

# Shining Mountains Owners Association

## Board of Directors Meeting Minutes

**August 19, 2026 | 6:00pm | Fish Hatchery Fire Hall**

The meeting was called to order at approximately 6:01 p.m. Quorum was established with Zac Fanelli, Teri Davis, and Sandi Bourgeois in attendance. Approximately 45 members signed in in-person with approximately 17 additional Zoom attendees.

Zac opened the meeting by thanking community members who helped respond to the fire Monday evening in the Dry Creek area and assisted with side-by-sides, skidsteers, and a dozer. SMOA member Pat Noack was the first fire truck on scene and he spent approximately 45 minutes fighting the fire independently before fire crews arrived.

David McQueen submitted his resignation due to family member health issues and Dennis Baker submitted his resignation due to personal health issues, creating two board vacancies.

Zac made a motion to appoint Jenny Rohrbach to fill David McQueen's position as Board Member at Large for the remainder of his term. Motion was seconded and passed unanimously.

Zac made a motion to appoint Jim McFall to fill Dennis Baker's position as Board Member at Large for the remainder of his term. Motion was seconded and passed unanimously.

Zac made a motion to approve the 07/29/26 board meeting minutes. Motion was seconded.

- Teri Davis made several spelling corrections and sent those to Sandi.
- The motion passed unanimously.

Zac made a motion to approve the June 9<sup>th</sup>, 2026 meeting minutes from available transcripts, as most of the current board was not present at that meeting. Motion was seconded.

- Minutes will be posted to the website within one week of approval.
- The motion was passed unanimously.

Sandi presented a preliminary financial overview pending full reconciliation with bank statements.

- Approximately \$221,479.82 in the checking account (recorded in QuickBooks, not yet reconciled) and just over \$58,000 in savings designated for limited assessment funds.

### **Invoice Approvals**

- **AM Wells – Road Work (\$54,260)**

Zac presented an invoice for road work completed over the summer.

Zac made a motion to approve and pay the invoice. Motion was seconded.

Zac clarified that the invoice was for work authorized by Craig George but since the work has been completed, SMOA needs to pay the invoice.

The motion passed unanimously.

- **Southwest Weed Control – Two Invoices (~\$13,000 total vs. \$5,000 budget)**

Zac made a motion to pay the \$5,986.92 invoice. Motion was seconded.

Zac noted the 2026.27 weed spraying budget was \$5,000 but two invoices totaled approximately \$13,000, which was a surprise to both Zac and Sandi.

One invoice (~\$6,869) paid in July for work performed in June was verbally approved by Craig George and already paid prior to the annual meeting; no written motion or contract was found.

The remaining invoice for \$5,986.92 was for work done in early July. Zac committed to better budget management going forward with the new board.

The motion passed unanimously.

**State Farm Insurance (\$1,369)** -liability coverage for common areas and board committed to better budget

- members. Motion was made, seconded, and passed unanimously to approve and pay State Farm \$1,369.
- **Crowley Fleck Law Firm (\$2,210)**

Zac made a motion to pay to pay the balance due. Motion was seconded.

Zac explained the firm was hired by the previous board to dispute voting issues and matters related to Teri Davis. A \$5,000 retainer was already on deposit.

The \$2,210 invoice includes \$342 charges related to Teri Davis's residence and board election which Zac felt was not in the best interests of the association to dispute and attempt to recover from former board members.

Crowley Fleck will deduct the \$2,210 from the retainer and refund the balance.

The board agreed to no longer use Crowley Fleck and to find an HOA-focused attorney.

The motion passed with one dissenting vote from Sandi Bourgeois.

Sandi reported just under \$46,000 in unpaid dues. Suggested some non-payment may have been due to member discomfort with the previous board situation.

- Sandi confirmed accuracy of the list after resolving a missing bank bags found in a file cabinet in late July containing ~\$4,600, and another box left in the shed last week by Dennis Baker containing ~\$5,500; all have been deposited and recorded in QuickBooks. An unidentified \$50 bill in the bank bag remains unaccounted for.
- Sandi will send notices in 30 days to all members with outstanding dues. Both Zac and Sandi asked members to either send an email to SMOA or contact either of them directly to work with them to get dues paid.
- Jim McFall, note past boards working with members to bring dues current before late fees are charged.
- Discussion of a potential hardship fund to help struggling members discussed at the July 20<sup>th</sup> meeting was again brought up by Lorri Turner. Zac clarified that while he supports it, it would be a community project, not something that SMOA would be involved in.
- If dues remain unpaid, a lien is attached to the property and is recovered at time of sale; foreclosure was strongly opposed by board members.
- A member asked about combining two separately deeded parcels into one and Jenny Rohrbach explained the process requires a county-approved survey, creation of a new certificate of survey, and county recording. Cost is several thousand dollars, noting it is much harder to split parcels back apart once combined, and members should consider this carefully before proceeding.

