

**Minutes of Board of Directors Meeting  
For the Association of Unit Owners of  
Firelight Meadows  
March 1, 2011**

**Call to Order**

President Jack Eakman calls the meeting to order at 6:00 pm.

Directors in attendance are Chair Jack Eakman of unit V96, Twila Moon of unit V103, Sam Geppert of unit C1, Sam Reznicek of unit D2, Garrett Baldensperger of unit V95, Amy Free B17 (via conference call), Scott O'Connor of unit V60 (via conference call).

Also in attendance are guests, Dick Hovde of Hovde Property Maintenance, Jose Morales and Markus Kirchmayr of Alpine Property Management, Andy Driesbach of Cornerstone, Lisa Stafford of Cbo Collections (via conference call), Accountant Doug Shanley (via conference call) and Communications Coordinator Bethany Smith. Unit owners Amy and Bruce Das of unit V66 and Steve Cherne of V73 were also in attendance.

(All Directors will be identified by their last names from hereafter in the minutes.)

**Changes to the Agenda**

Lisa Stafford of Cbo Collections will provide a report from the collections agency. Andy Driesbach will also provide a report regarding the progress of the Cornerstone repairs made to Chalets as well as his finding under the siding.

**Cbo Collections Report**

Lisa Stafford of Cbo Collections provides a report on the progress of the collections agency. (See attached written report).

Eakman thanks Lisa Stafford and all the staff at Cbo Collections for working so hard on behalf of the Association.

**Cornerstone**

Andy Driesbach provided a report complete with photos of the siding failures done by the original construction. Many of the units had siding or shingles placed directly on raw plywood. Because many places had no counter flashing, underlayment or dry-in, significant water damage and mold was found. To correct the problem Cornerstone pulls any existing shingles out from around the chimneys and sidewalls and places a self-adhering underlayment before replacing the shingles. Chimney caps are being framed and re-pitched. Eighty chimney caps are left to make. All the chimneys except for seven (that have not had their siding removed) have been completed with the shingle work and the drying of the sidewalls.

Please check the APM website [www.ApmBigSky.com](http://www.ApmBigSky.com) for biweekly reports by Andy Driesbach of Cornerstone.

Unit owner Bruce Das asks why he has never had leak damage in the past seven years of owning his unit until this year. Kirchmayr of APM replies that Das' roof leak is due to snow on his roof. Das then asks why his roof has not been shoveled. Kirchmayr replies that APM does not have the roof shoveling contract with the Association this year and that there have never been so many roof leaks as there have been this year. Dick Hovde of Hovde Property Maintenance has the roof shoveling and snow plowing contract and provides this response:

“Well, I’ve been, a, shoveling, I’ve been trying to prioritize the ones that we had trouble with before, you know, and I, you know. I’ve got somewhere in the neighborhood of about 400 hours in roof shoveling. And, you know, when I agreed to do it, you know, it was 333 hours, is what it came to. But I’m not complaining about that, I’m going keep going with it. But there’s been a multitude that was done. Like you said, we never had trouble and I never shoveled your roof before, that unit was never shoveled in the back, in past years.”

Bruce Das replies that he has never had problems before this year. Hovde continues, “We did shovel it as soon as we found out you had a leak. And it appeared that the water in yours was coming from higher up on the roof and it came down in went into a channel.” Bruce Das replies “that’s not where it was leaking from because there was no wet insulation there....What’s this going to cost the board with all these roof leaks because the damn roofs weren’t shoveled? I mean I’ve been here since near the middle of January and I haven’t seen anybody shovel a roof yet, until I had a problem.” Hovde replies, “Well, we have done, you know.” Bruce Das continues, “And my neighbor says, she lives here year round, she says she hasn’t seen anybody shovel any roofs. You know, and she’s got a problem with a leaking chimney and she hasn’t had a problem in five years.” Hovde adds, “Well, as far as I know, on the chalets, the roof leaks that we’ve had, we’ve got 123, 76 and 66. Is there more somebody knows something about?” Jose Morales adds unit 19 is leaking. Bruce Das asks, “Well how many are sitting not occupied so people don’t know their roofs are leaking yet?” Andy Driesbach concludes that this is the whole reason why Cornerstone was hired to make these repairs to prevent any further water damage. He adds that he cannot speak for the roof shoveling.

