

THE SUMMIT RESIDENTIAL OWNERS ASSOCIATION
Board of Director's Meeting
July 14, 2020
9:00AM MDST

Management Company
Present: Reed Meredith, Evergreen Management Inc.

Board Present: Pat McNamar
Craig Batchelor
Peter Esselstyn

Board Present By Phone Todd Wiseman
Bruce Fauser

Owner's Present
By Telephone Tim Gueramy

Others Present: Joel Vosburg, Realtor

Association president Pat McNamar called the meeting to order at 9:05am with all board members present.

The following motion was made and seconded:

MOTION: To approve the previous Board meeting minutes of 2020 held January 21, Feb. 26, March 9, May 4.

Vote: Unanimous Approval.

Reed Meredith of Evergreen Management Inc. presented the June 30th financial statements at this time. The June 30th Balance Sheet shows total assets of \$154,236.51 and total liabilities of \$17,195.71. The combined Fund Balance is \$137,040.80. The Profit & Loss Statement shows that the association is operating favorably to budget by \$1,507.13.

Meredith explained that the irrigation project, to move the water supply lines and controls that were previously in the town right of way, was mostly complete. The missing water meter has been located and installation of the meter and testing of the backflow preventer is scheduled with Alpha Mechanical. The Covid pandemic has delayed work valley wide and we hope to complete this installation as soon as possible. Once the meter is installed and backflow is tested, we can charge the system to run the irrigation system. The project has run over budget due to additional plumbing supplies, and faux rock concealments needed for the project.

The following motion was made and seconded:

MOTION: To approve the June 30, 2020 financial statements as presented.

Vote: Unanimous Approval.

Reed Meredith reported that he had conferred with Pat McNamar regarding the removal of a number of dead trees at the entrance to the Summit. He will contact the local tree removal company to schedule removal. Craig Batchelor indicated that he may be interested in cutting down the dead trees, and will investigate and get back to Meredith within the next week.

Discussion ensued regarding the Swiss Chalet home on lots 14-15, which is beginning its 3rd year of construction. Reed Meredith reported that, at the direction of the Board, an email had been sent directly to the lot owner Gabriel Barbier Mueller, the architect Ashraf Shokry, and the builder Paul Wynnes on June 25th. Meredith followed up with Wynnes to confirm that it had been received, which Wynnes confirmed and also indicated that he had subsequently been in contact with the owner and architect regarding the email. This June 25th email informed the lot owner that the condenser fans that have been installed on the north wall of the home are not in compliance with the Summit Design Guidelines, which require that all utilities be screened. These utilities were not depicted on the final approved plans. It further asked that the fans be relocated due to the noise that they produce which is a detriment to neighboring properties. In addition, the email asked that details regarding the driveway reconfiguration, entry steps, and addition of a chimney variances that the owner had previously requested, be provided as soon as possible, but no later than 30 days from the date of the email. The board has been waiting since last March to receive this additionally requested information.

Meredith noted that he had received communication from the builder Wynnes that the ownership had intended to provide a response to these requests by "early this week". As of today, nothing has been received.

Craig Batchelor stated that Barbier Mueller, Shokry, and Wynnes were on site at the property on July 2nd and 3rd. Batchelor attempted to discuss the issues with the owner and invite him to dinner, but was unsuccessful. Batchelor noted that, in addition to the requested variance information, the outstanding issues are: 1) the 2 compressor fans on the end of the building, 2) the vents for the boiler on the same wall, 3) the stacked pallets and extra slate materials still on adjacent lots despite the apparent completion of work on those aspects of the house.

The board discussed how to proceed with enforcement of the covenants regarding the Swiss Chalet issues at length. Ultimately, the board agreed to give the owner until the end of the week to respond. After this time, attorney Jon Schumacher will be contacted for counsel. The board will likely meet again once additional information is received.

Discussion began regarding the entry landscaping. Board members felt that the entry area should be "spruced up". Reed Meredith stated that a professional landscape contractor should be contacted to obtain ideas and costs, however, at this time of year all landscaping companies are extremely busy with previously contracted work. It is likely that any such landscaping project will have to be planned, and committed to, for next spring. The board directed that Meredith contact a landscaping company to see if a meeting could be arranged to discuss options for next year.

Pat McNamar asked that removing the excess boulders that have been pushed into the storm drain across from the entry sign be included in any landscaping plan.

Peter Esselstyn began a discussion of homes in the Summit being offered for short term rental. Esselstyn asked if future rental could be disallowed due to multiple issues and inconveniences involved with short term rental guests, including trespassing, noise, parking, etc. that interfere with Summit owners quiet enjoyment of their homes.

Pat McNamar responded that the board had discussed this issue several years ago, and had received counsel from attorney Schumacher regarding short term rentals. Due to the fact that the association declarations allow for rental of homes to one individual or one family, it may be difficult to change as an amendment to the Declarations would require a super majority vote of the membership in each of the 3 Summit filings.

Joel Vosburg, relator and representative for owner Sandy Funk, stated that in his experience, he agreed with the assessment that changing the governing documents to disallow rental would be difficult. He further noted that many similar associations have instituted a system of rules and fines to discourage rental. Ultimately, it is the responsibility of the rental management company to enforce the rules.

After a lengthy discussion, the board indicated that they would like to re-visit the legality of changing the documents with attorney Schumacher. After obtaining more information, they will discuss this and other options further.

The following motion was made and seconded:

MOTION: To approve the actions of the managing agent, Evergreen Management Inc. in the past year.

Vote: Unanimous Approval.

There being no further business the meeting was adjourned at 10:30.

Respectfully Submitted:

Approved By;

Reed Meredith, Recording Secretary

Pat McNamar, Association President