

**THE SUMMIT RESIDENTIAL OWNERS ASSOCIATION
MEETING OF THE BOARD OF DIRECTORS
July 17, 2007
3:00PM MDST**

Board Members Present: Pat McNamar
Beverly Baker
Fred Hallett
Don Baker

Board Members present by Telephone: Don Baker
Ian Fisher

Others present by telephone: Jon Schumacher, Esq.

Owners present by telephone: Chris Smith
Richard Harper

Management Company Present: Reed Meredith

The board meeting was called to order at 3:05pm. A quorum was established with all Board Members present. Proof of notice was submitted as being sent on June 11, 2007.

The following motion was made and seconded:

MOTION: To approve the minutes of the Summit Board meeting held January 30, 2007.

Vote: Unanimous Approval

Reed Meredith presented the financial report for the 6 months ended June 30, 2007. The June 30, 2007 Balance Sheet shows total assets of \$152,383.68 and total liabilities of \$28,786.99. The Income Statement compared to Budget for the first 6 months of the fiscal year show that the association's expenses are running favorably to budget by \$28,197.52.

Beverly Baker began a discussion of the monies held in escrow for Summit lots 11 and 16. Jon Schumacher reported that as these funds were placed into escrow during the sale of the lots by both buyer and seller, the association should not make any determination of how the funds should be refunded. The association should merely notify the respective buyers and sellers that these funds are no longer needed due to the cancellation of the special assessment and ask for direction as to how to distribute the refund. Jon Schumacher has drafted a letter to this effect for mailing to the respective parties.

Beverly Baker noted that the owner of Summit lot #5, Jerry Broccolo, has granted the association a ski easement for the sum of \$10. The Summit Board was very appreciative of this easement.

The following motion was made and seconded:

MOTION: To accept the June 30, 2007 financial statements as presented.

Vote: Unanimous Approval

Discussion of the status of Nevada Ridge project ensued. Nevada Ridge would like to start construction on the lower portion of their road. This will trigger their obligation to move the Summit trees, rocks, and entry monument. Nevada Ridge is indicating that they are building part of the lower portion of their road, which services phase one which includes 4 duplex condominiums. This means that we have to get the Summit landscaping and site plan approved by the board and by the town. The hope is to get Nevada Ridge to place the boulders and rocks in their final placement location on the new section of retaining wall.

Summit owner Richard Harper thanked Beverly Baker for her proactive e-mails and asked if the association will take responsibility for construction, as well as responsibility for repairing any utilities and landscaping. Fred Hallett responded that the association will return landscaping, property, and utilities to original and operational position.

Discussion took place regarding the relocation placement of the entry monument. Last summer Fred, Pat, and Beverly walked site with architect Kent Cowherd to figure out the best placement for the entry monument. Cowherd made the point that if we locate it at the point now shown on the site plan, on left, uphill after the hairpin curve it won't get covered by snowplow snow and would essentially "claim" all of that landscaping as the Summit's. The Architect also recommended that we place 2 trees on each side of entry monument to frame it.

Owner Chris Smith stated that originally the entrance monument was at the beginning of Summit road. She stated that it was moved to present location because the town manager at that time asked the Summit to move it to essentially camouflage the town storm drain. Smith noted that if the entry monument was relocated around the

corner, past switchback, it would look like all of the land owned by the summit may look like it is owned by Nevada Ridge.

Beverly noted that Chris Smith's memo on this subject had been circulated to board members prior to the meeting.

Fred Hallett commented that Nevada Ridge plans to install their own monument that is large, 150' across. Fred continued that the Nevada Ridge sign will pre-empt the entire horseshoe turn with their monument. Fred stated that the placement of the Summit sign as indicated will define the main body of Summit.

Beverly Baker stated that she believed that Chris has a good idea, and suggested that the Summit could have a second sign. Pat indicated perhaps a second sign on the start of Hunter Hill road.

Fred Hallett stated that the Summit is planning to build the new retaining wall in 2 phases. First phase will be only what the existing rocks will provide. Second phase will go the rest of the way with new rocks. The Summit is asking the town to approve phase one – the retaining walls on the lower 3 lots, (1,2,24) that we already have easements on.

Jon Schumacher asked if Richard Harper would send an e-mail to the town indicating that they are in favor of granting the easement, but logistically we cannot send it in right now but intend to do so. Mr. Harper indicated he would do so.

The following motion was made and seconded:

MOTION: The proposed site plan is approved subject to Buckhorn Geotech's review to make sure that it will not interfere with utilities or land movement.

