

Shining Mountains Owner's Association  
Annual Meeting  
Saturday, July 9th, 2022  
MVRFD Station #3, 10:00 AM to Noon  
**MINUTES**

Call to Order 10:03

Present: Jim McFall, Ken Sargent, Cedar West, Jason Petrillo, Craig George, Sue Sherrard and 37 property owners

Opening Statement – Jim McFall

Welcome statement and Jim advised of insufficient amount of membership in attendance or by proxy to meet quorum requirements so meeting will be an informational meeting only.

Election Results:

Pat Noack 69 votes – to replace Ken Sargent  
Craig George 57 votes  
Shawn Buller 45 votes  
Ken Sargent 21 votes

Pat Noack – Fire Prevention

Pat spoke regarding fire prevention and offered several handouts to membership. Pat highly CodeRed Emergency Mass Notification System, Madison County Residents Only, and provided forms to sign up. Pat reiterated that equipment and personnel will take precedence over your home if unsafe to enter your property to fight a fire.

Financial Reports – Ken Sargent

Ken thanked the membership for allowing him to serve on the Board and proceeded with review of the financial reports for the membership. Noted that amounts on Balance sheet under current assets for lots 160 of \$11,500.77 and lot 312 of \$10,421.75 was not the value of the lots but the amount the association had paid for the lots when they were acquired. Also advised that lot 160 is currently for sale and that a substantial amount of money from that sale would be set aside for future legal costs. Also noted, \$200k has been allocated for roadwork within the subdivision, outstanding 22/23 FY assessments are approximately \$57k and bank account had been moved from First Interstate Bank to Madison Valley Bank.

Q&A

Budget for Unit 3 roadwork?

Deferred to new Board members to discuss in this new fiscal year.

Recovery of legal expenses?

We make every effort to recover legal expenses. We recently had letters sent by attorney and \$178.06 was assessed to each property owner to cover legal costs.

Construction Permits – Jason Petrillo

32 Construction permits were approved in the 21/22 FY for various projects.

Construction permits are required for everything built on your property. The construction permit application has been revised to include a section regarding outdoor lighting should be directed

downward or shielded from neighbors in an effort to reduce light pollution. Motion lights recommended. Plat maps are now required with all applications.

Q&A

No permit required for fencing, however set back distances must be adhered to.

Request for approved permits to be posted online.

Does the County & SMOA work in conjunction with building permits?

The only building permits required by the County are septic permits.

Will shipping containers be allowed?

At this time shipping containers are not allowed. Temporary permissions have been granted while building is in progress for a specific amount of time. Future consideration will be based on intent for the container.

Jason noted that the current Board has only been together since November of 2021 and have chosen to enforce the Covenants, By Laws and Rules and Regulations to the best of their ability. The current process for violations are:

Board to send certified letter to property advising of violation and allotted specific amount of time to remedy the violation. When that time frame has been exhausted the issue will be forwarded to attorney.

Board can only revise the Rules & Regulations. Covenants and By-Laws cannot be changed.

Fiber Optic – Jason Petrillo

August 2022 time frame for cutting over existing services and 3Rivers will make contact to schedule appointments. Any special arrangements for entry to your property should be made when scheduling your appointment.

Q&A

If you don't currently have service with 3Rivers you will need to contact them to order service.

Electricity is required to have service. If you are planning on using solar power you will need to contact Jason for solar specs. Fees to install service at a later date may vary however 3Rivers will cover the first \$3,000.

Roads – Jim McFall

AM Welles, roadwork contractor, will begin work on either July 15<sup>th</sup> or 18<sup>th</sup>. Unfortunately, due to the wet weather this spring the roadwork was delayed. We are scheduled for various degrees of roadwork on approximately 8 miles of the 42 total plotted miles within the subdivision. Discussion was had regarding the flooding from Cold Springs Pond overflow. New Board to discuss possible solutions. Craig advised that Madison County will begin roadwork July 11<sup>th</sup> on Varney and Gravelly Range Roads and must be completed within 90 days. Possibility of using millings to repair Fish Hatchery Road as well. Madison County has repaired the Varney Cutoff in anticipation of roadwork on Varney Road. Discussion was had regarding minimal snow in 2020 and 2021, no plowing and no invoices were received. In the event of a large storm, be prepared (medication, food etc.) to be homebound for a few days as there will be no plowing during the storm and until the wind has stopped. There is 1 plow in the subdivision which is housed in Unit 2. He will make every effort to get to you as soon as possible.

Q&A

When will Axolotl Lakes Road be repaired?

Axolotl Lakes Road is a County road and should be plowed and repaired by the County and all issues should be referred to the County Commissioners office. The Commissioners meet every Tuesday at 9:00am and anyone is welcome to attend the meeting. Meetings are available on Zoom as well.

Road parking?

All subdivision easements are for ingress and egress only. Parking on easements or private property is prohibited. Board previously researched the possibility of providing a parking area however found that insurance for a parking area was prohibitively expensive. Owners in disagreement with prohibited parking were referred to research Montana easement laws.

#### Common Areas – Craig George

Further discussion was had regarding Cold Springs Pond. Upper lake access road repairs deferred to new Board for resolution. Restroom at lower lake has been pumped. Volunteers are needed for various projects and sign-up sheets will be available. SMOA BBQ discussed and most in attendance were interested. More information to come!!

Jim advised that the lakes had been stocked with 2,000 fish and fishing licenses are required. Montana State Laws apply to the Lakes. Violations should be reported to 1-800-TIP-MONT

#### Weeds – Craig George

Association will spray for noxious weeds along easements, common areas and 2 lots. (160 & 312) The Board is researching the use of bugs to eradicate noxious weeds.

State law requires all owners to spray for noxious weeds on their property. Cost share program is available through the County. A survey of properties was conducted with a representative from the Madison County Weed Board. Violators have been identified and will be addressed by the County. Roadside mowing is currently in progress. Please help us by removing any large rocks or debris on the side of the road bordering your property.

#### Open Discussion/Questions – Sign-Up Sheet (if time permits, additional questions may be addressed) White dome structure?

Board has been trying to contact the owner of the property to discuss removal however, a correct current address had been unobtainable. We were finally able to get a notification to the property owner if no response this violation will be turned over to legal.

#### Swimming or floating on Haypress lower lake?

Due to safety and liability there is no swimming, floating allowed at this time. By a show of hands, majority of membership in attendance were opposed to allowing swimming or floating.

Adjourn 12:00