

The Bridges at Black Canyon Homeowners Association

Board Meeting

September 4, 2024, 5:30 PM
Location: Upstairs, The Bridges

Minutes

1. Call Meeting Called to Order at 5:30 p.m.
 - a. Members present: Dennis Friedrich, Beth Feely, Leslie Caimi, Kris Flower, Lew Thompson (telephone)
 - b. Audience present: see attached list.

2. Homeowner Forum (Per Conduct of Meeting policy – three-minute time limit)
 - a. Question and discussion by homeowner regarding billing, by HOA Services, for mowing of weeds on Lot 2406. Dennis explained the policy regarding mowing of lots. If weeds are present the lot will be mowed and charged back to the homeowner. Homeowners are free to maintain their own lots so as to not incur additional charges. The homeowner will follow up with HOA Services.
 - b. Question directed to Dennis (HOA President) regarding property owned by HOA. Dennis explained that there is nothing to indicate ownership by the HOA of any properties.

3. Changes / additions to Agenda
 - a. None

4. Actions taken outside of the Board Meeting
 - a. Appoint Scott Wittman to Design Review Board (3-yes)

5. Minutes:
 - a. June minutes (www.hoaservicesco.com)
 - i. Approved/certified previously. Posted on website.

6. Treasurers Report: Financials
 - a. Treasurer Kris Flower reported that the financials look good. Budget is on track with net income higher than expected.

7. Committees:
 - a. DRB report
 - i. DRB member John Witherspoon reported on an issue with aspen trees planted on two lots on Painted Wall. A complaint was submitted by a homeowner in the adjacent subdivision. The Bridges homeowner was not aware of the issue but would reach out to the neighbor to resolve it. Follow up (email from September 5th): The homeowners had a

good visit about how the trees were installed and they are comfortable with the trees as planted.

- ii. There is a vacancy on the DRB at this time. A blast email will be sent to membership for volunteers to serve. A question was raised if filling the vacancy is optional? According to our documents, the DRB can operate with 3 – 5 members. Dennis responded that we hope to fill the position and have a full board.

8. Old Business

- i. HOA Insurance policy update included under old business.
- ii. The current insurance policy is not being renewed by the insurance company, upon expiration which is October 19. The board thought a new policy by another company was in place, but that offer was rescinded just prior to this meeting. Quotes are being sought for a new carrier by HOA Services. Mark Shoberg (HOA Services Manager) mentioned to Dennis (which Dennis mentioned to the members at the meeting) that he has had several HOA's that he represents that have had policies canceled for a variety of reasons, and those HOA's have been unable to procure additional insurance. The question was asked as to the ramifications of no insurance. Dennis explained that will affect D & O coverage (Director & Officer) for the HOA Board and the DRB as well as liability should a lawsuit be filed going forward. With no insurance the HOA would be responsible for hiring an attorney and paying any potential damage or other expenses should another lawsuit be filed. The question was asked if there was a reason given for the policy not being renewed, if it was due to the lawsuit? Dennis replied that we might assume this was due to the lawsuit. Another question was asked if this would get resolved once the lawsuit is behind us. Dennis explained that insurance companies probably look at the history of the HOA.
- iii. No action was taken by the Board at this time.

9. New Business

- a. Reserve Study update
 - i. Attorney Nerlin provided background (via email) that the HOA does not own any real property or significant assets, thus a reserve study is likely not needed. For transparency purposes Attorney Nerlin recommended that the Board take formal action one way or another at a regular meeting, and if opting out of ordering a reserve study, perhaps adopting a resolution regarding the same. A question was asked about what to do with the money. Dennis advised holding off doing anything at this point until pending issues are resolved. He asked if we do not have insurance, do we do an assessment if sued, or retain the money to pay for it? A suggestion was made to include wording in the bylaws or declaration allocating how to use these funds and that there is nothing in the bylaws stating that it can be used towards legal fees. Dennis recalled that he thought a substantial amount of the reserve money came from Lew Thompson but did not know for sure. The homeowner made it clear that he was not suggesting a rebate or refund. Another suggestion was made to relabel the line item in the financials, so it is not designated as reserve funds.