On behalf of himself and many of his neighbors, Bruce Das asks, “Why the hell was this project started in the winter? Why didn’t somebody say, ‘okay, it didn’t start this summer, let’s wait till next spring’, instead of tearing this stuff up in the winter. When it gets that cold, people start doing sloppy work, ‘cause they don’t want to be out there when it’s freezing cold.” He adds the siding work on his place is less than acceptable with gaps in between boards and boards that were cut to the incorrect length and then left on his property. Eakman replies that the Association was at the complete mercy of Hardy Plank. Hardy Plank is doing warranty work at no charge; therefore the association has to go with their schedule. Eakman adds that the Association will have a follow-up, walkthrough inspection with Hardy Plank when this is finished and the Association will not let Hardy Plank off the hook while this is happening. Moon adds that the Association should hire a certified Hardy Plank installer to partake on the final walk-through with Hardy Plank. Eakman adds, “Boy if anybody hates this schedule, I bet its Andy and his crew. I look those guys, dressed up the way they are, trying to get this stuff done, and it’s costing more than it would in any other time. But we are caught by the weather, for my part I apologize for it. If there’s any way I could unwind it, I would. Looking at it know, you have every right to say the timing was wrong.” From Eakman’s personal point of view, getting the job accomplished is more important than not getting it accomplished.

Bruce Das then asks how much more his dues will increase because of this work being done in the winter rather than in the summer. Moon replies that the important thing is taking into account what we could have paid in the future if we had let these problems persist. It would have been a failure on the boards’ part not to address these chimney issues when they came up. She continues “Like Jack said, at first the board was simply concerned with our Hardy Plank because, I’m sure you noticed, it was horrible and parts of it were really failing.” Bruce Das interrupts that his unit did not have a bad plank on it and asks why they had to tear it apart. Reznicek explains that the siding had to be removed to get to what was underneath the siding to what Andy Driesbach had been showing pictures of, to show the poor construction on the part of the builders. Reznicek adds, “You may not have known you had a leak, but like he said [Andy Driesbach], there is deteriorating OSB and there is mold everywhere and at some point it is probably going to show up.”

Reznicek emphasizes, that the take away point is that Hardy Plank had to come do the work now and they are doing the work for free. "We can tell them to come back later, but then are they going to charge us since we're on their timeline?" Eakman replies that it is a miracle that they are even here.

Driesbach explains when they looked at unit 108, they found some disturbing problems and noted that while the siding is being replaced on other chalet units, the Association should take a look at the other units. They found that 75 to 85% of the other units do have leaks. "It may only be 15% that show on the inside, but the majority of them do leak." His main concern was to address this now so that in 7 to 10 years when the shingles need to be replaced, they don't have to do this all over again.

Baldensperger asks Andy Driesbach, how well the self-adhering underlayment is adhering in this cold weather. Driesbach replies that they are using heat guns to adhere the lap, but will not melt the underlayment to the lap. Then in the summer after three hot days, the underlayment will adhere to the roofs.

Eakman commends Andy Driesbach on an amazing report and an amazing job.

Andy Driesbach concludes "We've given up a percentage of all of our billing which goes towards finalization, i.e. Cleanup."

#### **Minutes of the Last Meeting**

Moon motions to approve the Minutes of the last meeting. Geppert seconds the motion. All are in favor, none opposed. The Minutes from the January 25, 2011 meeting are approved.

#### **Financial Report**

Accountant Doug Shanley provides the Financial Report, (see attached documents). Six accounts are owned by banks and the Association will get the money owed as soon as the units sell, totaling \$12,049.25. Three accounts are late for the October, November and December dues and they have also not paid for the January, February and March dues, these will be turned over to Cbo Collections totaling \$4,233.22. Bad debt previously written off that has been collected from Cbo Collections so far this year is \$2,049.28. Parking income this year is \$315 and they have not received any income from fines this year. Eakman asks Doug Shanley to provide a report on outstanding fines and who holds them for the next report. There are five new memberships for the year at \$500 each for a total of \$2500. Bad debt written off this month totals \$8,889.66 for twelve units.

The Chalet Budget to Actual Overview shows that the chimney and siding repair expenses of \$50,000 put the budget over by \$38,650.83. Without it the Association would be under budget \$11,350.

The Condo Budget to Actual Overview shows that the Association is \$9,778.64 under budget for the first two months of the fiscal year.

#### **Property Manager Report**

Kirchmayr of APM provides the Property Managers Report. There have been a lot of vehicles towed. There have been many complaints that APM has not been working hard enough so they have been strictly adhering to the Rules and Regulations. Currently the Rules and Regulations do not allow for warnings before vehicles are towed. As a result a lot of people are upset that their vehicles have been towed without warning. Some changes to the Rules and Regulations will be further discussed at the end of this report.

Kirchmayr discussed the list of towing's and various noise complaints for the units. Trash pick-up for condos has been re-scheduled to twice a week, Tuesdays and Fridays. APM noticed that chalet unit numbers 81, 72, 71, 70, 69, 130, 100, 103, 105, 11, 6, 8, 23, 61, 117, 68, 121, 41, 50, 55, 56, and 46 did not have their garbage's out during the usual garbage pick-up day. Some unit owners have provided explanations as to where their garbage goes, but some have also been found poaching the condo dumpsters. Moon proposes sending out a note to these chalet owners.