Sandi made a motion to rescind the recently increased special assessment fee. Motion was seconded.

- Zac stated the justification for raising the fee from \$2,500 to \$3,500 was inadequate. No members had yet paid the \$3,500 fee.
- A member argued the higher fee could help control growth and that those building expensive homes could afford it.
- Other board members felt \$2,500 was already substantial and that the increase was unjustified without proper analysis.

- Discussion clarified the fee is intended to fund road repair from the member's driveway to the nearest loop road.
- The motion passed unanimously to rescind the \$3,500 fee and return it to \$2,500.

Zac made a motion to adopt a board policy for managing the SMOA email account. Motion was seconded.

- Sandi identified lack of clear process for handling emails, with HOA business going to personal addresses and no consistent forwarding or record-keeping. Sandi will prepare a draft of written procedures for board approval.
- The motion passed unanimously.

Zac made a motion for both Secretary and President to have website access. Motion was seconded.

- Zac discussed the issues of the new board not having access to the website. One non board member had control of both the email and website. The new policy gives two board members access.
- The Secretary will manage the website and the President will have administrator rights.
- Moving forward, minutes and approved documents will be posted to the website; Facebook will be used for agendas and notifications linking to the website.
- Jim McFall raised concern about posting financial balances publicly, citing risk of contractors inflating bids. Zach agreed to discuss whether financial details should be excluded from publicly posted minutes.
- The motion passed unanimously.

Zac made a motion to post agendas to the Facebook page and notify members via Facebook when website content is updated. Motion was seconded.

- Zac clarified the Facebook page is not an officially sanctioned SMOA page but is used as a social media communication tool for the SMOA membership.
- Both Zac and Jenny stated they will not respond to HOA-related private messages via Facebook.
- All initial contact with any board members should be done via email or a phone call using contact information provided on the website.
- The motion passed unanimously.

Zac made a motion that any board member who authorizes work without a recorded and approved motion be held personally responsible for those charges. Motion was seconded.

- After discussion, motion was passed unanimously.

Sandi Bourgeois was previously tasked with drafting a director ethics and confidentiality agreement for all board members to sign when they are elected to the board. This task was tabled to the next meeting due to the unexpected difficulties getting the new board seated with access and control of the SMOA platforms. She will have a draft before the next board meeting.

Zac made a motion to adopt a board policy requiring two officer signatures on all checks, eliminate debit card, and requires prior board approval for any purchases requiring reimbursement. Motion was seconded.

- Zac stated the previous board had changed to a single-signature system to allow a debit card, with one of the authorized signatories not being a board member.
- Treasurer and President designated as the two required signatories.
- The motion passed unanimously.

Zac made a motion to pay \$1/month for copies of the front and back of checks on the bank statement that have been paid. The motion was seconded.

- We are currently only receiving the back of the check with the bank statement. This is only for the checks that SMOA writes, not for checks that are deposited into the account.
- Motion passed unanimously.

A brief discussion arose about the HOA's safety deposit box at Madison Valley Bank. Jim McFall noted the box contains the gravel bond certificate. The key has not been located. (*\*8/20/26 update: Safety Deposit keys have been found in the box that Dennis Baker put in the storage shed. Zac and Sandi will attempt to access the SMOA safety deposit box when signing signature cards at the bank this week.*)

Zac made a motion to remove Crowley Fleck as the SMOA attorney. Motion was seconded.

- Zac stated the board will begin interviewing HOA-focused attorneys.
- Motion passed unanimously

Sandi made a motion to replace the Three Rivers landline with a basic smartphone, retaining the existing phone number. Motion was seconded.

- Jenny Rohrbach emphasized the need for all board members to share responsibility for the phone, published business hours, and a clear expectation for response time.
- Zac agreed the phone should be off outside of published hours.
- The motion passed unanimously.

