the BOD heard any update on the sale of the remainder of Mountain Shadows?

Larry Hellhake (developer) has phase 4 & 5 under contract. Nothing is officially sold at this point. The offer is currently in the due diligence phase for the next 3 months. Larry is working with the MSBOD (Mountain Shadows Board of Directors) to keep us updated. The BOD will keep you updated as more information becomes available.

2. If the property is sold how will that effect the MSHOA owned water rights?

The sale of these properties could impact our current water rights but with no cost to the HOA. The MSBOD will be working closely with MSDCo LLC (Mountain Shadows Development Co., LLC) regarding this issue.

3. Is there a clear legal easement for the wells on the 5 acres owned by the developer?

Yes, understood to be permanent easement. This 5-acre property is owned by MSDCo LLC. Larry has committed to get a copy of this document to Jim Sipple for records. This is an Action Item on the 2/9/18 minutes.

4. DO we have a clear legal easement for the water piping from the wells to the start of Mountain Shadows property?

Yes, also understood to be permanent easement. This 78-acre property is owned by Bortles/Macklin. JSipple will locate this document.

ACTION ITEM/OWNER: *Jim will locate a copy of the legal easement from the wells to the start of Mountain Shadows property.*

5. The current owners of Mountain Shadows Development have agreed that any future development would use the exact same CCRs as the current 3 phases, is this true for the new owner?

If the current 'under contract' deal goes through, probably not.

6. Is there any written document that transfers ownership of the real and personal property of the water system to MSHOA?

Larry said he had this document and would get it to the MSBOD (Jim Sipple and Scott Brown.)

ACTION ITEM/OWNER: *Jim/Scott will obtain a copy of the document that transfers ownership of the real and personal property of the water system to MSHOA.*

Website questions and related issues

1. What is the stated purpose of the website?

The website was created to provide information as a convenience to the homeowner's & prospective homeowner's. To reduce the expense of mailing, to be respectful of the time involved in providing such mailings on the volunteer MSBOD. To provide a repository of current non-proprietary documents such as the ACC paperwork, CC&R's and most current meeting minutes. In addition, there is a "contact us" tab where homeowner's can ask for help from the BOD once they have exhausted direct contact avenues with their neighbor for any CCR violations. The website is NOT meant to be a blog spot or place for general postings from the homeowners.

2. Has the website been officially launched and if so how was it published?

Yes, the website has launched. The address is www.mtnshadowshoa.org and that information was in the meeting minutes from the meeting held on 10/11/2017.

3. What is the cost of the website and how is it being maintained? Where is it hosted etc?

The website creation and initial 2-year hosting fee of \$89.00 was donated to MSHOA by Lance Price (donating approximately \$1500 in time). When the hosting fee comes up for renewal, it will be an expense for the HOA. The website is hosted under Lance's Go Daddy account. Brian Ellis has been maintaining the website for a very minimal cost. With any website start-up there are needed changes and tweaks to make it function and look the way we want. Instead of going to Brian with each change, the MSBOD has been bundling updates and changes to the site to minimize any costs (which is why some changes may not be updated immediately.). To date (3/6/18), he has billed the HOA \$90.00.

4. I have requested on at least 3 occasions to have the water committee tab modified to include a purpose statement for the water committee. What is the status of that request?

The MSHOA website contains information and official documentation from the MSBOD to the homeowners. The Water Committee is a volunteer committee outside the official MSBOD. There is a "Water System" tab provided on the website that contains a water usage report from 2017, water systems update as of Nov 2017 (from the MSBOD), a consumer confidence report and the parcel map. Names of those currently on the volunteer Water Committee are listed as a courtesy (per request). The Water Committee functions outside the MSBOD and makes recommendations for the board to take under advisement. Should the Water Committee create and decide to operate under a purpose statement, that is an internal process within the committee.

5. What is the process for the water committee to have documents placed on the website? I have requested 2 documents be added to the water related documents tab, what is the status of that request?

The process is to submit document(s), to be posted on the website, to the MSBOD. Any document submitted to be placed on the website will be reviewed by the MSBOD and posted to the website if the MSBOD determines they are within the responsibilities as outlined in the CC&R's or as the MSBOD deems relevant. 2 requests were submitted to the MSBOD and one of the requests asking for a map was approved and added to the website. The other document was deemed more of an internal document and the MSBOD did not find it appropriate to be posted in a public forum such as the MSHOA public website.

6. Timely updates. I notice that the first page has a thank you to Judy yet she is still listed as a board member. The documents section is missing several board meeting agendas and minutes. One of the worst things with a website is not to keep it fresh and up to date. What is the plan for managing the website and keeping it updated and accurate? What is the long term plan for hosting, maintenance, and management of the website?

Update items and changes will be bundled and placed on the website as timely as possible, while being mindful of the content of the update/change as well any associated cost.