Eakman introduces a proposed Parking Regulation. Moon motions to approve the Parking Regulation to be added to Policy 2010.1. Geppert seconds the motion. All are in favor. None oppose. The motion carries.

Eakman also introduces a sign to inform guests of parking rules that will be placed at the entrances and parking lots.

Kirchmayr explains the cost of removing construction materials for the storage shed. The ReStore with Habitat for Humanity is not interested in the construction materials currently in the storage shed. He proposes taking the materials to the dump. The cost to transport the materials to the dump should be less than \$500 and the cost of dumping the material itself is minimal. Baldensperger moves to have the storage shed evacuated and taken to the dump. Reznicek seconds the motion. All are in favor. None oppose. The motion carries.

#### **Snow Removal Report**

Dick Hovde provides the Snow Removal report for Hovde Property Maintenance. He asks the board for their opinion on the natural speed bumps created by snow and ice on the road to see if they are in favor of him leaving the bumps to slow traffic down. He has a grader that he can bring in to knock the bumps down. Geppert asks why, if Hovde has a grader, he has not already knocked down the bumps in the parking lot. Baldensperger asks why the bumps are there this year when they were not there last year. Hovde replies, there has been more snow this year as well as high fluctuations in temperature. Hovde explains that the bumps form when the snow is "removed all the time the blacktop spots show up, they melt earlier, then they go out into the street, and they cause a wet spot, and then when you go to plow it" is when the bumps form. Moon recommends grading the parking lot but likes the natural speed bumps. Eakman adds that his vehicles are bottoming out. Moon replies that if vehicles are scraping, the roads have to be graded. Hovde replies that he will "hit the high ones, you know the ones that are scraping."

He explains that nothing has been paid by the Association as far as roof shoveling, and adds:

"I'm in agreement at this point, you know, I don't know what these are going to cost, but whatever they cost, those three units [123, 76, and 66], we can look at others, you can take off the roof snow removal bill. That particular unit, 66, has never leaked before; it's never been shoveled before. I can make a list of the ones that I've shoveled, even though there's a consensus that I haven't shoveled any. Some of the condo buildings I've done three times already. I don't shovel the whole roof, that's not practical to shovel the whole roof. I shovel above the ice line and up into the valleys and where the ice damn is, to keep from building water up behind the ice damn and remove the ice damn where the heat tape is not making a channel for the water to come through."

Eakman asks if we are having a normal snowfall year. Reznicek replies that according to NRCS water supply specialist Scott Oviatt, as of March 1, the West Gallatin River basin was at 112% of average and 141% of last year.

Bruce Das asks if the fire hydrants are being dug out. Hovde explains that they have dug them out three different times but they do need to be dug out again. He adds that the wind continues to blow snow in



around the hydrants. He will make it a priority to dig the hydrants out. Amy Das asks why many of the buildings have huge icicles hanging and asks if someone can go around and knock them down before they injure someone. Hovde replies that he does knock down icicles “periodically, relatively often, especially when they get big;” but he can go through again and get any that they haven’t knocked down.

Geppert asks, “Dick, do we need more manpower out there, I mean we’ve had an issue with every single area of snow removal?” Hovde replies that he has three people working part time and two working all the time. Geppert continues, “...between the road not being grated, you have a grader and you haven’t done it, then asking us if you should [grate the road] after we bottom out our cars, fire hydrants that are buried in the snow so that if there is a fire we can’t even get to a fire hydrant. You and I talked earlier today about all the propane meters being buried in snow so that the propane company can’t even get to them to read them first of all. If we had a leak [propane], they wouldn’t be able to get to them to shut them off. We’ve got roof leaks; we’ve got people saying that roofs aren’t shoveled with icicles hanging down. It’s every single area [of Snow Removal].

Eakman concludes that the Association would like to have a review of Hovde’s progress with snow removal and he would like Hovde to be aware of the issues and concerns owners are having.

### **Propane Portfolio Report**

Sam Geppert provides a Propane Portfolio Report. He has contacted Amerigas, Northern, MAC and MEA. The current contract is with Amerigas and it is posted on the website, [www.ApmBigSky.com](http://www.ApmBigSky.com). Geppert believes that an inspection is important for the safety of the tenants, Amerigas has never provided an inspection. Northern is the only company with an annual inspection in the contract. Northern, MAC and MEA all provide monthly statements sent only to unit owners that are using propane. MAC and MEA charge \$5 per month for the billing statements and meter reading whereas Northern does not charge a fee. Currently the rate of propane is high, but in July the rates will lower. Geppert recommends Northern because they were the most responsive and most interested, they didn’t charge a fee for billing or reading the meters and he likes the idea of an annual inspection so that they are aware of any future issues before they become problems. He will look into locking in a lower rate with Northern in July. Geppert motions to choose Northern for Firelight Meadows propane provider. Baldensperger seconds the motion. All are in favor. None oppose.

