

MSHOA BOD Executive Session Meeting Summary 10/10/18

MOUNTAIN SHADOWS BOD EXECUTIVE SESSION MEETING SUMMARY

Date/Time: October 10, 2018 / 2:00 PM – 4:00 PM

Location: Garden Valley Library Conference Room

Meeting Called by: Cherry VanCour

Present:

Scott Brown, BOD President

Stacy Perryman, BOD Vice President

Cherry VanCour, BOD Treasurer/Secretary

Thor Oden, BOD

Ellen Bush, BOD

Bob Hammond, Water System Advisory Committee (WSAC) Representative and guest

Ralph Pond, Legal knowledge and guest

Larry Hellhake, Mountain Shadows Development (MSD)

NEW BUSINESS:

1. **Discuss Mountain Shadows HOA Talking Points with Larry, Mountain Shadows Development (MSD):** Before the meeting, Larry asked if the Board would submit the Talking Points. The Talking Points were submitted to Larry on 10/8/18.

Larry asked all attendees to sign in, all present did. Larry stated as of today, the Catholic Diocese of Boise is planning a Catholic Retreat Center and will be approximately 50 units, housing 50 couples. He told us there will be:

- a. Underground parking, built into the slope of the mountain.
- b. 2 story 35-foot tall building containing 40 to 55 units.
- c. Each unit will have 1 bedroom and $\frac{3}{4}$ bath.
- d. One 5-bedroom house.
- e. 2-4 cabins for private retreats, located somewhere on top of the mountain.

Larry didn't know the total square footage of the building(s). Larry thought Phase 4 was 177 acres yet when it was surveyed, the legal description is about 140 acres. The traffic will be entering Phase 4 from Banks Loman Road yet he didn't know if Phase 4 occupants might also be coming through the cul-de-sac in Phase 3.

Larry does not have a site plan or project scope. Once he obtains the project scope he said he will forward to the Board, yet Larry was very clear he is not asking for the Board to approve the project scope; that any approving/disapproving will be done at Planning and Zoning.

When asked if Phase 4 would be consistent with the character and aesthetics of Phase 1-3. Larry said his attorney told him it's acceptable (to article VI) but he was not going to deal with this. Larry said this will be discussed between the attorneys.

When the Board tried to bring up some of the Talking Points, Larry told the Board the Talking Points are "immaterial". He came to this meeting to discuss and notify MSHOA of changes in Article VI of the CC&R's, he is not asking permission. He stated this meeting satisfies Article VI of

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the CC&R's, to discuss with Mountain Shadows HOA any modifications to the CC&R's prior to recording.

It was mentioned some members of the Board do not agree with Larry's interpretation of article VI, that a commercial facility such as a Catholic Retreat Center maintains the character and aesthetics of Phases 1-3. Larry replied with "Then we are in a legal fight". Larry left shortly after at 2:45 PM.

It was discussed the Board needs to obtain the will of the Membership regarding how to move forward. However, before the Board can solicit the Membership's desire the Board must be able to present the issues in an objective thorough way. In order to do this, the Board must utilize Steve Milleman's (MSHOA's attorney) assistance. It was determined the Phase 4/5 Steering Committee will meet in a BOD Special Meeting to discuss how to present our concerns to Steve, then meet with Steve.

Meeting adjourned at 4:00 PM