- ii. No action was taken by the Board at this time.
- b. Discussion regarding Jackson/Morgenthaler open space lot in Signature Ridge.
 - i. Dennis summarized the situation as follows: the homeowners have two lots in the parcel that was purchased in 2018. One of the lots is designated as Open Space. This lot impacts the golf course and HOA. The HOA attorney, Bo Nerlin, has conferred with the owners regarding an easement agreement between the homeowners, Bridges Golf Club and the HOA. The homeowners who own both lots maintain the open space lot has encroachments by the Golf Club. Attorney Nerlin is drafting a document stating that in exchange for waiving annual fees and any special assessments against the open space lot, the homeowners would be willing to grant an easement to the HOA and the Golf Club. Board Secretary Leslie Caimi asked what the encroachments are? Dennis indicated that the cart path runs through it and that there is not a lot of room due to the creek that is right next to it. Eric Feely indicated there was also a main line crossing the lot. The question was asked as to what makes it an open space? The homeowner provided the following history: they have owned the lots since 2018. This lot is designated on the plat as open space so it was not meant to have a house built on it. There are a total of two other open space areas in the Signature Ridge Sub-HOA. At the time of purchase the sub-HOA offered to transfer this lot to the homeowners. The other two open space areas are owned by Signature Ridge Sub-HOA (per county records). This lot was landscaped by the homeowners, in collaboration with the Bridge, at a cost of approximately \$35K. To date the homeowners have not been assessed the annual \$275 fee on this lot, however that changed this year when they were assessed the \$275. The homeowner researched the governing documents and could not find wording specifying assessment based on who owns an open space lot. If the Sub-HOA does not pay an annual fee, they feel they should not have to. They are asking that if the Board determines the HOA should pay for open space, then all open space should be assessed. Eric Feely noted that this plat was done when Signature Ridge was developed. No other open space areas exist other than Signature Ridge. Leslie offered further history that, after speaking with HOA Services, the management company has been working to clear up all fees that have not been getting assessed previously (mostly due to two lots being owned and homeowners not being assessed for the second lot). Dennis stated that HOA Services are doing their job. The following questions were asked by meeting attendees: (1) if the homeowner sells what happens? Are both lots to be sold? (2) is there a definition of open space and who owns it? Dennis did not know. Eric Feely asked who was paying the taxes, the homeowner indicated that they were. Lew Thompson inquired about his lot on the corner of Bridges Drive. Eric indicated that was not an open space.
 - ii. No action was taken by the Board at this time.

10. Next Meeting to be held on November 14th, 2024, at 6 p.m. This is the ANNUAL Meeting.

- a. Note: there are two districts that will be electing board members to represent their district. District 1 – Signature Ridge; District 2 – Painted Wall, Bear Lake, Fellows and Stone Bridge. HOA Services will be sending information.

11. Dennis made a motion to adjourn, Kris seconded. The meeting adjourned at 6:10 p.m.

12. Post meeting a discussion was held regarding going into Executive Session. Neither item suggested qualified for Executive Session. No Executive Session held.

Respectfully submitted by Leslie Caimi, Secretary, Bridges at Black Canyon HOA

I hereby certify that the foregoing is a true and correct copy of the minutes.

Leslie Caimi

Date: 9.23.2024

Leslie Caimi, Secretary

FINAL

Bridges at Black Canyon HOA

Wednesday, September 4, 2024

Sign-in

- 1. Carlo Caimi**
- 2. Ty Jennings**
- 3. Randy White**
- 4. Kitty Wilkins**
- 5. Mike Gordon**
- 6. Carol Gordon**
- 7. Ann Morgenthaler**
- 8. Kathi & John Witherspoon**
- 9. Anne Schuttig**
- 10. Laird Landon**
- 11. Alicia Conroyd**
- 12. Paul & Kelly Cannon**
- 13. Eric Feely**
- 14. Bob Forsyth**