

The Meadows of Melody Ranch

Homeowner's Association

Board of Director's Meeting

Tuesday, September 17, 2019 at 8:45 am

MINUTES

CALL TO ORDER 8:48

Board Members Present:

Matt Turner

Jonathan Robinson

Flo McCall

Michael Gersack

Todd Ellingson

GTPM:

Kelsey Bancroft

Demerie Northrop, by phone

Homeowners:

Kent Van Riper

Michael Schrotz, by phone

Heidi Keiser, by phone

Kristen Omlor

1) Homeowners & Guest Time

~ Heidi Keiser attended the meeting as the prospective new owner of the old sales office. She has been working with the task force to get details about the transport of the building. She received a bid for the removal and disposal of the existing deck in the amount of \$20,000 which may prove to be cost prohibitive. She was also advised by Dave Lemon (the transport company) that they would need to have the foundation detached from the building which is another expense that was not expected. The board received an estimate on removal/capping of the existing water and sewer system in the amount of \$6,000 - \$12,000 and there will be an additional \$10,000 - \$20,000 cost to dispose of any underground fuel tank that may exist. She is very interested and would like to move forward, but the growing costs may be too much. She could potentially be ready to start the removal process within a couple weeks, but the decking is a big hurdle. Kent Van Riper will follow up with Lemon about the foundation detachment question as it is not on a slab. The board contacted Fish Creek Excavation following the meeting who could do the removal of the porch for around \$7,000.

~ Kristen Omlor attended the meeting to discuss the numerous amounts of aspen and willow shoots that are growing in the common space behind her home now that the open space is not being mowed annually. They were more manageable when this was done each fall but with the 3-year rotation schedule, they really overtake the area. Jonathan will visit with Evergreen Tree Care and discuss the cost of removing these and others.

2) Executive Session

The board did not enter an executive session.

3) Approval of August 20, 2019 board minutes

Matt moved to approve the minutes from 8/20/19. Jonathan seconded the motion, and all voted in favor

with Todd abstaining from the vote as he was not present at that meeting.

4) ARC

The DRC was unable to meet prior to this board meeting and will be getting together on Friday morning to review the applications for the ARC (board) to vote on via email.

- a) Byron, 1104 Melody Creek Lane, 1-065, Color Change ... note: approved via email 9/9/19
- b) Williams, 4430 Fallen Leaf Ln, 1-029, Remodel Front Porch/Entry area
- c) Hammerel, 760 Palomino Dr, 2-088, addition of alcove to home
- d) Berlin, 1262 Melody Creek Ln, 1-207, Control Fence

The concern noted for this application is that Mr. Berlin has not yet closed on the sale of this home and any approval would need to be contingent upon the transfer of ownership. There are also concerns about the trees planted along the property line; the new owner would need to confirm property lines prior to building a control fence.

- e) Gatt, 4239 Melody Ranch Drive, 2-048, Trim color change
- f) Rork, 4405 Fallen Leaf, 1-008, Control Fence

- The DRC reviewed these requests and recommended approval of them all. The ARC reviewed the DRC's recommendations and voted via email on 9/20/19 to also approve them. GTPM notified all owners of this decision and sent letters confirming approval.

5) Report of Officer

a) Secretary Treasurer

i) Delinquent HOA Dues Report

There is one owner that has now received the intent to file a lien. He is typically late on making payments for his dues, but should he not pay, the board may want to consider taking more action on this account.

ii) Financial Review

Nothing outstanding to report on the financials. There is currently \$116,745 in the operating account and \$205,927 in the maintenance reserve account.

6) GTPM

A request has been made for the board to look into grading the storage lot and filling in the potholes. GTPM will get a price for that and determine if it can be done in the spring and accounted for in the 2020 budget.

7) Old Business

a) Pond Task Force update

There is nothing new to report from this group, although they did indicate a summary would be forthcoming.

b) Sales Office Task Force update

In addition to the above discussion with Heidi Keiser, the board discussed several options. They would like to continue moving forward as the Keiser family is eager and very interested in obtaining the building and the ongoing maintenance costs will continue for the HOA should it not be addressed now. The board and task force will try and get additional bids for removing the deck and are willing to split the cost of that with the buyers. The proposal between the two parties will include this

language as well as a “not to exceed” amount for the Keiser’s to pay for this work of \$10,000. The proposal will also include that work is to begin by November 1, 2019 and be complete by November 30th. A \$5,000 deposit will be requested and could be used toward any expenses related in limb clean up following the transport process.

c) Open Space Task Force Amendment

~ Review, Discussion, Call for Vote. The board is still working on a final letter to send to the homeowners who proposed an amendment to the open space policy. Once the edits are complete and the board has circulated and approved the letter via email GTYPM will be provided with the response to put on HOA letterhead and distribute to those interested parties. The board reviewed the request and Michael moved to call for a vote on the proposed amendment to Section 3. Matt seconded the motion, and all board members present voted not to approve the proposed amendment to Section 3 of the Open Space Landscape policy.

