

DMCA Board Meeting Minutes

5/20/19

Meeting called to order at 6:05 PM.

Attending: Vince, Gordon, Rick, Tom; Val by phone (called in at 7 PM)

1) Gordon made a motion to approve the minutes for April 2019. Rick seconded. The minutes for April 2019 were unanimously approved.

2) Rick gave the Financial Report for April. He noted that the Romney Law Firm may have been paid twice for the same invoice. He agreed to check, and if so, call the firm for a refund.

Tom recommended that the monthly Financial Report to the Board include a listing of our Accounts Receivable, updated on a monthly or quarterly basis. Rick agreed. Gordon volunteered to contact Jon Pfeiffer to get an updated balance that is due us from Garth Valentine.

Gordon moved to approve the financial Report for April. Tom seconded. The Financial Report was unanimously approved.

3) Vince noted that our membership in HOA Leader is due for renewal at a cost of \$99 annually. The Board agreed that the membership is valuable and we agreed that it be renewed. Vince will get Rick a password to access the service, and he will delete John Young since John is no longer a Board member.

4) Val noted that he had attended an HOA Leader webinar and that he had paid a registration fee of \$135. He requested the Board to approve an expense reimbursement. Vince moved to approve Val's reimbursement. Rick seconded. The reimbursement was unanimously approved.

5) There was some discussion about whether or not to approve the waiver of Judi Snelling's water overage charge of \$42.75 for the month of April since she had had a water leak that she had gotten repaired. After some discussion, it was agreed that the fee would be waived next month as long as her water usage for May 2019 is roughly in line with her water usage for May 2018.

6) Gordon provided a brief update on the Valentine foreclosure. At this point, Jon Pfeiffer still has not served Garth or the other parties to the suit other than the Wood Perry Ditch Company. Tom Bennett had provided the Ditch Co.'s attorney, Mike Hockersmith, with copies of what he was served.

Vince mentioned that he had received a phone call from a potentially interested buyer for Garth's lot. The caller's motivation was unclear. However, Vince provided him with an update on the status of our lawsuit against Garth.

7) Val and Tom passed to the other board members a draft of their proposed Short-Term Rental Regulations. The board agreed to review the proposed STR Regulations and provide questions or comments after their review. Vince recommended that all comments should be submitted to Tom or Val by June 1. Val commented that, prior to final approval, the STR Regulations should be reviewed by our attorney.

8) There was a discussion about hiring an attorney to represent DMCA in various HOA related matters as needed. After a brief discussion, it was agreed that Val and Tom would pre-screen two or three potential attorneys, try to narrow the list to two, and present those names at the next meeting. Gordon agreed to provide the name of an attorney he is aware of who represents an HOA on Log Hill.

9) There was a discussion about Lynne LaCorte's outstanding balance due. Gordon estimated that it is in excess of \$3,000. Gordon indicated that Ms. LaCorte had refused to accept delivery of a letter demanding payment. Gordon said that he would send a certified copy of the letter, send another copy by regular mail, and ask the Sheriff about serving a copy.

Vince asked, and there was a general discussion about, what Lynne originally requested ARC approval for and what was approved. Gordon noted that she has asked for approval to put up a temporary plastic fence, but that what she installed is wire. Vince noted that, since Bill Lindler was Chairman of the ARC at the time and that he was, and still is, involved in an ongoing lawsuit with Ms. LaCorte, Bill recused himself from her fence application.

10) There was a discussion about the background of the utility easement leading to the now abandoned well. Gordon noted that documents provided by Tom Bennett and Andrea Sokolowski showed a 20' easement along lot 17 and maybe lot 15. This easement most likely dates back to 1979. Vince noted that, in 1981, the old well was abandoned. Gordon stated that it appears that the old easement no longer exists, and that Land Title should complete their review in the next week or so. Gordon reported that John Young is adamant that there is no easement on or along his property.

Vince noted that all DMCA roads were deeded to the County. Since this easement was not deeded to the County, it is not a road.

11) There was a brief discussion about DMCA identifying an attorney who can be available to represent us as needed. Vince asked Tom and Val to form a sub-committee to interview possible candidates. They agreed to meet with 2 or 3 candidates and report back to the board with their recommendation.

12) Gordon reported that he has not yet been able to schedule the water tank repair as the repair company has not responded to a number of his calls. Gordon questioned whether they are still in business. He will send them a letter. Vince noted that we have until November to get our tank repaired since Rick Weaver does not intend to renew our access agreement from the River Sage side.

13) Vince reported that he and Tom had met with Jenn Coates, and that he had had a meeting with Rick Weaver. Jenn Coates made it clear that the Town does not want to get involved in a potential dispute between our two respective HOA's, and Rick made it clear that he does not want to allow any easements on or near the Phase II lots.

Vince recommended that we consider an alternative access from our side. Val noted that, when he and Tom met with Matt Link to discuss his preliminary ARC application for a dwelling on his lot (Lot 32), we looked at the possibility of gaining access to our tank via his driveway. We think that may be possible if Matt will give us access. Vince suggested that we may have to ask John Young if we can get access through his property.

There was a general discussion about access options, none of which are ideal. Gordon suggested that we consider by-passing the tank by using a stronger pump that would provide water directly to the homeowners. Gordon will research the viability of that option.

14) Val stated that the ARC had received preliminary plans from Matt Link with preliminary drawing showing two structures that he is proposing to build on his lot (#32). Val indicated that there are a few potential issues with his application, including a garage apartment that he proposes to live in with his family while constructing the main house. He also stated that he intends to use the apartment for short term rentals once he moves in to the main house.

There was a brief discussion about the impact on our water system of an increasing number of STR's in DMCA.

Vince stated that ADU's are not permitted in DMCA. There are not addressed in our CCR's because the CCR's specifically state that we are a single residence community.

Val agreed to give Matt Link some preliminary feedback about the board's discussion.

The meeting was adjourned at 8:55.