7. I have discussed with Scott the misleading information that is currently on the website in a document titled "Water system update 2017" and that the document needed revision. Is this revision in process?

The MSBOD approved this document as a "current state" update. The MSBOD doesn't see anything "misleading" with the information contained in that document and doesn't believe it needs to be revised. It is merely a factual, chronological update of what has happened with the water system and any actions taken to date (by previous and current MSBOD) and it shows what is currently pending.

8. In the past the BOD has stopped providing a roster of HOA members and has sent email in such a way as to hide all email addresses. This was done supposedly for privacy reasons. Will this board publish a roster in any form?

This type of contact list was requested in the 2/9/18 HOA Board meeting. There is currently an Action Item for the next HOA Board meeting in March to address this.

9. If the purpose of the website is to provide information to all HOA members can a section be provided that allows uncensored, unedited, information to be posted by any HOA member?

This is not the purpose of the website. There are other forums available if there is a desire to blog "uncensored and unedited" information.

Water related questions

1. The BOD requested the water committee develop a few potential fee scenarios. It was one of the top three items requested by the BOD. The possible scenarios were delivered to the BOD months ago. What is the status of the fee system?

The 'Water Committee Fee & Billing Recommendations' document was delivered to the entire Board on 10/25/17. The Board adopted Formula/Option 3 during the MSBOD meeting on 11/1/17. This formula was incorporated into the water usage spreadsheets along with the 300gpd threshold. The first meter reading will be done in April/May.

2. The Water committee recommended accounting standards to allow good history and analysis of water system costs to be done. What is the status of that recommendation?

The new Treasurer, Cherry VanCour, is working on improving the cost accounting & recordkeeping. Cherry presented a history of water system expenses in categories recommended by the Water Committee at the 2/9/17 BOD meeting. She will continue to work with the Chairman of the Water Committee to refine categories/subcategories and update expense reports as needed.

3. In prior water committee meetings and in numerous emails the question has been raised when a water problem is found what is the process for getting that problem resolved, who is called, who can authorize spending etc? What is the process and who can approve spending?

For emergency water problems (leaks, etc.) call the Water Outage & Emergency Hotline located on the 'Welcome' tab and 'Water System' tab of the website (<http://mtnshadowshoa.org/>), 208-598-8446. For water problems that are NOT emergencies, the MSBOD is currently working on a formal process to communicate these non-emergency water issues to the MSBOD and establish a time frame for the MSBOD to investigate, assess and

respond.

The MSBOD collectively approves all spending.

ACTION ITEM/OWNER: *BOD (or designated BOD member(s)) to meet with the Water Committee to discuss a formal communication process.*

4. What role do you see volunteers playing in the repair and maintenance of the water system?

The BOD will assess the work recommended by the Water Committee Chairman and in doing so, have conversations around the qualifications a potential volunteer contains. The BOD wants to utilize as many qualified volunteers as possible to minimize the expense while managing, operating, maintaining and repairing the MSHOA water system.

5. When a volunteer states he or she will take the lead on a water system problem what is a reasonable timeframe for the BOD to respond to that person?

Response time may vary and fluctuate. Emergencies will be handled within 24-48 hours (if not sooner, depending on the situation). Regarding non-emergency water issues, the MSBOD is currently working on a formal process to communicate these non-emergency water issues to the MSBOD and establish a time frame for the MSBOD to investigate, assess and respond.

6. Who is the BOD representative on the water committee?

The MSBOD will be talking to the Water Committee, specifically the Water Committee Chairman (you), regarding formalizing the communication between the Water Committee and the MSBOD. Within our conversations there may or may not be a MSBOD representative.

7. Jim Sipple has done great work on the meter reading and billing (*typo changed by Cherry*) programs. What is the long term plan for hosting, operations and maintenance of these programs?

Currently all meter reading and billing programs have been voluntary and Jim has stated he will continue handling the billing program. The MSBOD will work with Jim regarding the meter reading. As we move forward we will work through any issues that come up.

Basic and most important question

Why does this board choose not to respond to HOA members when they ask questions of the Board?

The MSBOD isn't choosing not to respond as much as the MSBOD does not currently have a clear process to receive question and then answer in a reasonable time frame. The MSBOD is looking at creating clear process regarding this type of communication within the membership and specifically the Water Committee. Please keep in mind the Board members are volunteers and have other responsibilities outside of MSBOD

work. It may appear as though the MSBOD isn't responding as timely as you might prefer. However, the Board is comprised of five (currently 4) individuals that must meet and agree on a response before one can be provided. The current Board has met almost monthly to discuss Board business – far more than ever before. Sometimes the questions being asked do not have "easy" or quick answers and might require research or follow up. It is also most helpful to ask questions that require answers in a clear, succinct way versus in paragraph form or with multiple follow ups.