Eakman thanks Geppert for researching the best propane provider on behalf of everyone.

### **Welcome Packet**

Eakman introduces a Welcome Packet that he and Free created to give to new unit owners. He recommends adding information about Bling as an option of Satellite TV as well as information about changing locks. Moon recommends including Policy 2010.1 into the packet. With these corrections, O’Connor motions to approve the Welcome Packet and send it out to all new unit owners through the Title Company and Accountant Doug Shanley will send it to owners. Baldensperger and Free second the motion. All are in favor, none oppose.

### **Legal Report**

Eakman provides the Legal Report. Attorney Jennifer Farve has been working on the lawsuit with WFU as well as on siding repairs.

Kirchmayr, Eakman and Accountant Shanley held a conference call with Northwest Energy in Shanley’s office regarding shutting off electricity in vacant chalet’s where there is a possibility of damage from frozen pipes. FLM, HOA could take on the position of landlord status with all properties where the owner doesn’t already have that status; this would allow the Association to be notified before the power is shut off. However, having landlord status means the Association would have to pay the electricity bills.

Eakman is not sure that the Association should take on that responsibility and Accountant Shanley feels that it may be a lot of extra expense. APM is looking into a different way of finding out if a vacant unit is without power. Eakman recommends discussing this again before next winter, but does not feel like a decision needs to be made today.

**New Business**

Eakman introduces a Chairpersons report so that the next Chairperson is aware of all the duties and responsibilities that the Chairperson must perform. He will provide a monthly Chair report.

**Communications from Unit Owners**

Bethany Smith provided the Communications from Unit Owners. There were no comments regarding the communications from unit owners.

**Old Business**

There is no Old Business.

**Schedule Next Meeting**

The next meeting is scheduled for April 5, 2011 at 6:00 pm in the Conference Room of the Big Sky Water and Sewer Building.

**Adjournment**

The meeting adjourned at 7:28 pm.

**Minutes of Board of Directors Meeting  
For the Association of Unit Owners of  
Firelight Meadows  
April 5, 2011**

**Call to Order**

President Jack Eakman calls the meeting to order at 6:00 pm.

Directors in attendance are Chair Jack Eakman of unit V96, Sam Geppert of unit C1, Garrett Baldensperger of unit V95, Amy Free B17 (via conference call), Twila Moon of V103 (via conference call), Scott O'Connor of unit V60 (via conference call).

Also in attendance are guests, Dick Hovde of Hovde Property Maintenance, Jose Morales and Markus Kirchmayr of Alpine Property Management, Accountant Doug Shanley (via conference call) and Communications Coordinator Bethany Smith. Unit owners Bill and Dorthy Mitchell of V122, Steve Cherne of V73, and Chris Moon of unit V103 are also in attendance.

Sam Reznicek is absent; he has notified the board of his resignation.

(All Directors will be identified by their last names from hereafter in the minutes.)

**Minutes of the Last Meeting**

Baldensperger motions to approve the minutes of the last meeting. Geppert seconds the motion. All are in favor. None oppose. The minutes for March 1, 2011 are approved.

**Financial Report**

Accountant Doug Shanley provides the Financial Report (see attached documents). Six accounts are owned by banks and the amount the Association will receive when the units sell is up to \$15,210.85. Eight units are now late two quarters, if money is not received within two months they will be turned over to collections. \$2,049.28 has been collected of previously written off bad debt. The parking income total this year is \$315 and \$1,600 has been received in fines. There is one new homeowner, bringing the total amount of money from membership dues to \$3,500 so far for 2011. \$9,242.04 has been written off as bad debt for the year.

The Chalet Budget Overview states that the Chalet's are \$2,725.94 over budget in Legal fees due to the lawsuit against the association from West Fork Utilities. The storage shed is \$306.18 over budget. Chimney and Siding Repairs were not budgeted for and have accrued a cost of \$203,532.89. Eakman adds that it will cost another \$45,895 to cover the chalet chimneys and replace 13 chimney caps at \$695 each. He reminds the board that in the near future all chimney caps will need to be replaced. Shanley explains that \$945 worth of expert testimony by the PSC was not in the 2011 budget.

The Condo Budget Overview also shows additional legal fees of \$1,595.44 from the lawsuit with West Fork Utilities, \$179.82 in additional charges from the storage shed, and \$555 worth of expert testimony by the PSC.

Shanley requests that monthly board of directors meetings be held the second Tuesday, or later, of each month so that he can provide a more accurate financial report. He explains the difficulty in obtaining all necessary bills by the first Tuesday of the month.