Sandi made a motion to remove the second (old) lock from the Haypress Gate and implement a year-round locked gate policy. Motion was seconded.

- The old lock has been in place for approximately three years as a temporary measure during key exchange; it creates a risk of lockout/lockin.
- The gate will be locked year-round going forward, ending the practice of leaving it open for five months.
- A long-time member raised concerns about the lock freezing in winter, noting they carry a torch to thaw it, and that the gate has historically been left open in winter partly for this reason and for emergency access.
- Discussion noted that fire and police can break through or have override access if needed.
- Sandi suggested investing in a proper lock cover or exploring electronic gate options rather than leaving the gate open.
- Lock boxes are available for members to provide contractors and guests with access codes, eliminating the need to leave the gate open.
- Members were reminded that choosing to live beyond a locked gate means accepting the responsibility of operating it.
- The "old" lock will be removed by September 30.
- Members needing new keys should email the SMOA email address or speak with Sandy after the meeting.
- If the gate must be left open, a note explaining the reason, duration, owner and lot # must be posted.
- The motion passed unanimously.

Sandi made a motion to purchase a Haypress Gate CD using the \$7500 2026.27 budgeted funds for the Administrative Assistant. Motion was seconded.

- Sandi volunteered to perform all administrative assistant duties as a volunteer for one year, donating the equivalent of the \$7,500 budget toward gate improvements.

- Proposed uses include researching electronic gate options, installing a gate camera, and improving compliance with gate policies.
- Sandi noted technology and costs for electronic gates have improved significantly making this a viable option.
- Motion passed unanimously.

Teri Davis made a motion to adopt a uniform building permit procedure policy. The motion was seconded.

- Teri presented a proposed process: property owners submit requests to the SMOA email; Teri reviews for compliance with protective covenants; final decisions communicated to owners; all correspondence copied to all board members and the SMOA email; physical copies turned over to the secretary at the next meeting.
- Member Judith Benton raised the need for an appeal process.
- Jenny Rohrbach: Raised the need for a plan to transfer documents when a board member leaves.
- Teri agreed to add an appeal process and to include document transfer requirements in the Director Ethics Agreement.
- The motion was tabled to the next meeting after revisions are made.

Three pending building permits were tabled to allow all board members time to review them before voting.

- Teri to review the folder of 2025–26 permits recently recovered from the shed.

Jim McFall discussed the Haypress Lake fish stocking permit information presented by Cedar West at the annual meeting.

- Zac referenced a successful legislative effort around 2016–2017 that changed state law to allow stocking permits again.
- Steve Kielley: previously drafted a letter (suggested at the annual meeting) for a potential letter-writing campaign.
- Jim will contact state senator Tony Tezak to follow up on a previously discussed DNRC meeting with letter writing campaign to be considered, draft letter to be reviewed for posting on Facebook and the website.

Zac made a motion to adopt a board policy requiring the new board to hold an organizational meeting on the same day as the annual election. Motion was seconded.

- Zac proposed meeting immediately after the annual meeting and hold the transition meeting immediately after the annual meeting, as was historically done for decades.
- Jim McFall confirmed this was the long-standing historical practice.
- A member suggested adding a requirement for outgoing board members to turn over all materials at that meeting; this will be addressed in the Director Ethics Agreement.
- Motion passed unanimously

The board assigned committee responsibilities to board members.

- Zac Fanelli: Roads Committee Chair, with Steve Kiley and Bob Manners volunteering to assist as committee members
- Sandi Bourgeois: Administration Chair, to rely on Jessie Finelli and/or Sean White for Zoom moderation; Kaylee Waldo expressed interest in financial auditing assistance as committee members
- Teri Davis: Building Permits Chair. Teri will seek additional support from members if needed
- Jim McFall: Common Areas and Gate Committee Chair with Bill Bourgeois as committee member.

- Jenny Rohrback: Elections Committee Chair with Jessi Fanelli as committee member

The board will shift from monthly to quarterly board meetings

- Zac and Sandi both suggested quarterly meetings would drive higher member attendance and engagement compared to monthly meetings with low turnout.
- Next meeting tentatively set for Wednesday, November 18 at 6 p.m.
- Discussion about venue: the fire hall room may not be available in winter due to equipment; the fire hall in town was suggested as an alternative.
- Michelle (Lot 24): Expressed support for quarterly meetings via Zoom chat.

