



BIG SKY OWNERS ASSOCIATION

Board of Director's Meeting Minutes - Friday, December 20th, 2019

Big Sky Owners Association Board of Directors met on Friday, December 20 at 8:00 am at the Big Sky Owners Association office in Big Sky, Montana. Directors in attendance included: Gary Walton, Gail Young, Eric Ossorio, Grant Hilton, John Gladstein, and Jim Glowacki. Attending on the phone: Phillip Chadwell and Maggie Good. Members Brian Wheeler and Rumsey Young were also in attendance. Suzan Scott represented staff. Megan Hartman was present to record minutes.

1. Membership Forum (8:03-8:53): Brian Wheeler was in attendance as a BSAC member. There was discussion regarding effective communication between the BSOA and BSAC, in particular a cease and desist letter and de-annexation agreement involving a BSOA member. It was noted that the BSAC (as a committee) did not come to the Board with these issues and Mr. Wheeler was speaking for himself and not the BSAC. The Board recognized oversight over all BSOA business and committees and requested staff provide a copy of the cease and desist letter and the de-annexation agreement (a matter of public record) to BSAC.
2. The Chair called the meeting to order at 8:53 am.
3. November 15th Minutes- The following edits were made: Page 5 - motion for noncompliance: eliminate first "retroactive " and insert date of notification of when the letter dispatched; Page 6 - motion to deny a variance request: indicate the motion was seconded. Page 7 - Under committee reports indicate "no report" after BSAC and BSCO.

Motion made by Grant Hilton to approve the November 15, 2019 meeting minute with the above amendments; seconded by Gail Young. Motion Passes.

4. Staff Report: November - Suzan reported that the Health and Wellness Plan for full time employees was modified and approved by the Executive Committee. Previously, the Plan provided 50% reimbursement for certain sport/health related expenses-up to \$1,200 per year/per employee. The Plan as laid out however, was not utilized by staff, as some were not able to afford the purchase, even with a 50% reimbursement. The revised Plan allows for 100% reimbursement. The budget is still a \$1,200 maximum per employee per year, however, there is now an allowance to help with medical bills

*****Maggie Good joined the Meeting at 9:05 am*****

5. Chairman's Report:
 - a. Old Business:
 - i. Projects Update:




1. Traffic Calming Measures: The letter from Morrison Maierle has been submitted to the Gallatin County Commissioners. No further response has been received.
2. MadCo Emergency Egress Update:
 - a. Advisory Committee Letter to the Governor: Changes were requested by the Board, including putting certain priority items at the beginning of the letter, inserting a call to action from Governor; "Statement that there is a lack of appropriate egress; identify as county road, Madison County's responsibility, to improve the "3-mile stretch"; putting issues as bullet points. Rumsey Young representing the BSOA Advisory Committee, offered to make the edits, which Suzan will review-and then send to John Leeper and Grant. The letter will then be resubmitted to the Board.

*****Kevin Daily joined the Meeting at 10:15 am*****

3. 501 c (3): Nothing to report.
 - ii. Board Retreat Update:
 - iii. Non compliance-
 1. **Account #04443:** It was noted that a revised letter was to be sent to the owner, which would: recap any discussion/decision made at the Board meeting within 15 days of the meeting; offer a reasonable time limit to the owner to bring property back into compliance, that 30 days-and no longer than six months from the time of the original notice; the owner submits a letter to BSOA stating how he intends to address the seven issues prior to the 30 days.

Motion made by Grant Hilton to send a new letter to account #04443 noting the owner is in violation of seven issues, requesting a written proposal of resolution on all issues within 30 days. If the owner fails to do so-within that time frame, the Board will impose a daily fine of \$500/day per violation, up to \$50,000 per violation, retroactive back to the date of the original letter, August 19, 2019; seconded by John Gladstein. Motion Passes.

Account #07610 A letter was sent out on December 3, 2019, but no response from the property owner or representative has been received. Staff is to send out a second letter, consistent with section 3A of the Enforcement Resolution inviting the owner to the January 17th Board meeting, specifying that the owner could be fined up to \$1,000/day (commercial max) if issue is not addressed.



Motion made by Gail Young to direct Staff to send a second letter consistent with the Enforcement Resolution, Section 3A, inviting the owner of the above referenced account to the January 17, 2020 meeting; seconded by John Gladstein. Motion passes unanimously.

- iv. **Enforcement Resolution/Revisions:** The Legal Committee recommended the Enforcement Resolution be approved as revised. It was noted that the Resolution states what is already in the Board's powers-and modifies the Resolution so it is clear the Board has the authority of oversight to revoke decisions. The Board discussed specific revisions to clarify any ambiguity on authority and make the process more direct.

Motion made by Gary Walton to accept the recommendations made by the Legal Committee for revision of the Enforcement Resolution, except to delete "as described in paragraph 1"; seconded by John Gladstein. Motion Passes with one dissenting vote.

Ponds and bridge. There was discussion about ownership/jurisdiction of the Little Coyote Rd. and right-of-way. More research is required to adequately answer these questions and it was suggested that a copy of the survey from the title report be obtained. There is no action required on this item at this time.

- v. **Special Assessment:**
 - vi. **WSD Easement:** Suzan reported that no additional information/ plans from NEW has been received as was requested.
- b. **New Business**
- i. **COI Form Revisions-** The Board discussed the possibility of revising the current Conflict of Interest (COI) Form which has not been revised since 2014. Revisions would ensure any potential COI is claimed by any/all Board and Committee members.

Motion made by Grant Hilton to ask the Legal Committee to look for possible rewording for Board or BSAC members affiliated in conflict of interest with another party who has business with the BSOA; seconded by Jim Glowacki. Motion passes.

6. Committee Reports

- a. **Executive Committee:** It was reported that Suzan's recommended amount for staff bonuses was approved by the Executive Committee.
- b. **Legal Committee:** *Rainham property, Cascade Variance, Bridge and ROW Ownership-* Cascade Variance - After discussion of council's opinion, the Legal Committee was asked to revise 7.1. of the Design Regulations to clear up any ambiguity. If a variance application is submitted prior to approval of the revision, the Board will re-discuss. Other LC items were previously reported on, or already discussed.
- c. **Nominating Committee:** NA



- d. Strategic Planning Subcommittee: NA
 - e. BSAC:
 - f. BSOA Advisory Committee: *MadCo Egress, BSOA Perception* – No more discussion required.
 - g. BSCO:
 - h. BSRAD Advisory Committee:
7. Adjourn: With nothing further to discuss the meeting was adjourned at 12:18 pm.

Attendance: Accept as otherwise noted, all Board members were in attendance for the duration of the meeting.



Gail Young, Secretary