Vote: Unanimous Approval

The following motion was made and seconded:

MOTION: The Summit association shall be responsible for correcting any problems with landscaping, disturbed vegetation or utilities caused by creation of the summit skier path.

Vote: Approval by Ian Fisher, Pat McNamar, and Fred Hallett

Abstained: Beverly and Don Baker.

Motion Carried.

Beverly began a discussion of proposed Bylaw amendments for the Summit Association.

The only substantive change deals with calling special meetings. Beverly suggested that the Summit clarify the distinction between members and votes. You are a member if you own a lot or lots. But there is only one vote per lot. If you are a joint owner there are not joint votes.

As amended, the first sentence of Article III Section 2 would read "Special meetings may be called at any time by the Board of Directors or upon a petition signed by members holding no fewer than 5 votes in the association."

Beverly noted that the association had previously changed the quorum requirement, which was voted on by membership at the last annual meeting, requiring that if 20% of the votes entitled to be cast are present we have a quorum.

Another proposed amendment would add to the bylaws the current practice on late payment penalties and interest. A payment is considered late after 30 days and then incurs a 10% penalty, after which delinquent accounts accrue late fees at 1.5% per month.

The following motion was made and seconded:

MOTION: To adopt the 1st amended Bylaws of The Summit Association as presented.

Vote: Unanimous Approval

After a motion to adopt the first amended Bylaws, Jon Schumacher was directed to put the Bylaw amendments into final form and record them with the county.

Discussion ensued regarding sending out the amended Bylaws to all owners. After discussion it was decided to put the amended Bylaws on the Summit website and to re-send information to all owners on how to access the website.

Discussion began concerning the various pending Design Review issues:

Lot 6: Cooper: Sketch plan review. The plan does not present absolute heights, only averages.

The Board directed that a letter be sent to the proponent indicating that all Summit setback requirements must be upheld. And that absolute height requirements must be met.

Lot 11 : re-submittal of Preliminary Plan Review.

This re-submittal has been given to the Summit Architect Advisor Kent Cowherd. His review is pending.

Discussion then began concerning the Summit Design Review Guidelines.

Beverly Baker stated that she felt that all Summit houses are starting to look alike due to the stone requirement of the guidelines. The Summit requires 20% stone, but it is becoming all skirts or banding.

Fred Hallett stated that the board had previously discussed an increase of 50% in the landscaping requirements.

Owner Richard Harper informed the board that they will be receiving a revision to his landscaping plan. The total landscaping will not be less than what was already approved but is moved into different areas.

Considerable discussion took place regarding amending the Summit Design Review Guidelines to require that all designs be designed and stamped by a licensed architect.

Discussion took place regarding the need to increase the design review fees.

Ian Fisher left meeting at this time.

The following motion was made and seconded:

MOTION: To require that all home plans be drawn and stamped by a licensed architect and to add such language to Section 10 paragraph 3 of the Summit Design Review Guidelines.

Vote: Unanimous Approval

The following motion was made and seconded:

MOTION: Design review fees in excess of the \$700 filing fees will be deducted from the performance deposit. And to raise the performance to \$3000.00 effective immediately. These fee increases will not be applicable to design reviews currently before the board.

Vote: Unanimous Approval

Fred Hallett asked that the Summit owners be notified prior to the next annual meeting that the board has proposed increasing landscaping requirements by 50%, retroactive to today, and that a vote will be taken at the next owners meeting.

Richard Harper stated that the board should be aware that this would add about \$15k to current landscaping requirements. To meet the minimum requirement as it is now written requires about \$30k

Fred Hallett stated that he would like to discuss in January, that owners be required to maintain their landscaping, previously approved, and not be permitted to allow such landscaping to die.

The Board will review the Summit Design Review Guidelines in the next 6 months and present a proposed amended Guideline to the owners in January.

Discussion of CBLLC previous discussions. CBLLC has indicated that it might require Summit owners to have a license to ski from Summit property, or easements, to the ski area. The Summit board feels that the "license" is the CBMR lift ticket, and they expect that anyone skiing from the Summit easements to the ski area will have a lift ticket. Fred Hallett asked Jon Schumacher to review this issue and send a memo to the board members.

There being no further business, the meeting was adjourned at 5:00pm.

Respectfully Submitted,

Accepted By,

Reed Meredith, Recording Secretary

Beverly Baker, President
The Summit Owners Association Board of Directors