- The attached letter was sent to the Mike May, Karen Van Norman and Shirley Thomas on 9/30/19 as the board’s official response to their amendment request.

8) New Business

a) Hoffman Aspen shoot removal request

This was discussed during the homeowner time and will be included with the estimate Jonathan receives from Scot at Evergreen Tree company.

9) Adjournment 10:21

The Meadows of Melody Ranch
Homeowner's Association
PO Box 4337
Jackson, WY 83001

Grand Teton Property Management
(307) 733-0205 / (307) 733-9033 Fax

September 28, 2019

Dear Karen, Mike and Shirley,

Thank you for your thoughtful draft amendment. Here are some of the board's collective thoughts in response to your proposed amendment dated June 14, 2019. The board has discussed your proposal at each of our meetings (July, August and September) and has held one off site meeting as well.

1. There are additional procedural items in the application process that the board would recommend including in an amendment. For example, the board would propose that all board decisions be made during board meetings and that GTPM send out the notification letters to homeowners instead of the applicant. For example:
 - a. An application would need to be submitted prior to a monthly board meeting. At the subsequent board meeting the board would decide if the application is complete or not;
 - b. If the application is determined to be complete, then GTPM would send out the notification letters with the completed application to the neighbors within 500' of the proposed tree removal and give those homeowners 30-day notice of the public discussion that will be held at the next board meeting;
 - c. At the subsequent monthly board meeting a public discussion would be held followed by a board action on the application (if applicable).
2. The current policy as written encourages cutting down of the trees as the least expensive option. The board would like to highly encourage the transplanting of trees from one open space area to another open space area. This is complicated from an expense and timing perspective but perhaps improvements in the policy can encourage this (e.g., use of HOA fees collected to help offset the cost of transplanting; if transplanting trees from one open space to another allow trees to be moved before building begins on an empty lot). We agree that moving the trees from open space to private lots is not desired and an amendment to the policy should not encourage or allow this.
3. The board is a volunteer board. We have not charged non-refundable fees except where costs are incurred (e.g., paying for an architect to review new home designs and compare them to our guidelines). So, this board is not in favor of collecting non-refundable fees for board related efforts. In addition, this summer we have had several homeowners request the removal of cottonwood, willow and aspen shoots from the open space. The current policy doesn't really address a request for the removal of tree shoots in the open space, which have traditionally been periodically removed by the HOA annual tree maintenance or open space mowing. So, an amendment should also address this situation where a homeowner would like to remove shoots that have grown up in the open space and affect their views.

The removal area is defined in the current policy (section 3) as follows:

3. Guidelines Specific to Requests to Remove, Relocate or Trim Trees

Ordinarily, the authority to remove, relocate or trim trees and vegetation in the Open Space will

be limited to the area within seventy-five (75) feet of the Lot owner's property line (the "Removal Area"), and will not exceed fifty percent (50%) of the trees within the Removal Area. However, if in a particular case, a Lot owner can establish that the foregoing restrictions will not allow for the creation of a reasonable view from the Lot owner's property, then the Board may grant authority beyond the foregoing restrictions, but only to the minimum extent necessary to create a reasonable view from the Lot owner's property.

Per our legal counsel's advice, this board has consistently interpreted the plain language of the Removal Area as "within seventy-five feet of the Lot owner's property line" without further restrictions. This board recognizes that views from homeowners' homes could be created by the removal of trees in the open space from various directions, including trees in the open space that are closer to a neighbor's property line than the applicants' property line. The affected neighbor(s) have ample recourse in our process to object to the removal of trees in the open space that are near or behind their property lines. For instance, the policy states "if 30% or more of the Notified Owners notify the Board of their objection to the application, the application shall be denied by the Board." As the few prior applications have not been rejected by this protective provision (highest percentage was 14%) the current board does not determine that this section 3 needs to be changed. This board will continue to interpret the plain language of our policy in a manner consistent with our previous determinations.

Regards,

The Meadows of Melody Ranch HOA Board

Jonathan Robinson
Flo Phillips
Todd Ellingson
Michael Gersack
Matt Turner