

Shining Mountains Owners Association
Board of Directors Meeting
May 12th, 2026
MINUTES

Call to Order: 5:00 pm

Present: Dennis Baker, Craig George, Dave McQueen, Sue Sherrard, Jim Garcia, Jon Strickland
Cooper Taylor, Kelly Tucker, Marshall Morlock, Dave McCrory, Lynn Emery, Sheila Emery
Zoom: Ken Sargent, Howard Goltz, Teri Davis, Jess Fanelli

Approval of 04/14/26 Minutes: Craig motioned to approve minutes, 2nd Dave, passed

Approval of 04/30/26 Financials: Ken motioned to approve, 2nd Craig, passed

TABLED ITEMS FROM PRIOR MEETINGS:

- Private Road Sign (BLM/SMOA border)
- Upper Lakes trail maintenance/development
- Reflective culvert posts
- Picnic Tables common areas
- Address long standing Covenant/By-Law compliance issues

Unfinished Business

- 2026/2027 Projects
 - Building for SMOA file storage and public access – Prep for storage shed scheduled for either May 18th or May 19th
 - Dave created a model mailbox rail for discussion. The rail will be constructed of 6” pressure treated posts set in concrete with a proposed cost of appx \$500 per rail. He has volunteered his time to construct the rails and will need some assistance. Rail system will be reviewed at the Annual meeting to gather community input on the mailbox rail system proposal prior to committing to any construction. Vote by show of hands at the Annual meeting will be organized.
- Dennis provided letter to Ennis Realtors indicating HOA Annual Dues and Limited Assessment fees
- Jenny to provide her findings regarding State HOA voting regulations for future reference – no discussion
- Dennis will announce the dues payment deadline at the Annual Meeting
- Results of the election will be announced at the Annual Meeting
- Antler Trail road sign – pending Craig’s installation
- Maisano complaint – Dennis organizing volunteers to assist an injured property owner on Antler Trail with siding and roof installation as well as site cleanup. Dennis will monitor unfinished construction on Antler Trail and initiate formal compliance action if the owner declines community assistance
- Dennis to continue work on updating association By Laws to reflect current enforcement standards

Common Areas/Lakes

- Continued work on clearing brush and debris in the lakes area. Craig to continue to coordinate volunteers to assist with weed eating around the lakes and pond in the common areas

Roads/Easements

- Full road sign audit to be conducted to identify the illegible/damaged road signs during the upcoming drive-around with Diane Wells
- Craig to continue coordinating with Southwest Montana weed spray contractor to complete road spraying in the coming weeks and begin noxious weed treatment in July. Roadkill spray rate \$81.00

per 25 acre mix with a \$85.00 per unit labor cost for appx 8 units. Roadkill spray area to be 30' easement from center of the road on each side. Noxious weed spray will be \$25.00 per 25 acre mix. Dye will be used so applicated spray area is visible. Control for noxious weeds is mandated by Montana State Law and the responsibility of the property owner. SMOA does not enforce weed spraying. Board to address noxious weed compliance messaging to membership and clarify that easement weed control is also the responsibility of the individual property owner

- Cooper Taylor has requested to abandon road easement on his property. Discussion was had regarding abandonment of existing plotted easement crossing reallocated/combined lots. Craig motioned to abandon the easements at Cooper's cost for any County paperwork, 2nd Dave, motion passed. Craig to follow up with Cooper to identify the appropriate County contacts needed to formally abandon the plotted roadway easements
- Cooper Taylor would like a "Slow Down" sign placed on Axolotl Lakes Road. Cooper was directed to contact the County regarding a sign
- Craig to continue monitoring and coordinating road maintenance work with County contact regarding grading and mag chloride application
- Fish Hatchery Road has had some roadwork completed. Per the County contact, we will need some rain before they can do any further roadwork

Construction Permits

- 169A/First XV LLC/Branfield/McCollum residence approved
- 199A/Hightower – re-submission of permit extension needed. Sue will email extension form to property owner

New Business – Correspondence – Open Discussion

2026/2027 Budget

- Ken will resend the final amended budget to Dennis's correct email address and confirm receipt
- The \$25,000.00 annual road reserve line item will be added to the budget. This road reserve budget item will be earmarked for future gravel crushing costs
- Detailed budget breakdown will be shared with all Board members prior to the final vote to approve
- Online meeting to be scheduled to formally approve the 2026/2027 final budget
- Question from the floor – How is the \$210,000.00 projected income calculated?
 - Answer – Ken calculated income using 620 payable lots @ \$350.00 per lot
- Sue will update the final budget summary for distribution at the Annual meeting to reflect the final approved amended figures

Election Committee

- Jenny Rohrback will lead the ballot counting committee during the Annual meeting, ensuring ballots are securely sequestered until tallied before the meeting concludes and coordinate with runner assigned to handle proxy ballots during the meeting

Fanelli Case

- Question from the floor – If another case involving payment of assessments should arise, will the Association incur the legal costs again?
- The Board explained that 5 property owners were in arrears and liens had been placed on all properties in arrears. 4 of those properties paid in full and 1 did not which resulted with legal actions. Also discussed was the length of time it took to obtain an application for the construction permit and that the Board had been requesting payment for the Limited Assessment for over 4 years. The court awarded the Association \$14,500.00. (\$2,500.00 for the Limited Assessment and \$12,000.00 for attorney fees) The case was then re-opened by a motion by Mr. & Mrs. Fanelli which led to another \$20,000.00 in attorney fees for the Association and per the court decision, each party would be responsible for their own attorney costs. Short answer to the question is yes, the Association would incur those costs again if necessary.

- Comment from the floor – Because this case has set precedence there may not be any future cases.
 - The Board reiterated that the case was not pursued for the reason of setting precedence. It was pursued because many other property owners since 2009 had paid that assessment and he should as well. The property owner advised he would not pay the assessment and he was prepared to go to court. The Board did not want to be in this position however due to the defiance of the property owner the Board was left with no other choices. The Board also stated that now that we have gone through this process that any future cases may not be as lengthy as the Fanelli case and costs may be less if future cases of this nature should arise. The Board will continue to do its due diligence to enforce the By Laws.

Online Payments

- Discussion was had regarding accepting online payments for annual dues and assessments. Currently available online payments through bank ACH through QuickBooks is available with a convenience charge of \$25.00 to the property owner. Additional types of online payments are also available through QuickBooks for a fixed fee of 2.9% plus \$0.30 per transaction which would cost the Association approximately \$11.00 per lot.
- Discussion was had and Dave motioned no online payments at Association's cost should be permitted, 2nd Craig, motion passed

Next Meeting: June 9th, 2026

Meeting adjourned: 6:22