Eakman asks Accountant Shanley for his opinion on having the association audited. Shanley explains that he is in favor of audits. He adds that audits are expensive, but it could be added to the 2012 budget.

Kirchmayr asks Accountant Shanley for his perspective on an Accountants' Review. Shanley explains that Accountant Reviews do not catch all errors and they are not as in depth, therefore there is a large chance that the review could miss some valuable information. He recommends that since audits are more in-depth, if the association is going to spend the money for a review they may as well spend the money on an audit instead. Eakman concludes that perhaps they could budget for an audit in 2012 and if the owners do not want to spend the money, then it could be removed during the annual meeting.

### **Property Manager's Report**

Markus Kirchmayr of Alpine Property Management provides the Property Manager's Report. It has been a busy month with many notices and fines issued to unit owners. He provides a list of Firelight units with damages due to roof leaks. The expenses obtained from roof leaks total \$5,711.98 and they estimate another \$504 in upcoming expenses. He also discusses a wish list of upcoming projects for the late spring, summer and fall seasons that will need approval within the next couple of meetings.

Kirchmayr asks for approval to investigate the construction of a condo unit that was reported by the owner, there is evidence of bucking in the frame. He would like to get Cornerstone in to cut open the unit and then, if needed, possibly hire a construction engineer. Eakman notes that the Condos are at \$1,300 under budget in maintenance and repairs and he recommends that this be looked into immediately. Geppert agrees, he motions to allow Alpine Property Management to investigate the construction damage to unit B13. Baldensperger seconds the motion. All are in favor. None oppose. The motion carries. Moon requests that the board take this investigation one step at a time.

Insurance renewal is due on April 22. Kirchmayr will keep the association posted on estimates. The current insurance company is Farmers Insurance and it has continually provided the best value at the lowest price. So far, no other company has come close to the low price that Farmers Insurance charges. It is Eakman's personal belief that Farmers Insurance has been fair and good to the association over the years with "phenomenally low rates compared to other associations in Big Sky who have someone else." O'Connor motions to approve the renewal of Farmers Insurance. Free seconds the motion. All are in favor. None oppose.

Eakman asks Dick Hovde if there is any hope that Hovde Property Management could help with any of the expenses from roof leaks. Hovde replies:

"I told you at the last meeting that I would cover the three repairs that we had to begin with weather you want me to do the whole thing or you want me to deduct the billing for snow removal on the roofs. I'll just do whatever you guys think is fair. Every one (roof on the list) except for number 66 had been either raked or shoveled at least once or twice before the leaks occurred. A lot of them were areas where they had heat tape, where generally we don't have to do much snow removal because the tape keeps the channels open."

Hovde continues, "My personal opinion, and you know it's never good to have expenses on this stuff, but going from past years and going back to the leaks that you brought up earlier, like number 13B were from a few years ago, you know, before I was doing it (roof shoveling). But like I said, I'll do what you think is fair."

Eakman summarizes Dick Hovde's comments to the board members on the phone:

"Dick knows that he didn't get to [shoveling the roof of unit] 66, he thinks he got to the others, he hasn't put in his bill yet for snow removal for the season and he is willing to do whatever the board wants him to do. So if the board wanted him to pick up the entire expense, he's reluctantly open to that." Eakman then ask Hovde, "Did I get that right?" Hovde replies, "Yea, that's right."



Geppert asks the board if there are problems with the roofs that should be addressed, like returning leaks. Hovde explains that what Cornerstone is currently doing to the roofs and chimneys of the chalet units should have prevented the need for roof shoveling. The units on APM's list already had that work done.

Geppert asks how Hovde documents the hours that Hovde Property Maintenance spends on roof shoveling and he asks for that documentation.

Eakman asks that this discussion be tabled until the next meeting. The board agrees. The discussion is tabled.

### **Construction Update**

Kirchmayr provides an update of the construction for the Chalet roofs and chimneys. Andy Driesbach feels that Cornerstone will be finished within a reasonable amount of time. Cornerstone has provided a significant amount of documentation.

### **Snow Removal Report**

Dick Hovde of Hovde Property Maintenance provides the Snow Removal Report. He responded to a report of a roof leak on Chalet unit 108. He has noticed that at least one of the sump pumps has begun pumping relatively often. He purchased a hot tub cover for a unit that complained of a damaged cover due to roof snow removal. He is not sure if his crew damaged the cover or not, but he replaced the cover anyway.

Geppert thanks Dick Hovde for clearing snow from around the meters.

Unit owner Steve Cherne asks the board if he should be cleaning all the construction materials and garbage that is being exposed as the snow melts. Kirchmayr asks him to leave all construction materials as the contractors are to clean it up. He emphasizes that there will be a walkthrough when construction is completed and any garbage that is left will be documented.

