

Shining Mountains Owners Association
Board of Directors Meeting
December 9th, 2025
MINUTES

Called to Order: 5:15

Present: Craig George, Dennis Baker, Cedar West, Sue Sherrard and attached list.

Zoom: Ken Sargent, Caroline Roy, Bruce & Paulette Gustafson, Peter Manka, Sean & Wendy White, Bjorn Leum, Dave McCrory, Howard Goltz. Jessica Johns, Catherine Naczas, Kristie Vessey, Matt Johns, Michael McCoy, Jen & Jon Pierce, Dale Rumens-Partee, Richard Rzodiewicz

Approval of 11/11/25 Minutes: Craig, Cedar, Approved

Approval of 11/30/25 Financials: Ken, Cedar, Approved

TABLED ITEMS FROM PRIOR MEETINGS:

- Private Road Sign (BLM/SMOA border) May 2026
- Mailboxes FY 26/27
- Upper Lakes trail maintenance/development
- Reflective culvert posts
- Policy & Procedures
- Picnic Tables common areas

Unfinished Business

- Cold Springs Pond – no discussion
- Correspondence Tracker – no discussion
- Formation of Rules & Regulations committee – Jenny Rohrback, Dennis Baker, Sue Sherrard & Mike Phillips to finalize R&R changes

Common Areas/Lakes

Roads/Easements

- The board discussed road maintenance and financial matters for the Shining Mountains HOA, which manages approximately 628 lots and is effective with the 2026/2027 Fiscal Year charges \$350 annually per lot. The Board explained that current dues cover road maintenance costs, including the production of road-based gravel from association land, while Ken noted that previous financial planning had been done to prepare for the next decade. The discussion covered potential improvements to road intersections and dust control measures, concerns about increased traffic and road damage and acknowledged that asphalt solutions might not be ideal due to frost heaving.
- Concerned residents should contact the Madison County Road department regarding the cattle guards and road conditions on Shining Mountains Loop Rd.

Construction Permits

- 261A/Flood shop approved
- 183A/Cox/Revolver Trail pole barn approved
- 280A/Leum shed approved

New Business – Correspondence

- Montana Supreme Court ruling regarding short term rentals – 2 Attorneys (Paul Moses and a real estate attorney chosen and paid for by Dennis Baker. Attorney name withheld) were consulted and both agreed that the Covenants do not address short term rentals or commercial businesses. Short term rentals will be allowed in the subdivision, and this topic will be laid to rest until the State

changes rulings. Dennis will draft a letter to property owners retracting his statement on short term rentals and the cost of the mailings will be reimbursed by the Board with no cost to property owners.

- HOA Commercial Activity Legal Review - The board discussed the legality of commercial businesses within the HOA, noting that while covenants allow for residential use only, they do not explicitly prohibit commercial activities. The Board emphasized the need to consult attorneys and consider future implications, while Caroline clarified the distinction between covenants, zoning laws, and rulings. The group acknowledged the complexity of the issue and the need to decide whether to modify the covenants to explicitly allow or prohibit certain commercial activities. The conversation concluded with Ken raising questions about commercial use restrictions in the 1972 covenants, which clarified could only be enforced if the business became a nuisance.

Open Discussion Items (*Public discussion and/or comments on items not listed on the Agenda but within the Board's jurisdiction*)

- The board discussed changes to the election process, with Jenny proposing to split the election ballot and proxy into separate documents and envelopes. They clarified that only current members with dues that have been paid to date at the time of election would be eligible to vote either by mail or in person, and the new process would be handled by an election committee existing of 3 member volunteers or a member from each unit will be selected to the committee with a board member that is not running for position to serve as the sole observer.
- The board discussed mailing HOA invoices earlier than the current June 1st deadline, offering to mail them by May 1st pending bylaw review.

Craig motioned to accept the process as presented, 2nd by Cedar, motion passed. Jenny Rohrbach will revise the election document and forward copies to the Board and interested parties.

Next Meeting: January 13th, 2026

Meeting adjourned: 6:23 pm