

Minutes from the Sundance Mountain South Association 2007 Annual Meeting held September 8, 2007

By Irene Herman
Acting SMSA secretary

The 2007 Annual Meeting of the Sundance Mountain South Association held at the Shenvalee Golf Resort was well-attended. This was the fourth consecutive year that we have held our annual meeting there and everyone enjoyed lunch (paid for by the Association) and gossip (e.g., a builder is putting up a new cabin next to the Moyers' place) before the meeting started. Various bear-sightings were exchanged (including one downtown in New Market) and many of us had an opportunity to see some of our neighbors for the first time and hear their concerns.

President David Whitney opened the meeting at 1:00 pm.

Last Year's Minutes and Treasurer's Report

David said the minutes from last year's meeting had been mailed to all members and asked for any corrections. There were none, and a motion to accept the minutes was approved. This was followed by the Treasurer's Report (copy attached), which Darlene Guinn, our Treasurer, provided, along with a proposed 2008 operating budget (copy attached). David went over the highlights of both and answered questions. A motion to approve the proposed budget was made, and it was approved unanimously.

The Association's budget will provide adequate funding currently. However, if the Association loses the Diaz lawsuit and is required to build a new entrance road, there will have to be a special assessment to the association members because there is not enough money to cover that cost, estimated to be approximately \$50,000.

Fees

A motion to approve next year's Association road maintenance fees of \$125 per lot (down from \$250) and a well fee of \$45 per cabin was passed unanimously.

It was noted that the Association has several owners who are not paying their road or well fees, forcing the other members to carry them. Arrears amount to almost \$5,000. The other members are not happy about this. David said he is going to turn the list over to our attorney as soon as the Diaz road matter is concluded. The Association already has liens on some of these properties. The Association would like to collect more of the money owed without harming anyone's credit report, or

garnishing wages, but if the Association doesn't receive the back fees owed in the near future, the Association will not be left with any other alternative but to seek court judgments against those delinquent members, and then file liens and engage in collection efforts. Turning off the water to those who haven't paid their well fees was suggested by a member.

Treasurer Compensation

David Whitney proposed beginning to compensate Darlene Guinn for her work as Treasurer, bookkeeper, bill payer, and contact person for the association. Her only compensation up to this year has been to credit her with annual road maintenance fees, which have ranged up to \$250. A motion was made, seconded and passed unanimously to begin compensating Darlene at the rate of \$50/month, beginning immediately. The Guinns will continue to be excused from road maintenance fees, which have been halved this year.

Roads

The Association has too few roads to interest a large contractor and the contract that we thought we had fell through. Therefore the Association has bought a tractor (at a cost of \$1500), and the roads will be maintained by our own members: Steve Smith, primarily, and Pat McGrath and Ron Paul as back-up. The Association will be paying for gasoline and repairs and any optional equipment that the Association deems necessary. The Association voted unanimously to pay \$20/hour for the road work. David asked our insurance carrier, State Farm, if we needed any additional coverage due to this new arrangement, but he was told it wasn't necessary at this time, but the agent was inquiring of their underwriting department to be sure. Thus the Association begins our experiment with the self-maintenance of our roads. The results can't be worse than they have been, and it will be a lot less expensive. This is the primary reason why our road fees have been cut in half this year.

Upon motion, the Association approved, unanimously, that snow removal will be taken care of by Terry Smith. As soon as 2 inches of snow falls, the snow is to be removed. We will be paying \$75/hour for this specialized work which includes Terry Smith's equipment and fuel.

Diaz Law Suit

A mediation session has been scheduled by the Court for September 18 or 20. David is going to attend, along with Mr. Diaz and the attorneys. He asked for flexibility in settling and upon a motion and vote, it was granted by the Association. Two members voted no, believing our risk of losing was very low,

and that it's time to end this and go to trial. Association members want to be advised of the results of mediation and if and when the trial will take place.

Upon motion, the Association voted to compensate Rick and Dawn Thomas the sum of \$1500 for granting the Association a road easement over their property and for their continued cooperation during the threats of and commencement of litigation by Diaz. They had not requested compensation.

Water Report

A question was raised about whether or not our well system is subject to state regulation. After checking, David learned that the well system falls short of the threshold. Two tests on each of the wells were completed last year and the tests showed no problems. David proposed having one test each year, and upon motion and vote, this was approved unanimously by the Association.

Brush Trimming

The Association unanimously agreed to designate a day in February or March for volunteers to cut the brush at the sides of the roads as well as cleaning out the culverts. It was noted that some residents are filling in their culverts, which causes water to erode the roads and that this needs to be corrected. If everyone who is available works together for that one day, this work could be done quickly and inexpensively.

Election of Officers

David and his wife may be moving out West next year and thus David will not likely continue to president after this year. The Board elects officers at the spring meeting, so if anyone is interested in the position, please let David or someone on the Board know of your interest. The slate of David Whitney, John Birch, Irene Herman, and Ron Paul, upon motion and vote, were unanimously reelected to serve two-year terms on the Board. The other board members are Darlene Guinn, Steve Smith, and Pat McGrath.

The new directory, being prepared by Les Fairall, a past board member, will be mailed out with these Board minutes.

The meeting was adjourned at 2:15 pm.