### **Utilities Portfolio Report**

Baldensperger provides the Utilities Portfolio Report. He summarizes many points taken from the testimony submitted to the PSC for the West Fork Utilities Rate Hearing. Baldensperger recommends that everyone look over this testimony. It is available at:

<a href="http://www.psc.mi.gov">www.psc.mi.gov</a>	<i>Water/Sewer</i>	<i>Docket, Order and Document Searches</i>
Enter docket #: <i>D2008.10.123</i>		
Change the " <i>Date Filed Range</i> " " <i>from</i> " to " <i>01/01/2008</i> " (you may leave the " <i>to</i> " section blank).		
The testimonies submitted to the PSC for the WFU Rate Hearing are located in the " <i>Incoming</i> " tab.		

O'Connor thanks Baldensperger for all of his hard work on this.

### **Propane Report**

Geppert provides the Propane Report. He explains that the association has switched from Amerigas to Northern. Northern will give a full evaluation when the snow stops.

### **Legal Report**

Eakman provides a brief Legal Report, noting that Attorney Farve has been working on the lawsuit with HLH, LLC.

### **Owners Comments and Communications**

Sam Reznicek has announced his resignation. He was not able to attend this meeting. He accepted a job offer and will be moving shortly. He will be transferring his title of his unit to his parents and asked if the \$500 New Owner HOA fee be waived. Baldensperger motions to honor this request. Geppert seconds the motion. Moon adds that she will approve the motion if it can be made into general policy and not just a special circumstance. The board agrees that this sort of action will be made into policy. All are in favor. None oppose. The motion carries.

### **Newsletter Items**

Bethany Smith has agreed to write the Newsletter after each meeting. The contents in each newsletter will be determined and approved by the board prior to distribution.

### **New Business**

There is no new business

### **Old Business**

There is no old business

### **Schedule Next Meeting**

The next meeting is scheduled for May 10, 2011 at 6:00 pm in the Conference Room of the Big Sky Water and Sewer Building

### **Owner Comments**

Unit owner Bill Mitchell, expresses his concern with loud and noisy neighbors who do not respect the quiet hours. He has awakened several mornings at around 2:00 am to partying neighbors. These neighbors are not owners, but are renters. He has had problems with them blocking his driveway with parked vehicles as well as witnessed various dogs and at least one cat. Kirchmayr adds that APM has responded to several of Bill Mitchell's calls and reminds them that they are welcome to call him personally at any point during the night. Kirchmayr gives Mitchell his personal cell phone number.

Unit owner Chris Moon comments, "I would like to encourage the board to explore requiring our property management company to have an onsite manager as it would likely address many of the consistent issues like parking that we are having. I'm not sure when APM's contract is up for renewal; however, I encourage the board to seek competitive bids when it's time."

### **Adjournment**

The meeting adjourned at 7:30 pm.

Minutes submitted by Bethany Smith, Communications Coordinator.

**Minutes of Board of Directors Meeting  
For the Association of Unit Owners of  
Firelight Meadows  
May 10, 2011**

**Call to Order**

Acting Chair, Garrett Baldensperger calls the meeting to order at 6:01 pm.

Directors in attendance are Garrett Baldensperger of unit V95, Sam Geppert of unit C1, Twila Moon of V103 (via conference call), Jack Eakman of unit V96 (via conference call), Scott O'Connor of unit V60 (via conference call).

Also in attendance are guests, Dick Hovde of Hovde Property Maintenance, Jose Morales and Markus Kirchmayr of Alpine Property Management, Accountant Doug Shanley (via conference call) and Communications Coordinator Bethany Smith.

Amy Free is absent.

(All Directors will be identified by their last names from hereafter in the minutes.)

**Minutes of the Last Meeting**

Eakman motions to approve the minutes of the last meeting. Geppert seconds the motion. All are in favor. None oppose. The minutes for the April 5, 2011 Board Meeting are approved.

**Financial Report**

Accountant Doug Shanley provides the Financial Report (see attached documents). Five accounts are owned by banks. The association will receive money owed (totaling \$11,701.45) as soon as each unit sells. Six accounts are late by two quarters; the total debt is \$9,466.59. If payments are not received by June, these accounts will be turned over to Cbo Collections. There are two new members to the Association this month.

The Chalet Budget Overview shows that the Chalets are over budget by \$188,139.59 mainly due to legal fees and expert witness testimony from the court case against the association by HLH, LLC and from the chimney and siding repairs.

Eakman motions to add a \$100 Special Assessment to the Chalets to cover chimney and siding repairs for the Chalets during the third quarter. Baldensperger seconds the motion. O'Connor asks for clarification on when the last Special Assessment was held. It is agreed that a \$100 Special Assessment was previously held during the first quarter of the year, but not during the second quarter. All are in favor of a \$100 Special Assessment to the Chalets for the third quarter. None oppose. The motion carries.