The board discussed setting a dollar threshold above which expenditures would be communicated to the membership at the quarterly meetings.

- Zac proposed that expenditures above a certain amount (approximately \$4,000–\$5,000 discussed) should be brought to member awareness.
- Jenny suggested gathering more data on what the actual check amounts are and Sandi will run a report on average invoice amounts to help determine an appropriate threshold so this can be voted on at the next meeting.

Zac made a motion to adopt a board policy for motions made via email between board meetings. Motion seconded.

- Zac asked Sandi to draft a standard email template for board use when voting on invoices between board meetings and a process for it to be included on meeting agendas for motion passed; Sandi to draft a standard billing email template for board approval.
- Motion passed unanimously.

The board announced plans to send a comprehensive communication to all members before the November meeting.

- Sandi made the point that the general membership doesn't receive any communication from the board after the annual meeting until the following May when the president's letter is sent out with the minutes from the previous year's annual meeting and we need to do a better job informing the membership of what to expect for the upcoming year. Sandi outlined a planned mailing/email to cover board changes, new policies, website updates, contact information, building permit process, gate lock changes, and year-round gate locking policy.
- Sandi will put together a comprehensive list of member contact information so we can email it to as many members as possible. There will be an additional push to get email addresses we don't have yet when sending the letters this fall.

## **Member Questions and Comments**

Carol Riley (Hayfield Loop Trail): Requested a map with road names be posted on the website, especially useful during emergencies like the recent fire.

A member's daughter located a PDF map of Shining Mountains with road names; it is already on the website under "Maps."

A member noted that during the recent fire, many residents had no information until they could see it from their windows, and suggested the HOA email list could serve as an emergency notification tool.

Zac noted the Sheriff's Department made three calls to residents in the affected Trail Creek area. The HOA could supplement this by grouping email addresses by unit for targeted notifications. The board will look at organizing email addresses by unit for emergency and general communications.

John (Lot 210B, Unit 3): Asked how soon the old lock would be removed and whether he could exchange old keys for new ones. Sandi confirmed the target date of September 30<sup>th</sup>.

A member raised concerns about Adventure Bikers and off-road vehicles using HOA roads due to incorrect maps in published guidebooks, causing road damage, noting 25 bikes passed in 30 minutes at Chimney Trail, turning onto Axolotl Lakes Road. There was discussion about adding directional signage near mailboxes to redirect traffic to the county road.

A road sign at the corner of Axolotl Lakes, Antler Trail, and Holly Creek has been missing for over a year; reportedly in the shed.

There was a question about enforcement of state noxious weed control laws for members not managing weeds on their property. Jenny Rohrback explained that Madison County has a weed board; members can contact the weed board to report non-compliant properties. The weed board can send warning letters and, if unaddressed, spray and bill the property owner.

Kim Phillips suggested inviting the weed board to give a presentation at a future meeting, as has been done in the past.

A Zoom participant suggested hiring a document scanning service to digitize shed records before temperature damage occurs. Sandi stated that going forward, all documents will be scanned and saved digitally. Historical scanning was deemed cost-prohibitive based on prior quotes. The paper files have been stored for decades already in a storage unit in Ennis without damage and we wouldn't expect any damage in the new storage shed.

Jenny suggested cloud backup and a local computer service in Bozeman (RAM) to assist with setup. Sandi will contact them and get a cost proposal prior to next meeting.

A Zoom participant suggested board members use SD cards to store documents, transferring them when leaving the board. Sandy to obtain a quote for a backup/cloud storage solution for the next meeting.

Going forward, all records to be saved digitally; document retention policy to be included in the Director Ethics Agreement.

Kristie Vessey noted via chat that several Zoom participants were unidentified, contrary to the policy requiring name and lot number.

Sean White volunteered to help set up proper Zoom authentication and assist with website

Zac announced the previous policy requiring agenda items to be submitted 5 days in advance is eliminated and this board has an open policy. Members may raise questions at any meeting at the conclusion of the meeting. Formal presentations requiring significant time should still be communicated in advance.

The meeting was adjourned by Zac Fanelli at 7:31pm

Minutes transcribed and prepared by Sandi Bourgeois using AI generated notes for reference

Motion to approve was made & seconded via email 08/20/26, passed unanimously 08/21/26 via email.