The Condo Budget Overview shows that the Condos are \$17,508.84 under budget. Again, legal fees and expert witness testimony contribute to the majority of the expenses for the two quarters.

Geppert asks if the Association is still waiting to receive the Snow and Ice Removal bill and wonders if that is why both the Condos and Chalets are under budget. Hovde explains that he has a handwritten account of all the hours worked for Snow and Ice Removal; since he did not have time to type up a document he is willing to wait until the next board meeting to discuss it so that everyone can have a copy of his hours. He has agreed to split the expense of the water damage from the lack of roof shoveling, with the Association

### **Property Manager's Report**

Markus Kirchmayr of APM provides the Property Manager's Report. APM made a trash run and cleaned up all the old miscellaneous furniture that had accumulated around the dumpsters from the winter season. Jose Morales rented a magnetic roller to pick up random nails scattered across the property from the construction debris.

There was a communication from a unit owner regarding broken doors on the Condo Units. Kirchmayr explains that there was a proposal to fix the doors four years ago and the association of that time did not vote on the repairs. Kirchmayr will look into getting an updated estimate. There are 4 entrances for a total of 8 doors per building. The last estimate was \$500 per door for the hardware and the installation of the hardware for a total of \$16,000. Baldensperger asks Kirchmayr to get an estimate and look into a warranty for a product that will last. Kirchmayr adds that there is a proposal for deck painting. There are 20 decks and two bids. He recommends the deck painting and the door repairs be made priority for the Condos. Eakman agrees with Baldensperger and recommends a warranty that will serve the Condos for a reasonable amount of time.

Kirchmayr explains that there are 36 Chalet garage doors and front doors that need to be repainted.

Geppert asks APM about the Condo carpeting. Kirchmayr replies that the carpet has already been purchased, but it needs to be installed. Geppert then concludes that this money needs to be considered as part of the budgeting process. Baldensperger notes that these Condo repair expenses are adding up. This may require Special Assessment of Condo owners, Eakman adds. Baldensperger first requests a budget from APM and for Hovde to submit his snow removal bills.

The chimney covers are being installed on the Chalets and Kirchmayr thinks they look fantastic.

During the last meeting, there was a unit reported that appeared to have internal damage. Kirchmayr concludes that upon investigation it was only a dry wall issue and there was no structural damage. Condo Unit B13 reported an old roof look with a bigger problem than was originally expected.

APM removed bicycles from the bike racks that had not been moved or used since October of 2009.

Some upcoming APM projects include:

- Installation of speed bumps.
- Removal of outside crawl vent plugs.
- Continue collecting trash.
- Replace damaged windows.
- Collect heat-tape electrical cords.
- Re-secure, replace and check heat-tape.

Baldensperger asks Kirchmayr if the sump-pumps are working correctly. Kirchmayr replies that they are beginning to pump water and all crawl-spaces with these new sump-pumps are dry.

### **Construction Update**

Kirchmayr of APM continues with the Construction Update. Morales and Cornerstone are removing a lot of construction garbage. The Association has not put any pressure on Cornerstone Construction to finish immediately, but Andy Driesbach believes he will be finished within the next couple of weeks.

Moon asks APM if, during this off-season, they could pay special attention to parking and other issues that tend to "crop up during the busy season and hopefully we can be more pro-active on letting people know about those things rather than reactive".



Moon also asks either APM or even members of the board of directors can personally talk to new unit owners about the rules and regulations as part of a Welcome to our Neighborhood approach in addition to the emails and the information in the closing packets. Morales replies that the last three new owners to move in have received a Welcome letter with the Rules and Regulations through email, postage, and by personally taking it to the owners.

### **Snow Removal and Landscaping Report**

Dick Hovde provides the Snow Removal and Landscaping Report. A new contract for Landscaping has been established with Hovde Property Maintenance for the summer of 2011. Cleanup is going well; there is a lot of siding debris.

Baldensperger spoke with Chashmen's Nursery regarding a review of the landscaping needs. Three visits from Cashman's Nursery are recommended, May, July and early September. They are \$180 per visit. Eakman explains the necessity of these inspections now that Sam Reznicek is no longer able to guide the association thru the landscaping. Eakman motions to have a contract with Cashman's Nursery to come three times a year to assess the landscaping needs. Geppert seconds the motion. All are in favor. None oppose.

### **Utilities Portfolio Report**

Baldensperger provides the Utilities Portfolio Report. Attorney Farve is currently working on validating comments by the PSC. All documents are public at:

*www.psc.mt.gov*                      *Water/Sewer*                      *Docket, Order and Document Searches*  
Enter docket #: *D2008.10.123*  
Change the "Date Filed Range" "from" to "01/01/2008" (you may leave the "to" section blank).  
The testimonies submitted to the PSC for the WFU Rate Hearing are located in the "Incoming" tab.

### **Legal Report**

Eakman read the following information from Attorney Farve:

#### Complaint for Construction Defects at Firelight Meadows Condominiums

With the approval of a majority of unit owners, the Board has filed a Complaint on behalf of the Association for the numerous construction defects discovered during the Hardi-Plank® re-siding project. This Complaint seeks to recover the expenses incurred by the Association to repair the defective construction. The Complaint also brings claims for the failed wastewater treatment system and unfair trade practices of the developer, Firelight Meadows, LLC. Finally, the Complaint seeks to recover the Association's attorney fees incurred in the matter.

Though this Complaint has been filed with the district court in Gallatin County, it has not been "served" upon any of the named defendants. The defendants have no duty to make an appearance in the lawsuit until they have been properly served with a Summons and

Complaint. The Association has three (3) years from the date of filing its Complaint to accomplish service upon the defendants. For the time being, the Board has agreed to postpone serving the Complaint. Nonetheless, it was important that the Board file the Complaint in order to toll the statute of limitations from further running on its claims. If the Association were to wait to

file the Complaint, it is possible that the time allowed for bringing the lawsuit would elapse and the Association would be prevented from bringing its claims altogether.

A copy of the Association's Complaint and Jury Demand is available through the Montana Eighteenth Judicial District Court. Questions about the Complaint should be directed through Jack Eakman.

Geppert thanks Eakman for his work on the legal matters.

### **Propane Portfolio Report**

Geppert provides the Propane Portfolio Report. Northern Propane Energy is the new propane provider. When the snow melts around the Condos, Northern Propane Energy will be able to provide an inspection of the propane in the Condo buildings.

### **Owners Comments and Communications**

Bethany Smith provides the Owners Comments and Communications.

### **Proposed Policy 2011.1**

Baldensperger reads Proposed Policy 2011.1. Geppert motions to accept Policy 2011.1 as policy. O'Conner seconds the motion. The policy is accepted. All are in favor. None oppose.

### **Old Business**

There is no old business.

### **New Business**

There is no new business.

### **Schedule Next Meeting**

The next board meeting is scheduled for Tuesday, June 28<sup>th</sup> at the Big Sky Water and Sewer Conference Room at 6:00 pm.

### **Adjournment**

The meeting adjourns at 7:02 pm.

Minutes submitted by Bethany Smith, Communications Coordinator.

**Minutes of Board of Directors Meeting  
For the Association of Unit Owners of  
Firelight Meadows  
June 28, 2011**

**Call to Order**

President Jack Eakman calls the meeting to order at 6:00 pm.

Directors in attendance are Chair Jack Eakman of unit V96, Sam Geppert of unit C1, Garrett Baldensperger of unit V95, Amy Free B17 (via conference call), and Scott O'Connor of unit V60 (via conference call).

Also in attendance are guests, Dick Hovde of Hovde Property Maintenance, Jose Morales and Markus Kirchmayr of Alpine Property Management, Accountant Doug Shanley (via conference call) and Communications Coordinator Bethany Smith.

Director Twila Moon is absent.

(All Directors will be identified by their last names from hereafter in the minutes.)

**Minutes of the last Meeting**

Bethany Smith provides the Minutes of the last meeting. O'Connor approves the Minutes. Geppert seconds the Minutes. All are in favor, none oppose. The Minutes of the May 10, 2011 meeting are approved.

**Changes to the Agenda**

Eakman would like to have an open discussion about the image of Firelight during the Owners Comments section of the Agenda.

**Financial Report**

Accountant Doug Shanley provides the Financial Report (see the attached documents). Four accounts are now owned by banks and the association will get the money owed as soon as each unit sells. Three new accounts are now late two quarters and will be turned over to CBO Collections in early July after the third quarter assessments. The total amount of bad debt previously written off that was collected from CBO totals \$2,700.48. There are two new owners this month making a total of 16 new owners for the year. The total amount of bad debt written off in 2011 is \$12,217.81.

212 Chalet owners have taken advantage of the \$24 per quarter postage savings from email correspondence so far this year. There are only three items on the Chalet Budget Overview that are over budget: the legal fees, the Chimney and Siding Repairs and the PSC Expert Testimony.

122 Condo owners have taken advantage of the \$24 per quarter postage savings from email correspondence so far this year. Again, the two items of concern that are over budget on the Condo Budget Overview are the legal fees and the PSC Expert Testimony.

**Legal Update**

Eakman includes a brief legal update to explain what the legal fees are for during this month. Regarding the PSC, a bill for \$285.00 is for gathering information for the upcoming PSC Hearing. A bill for \$169.20 was issued for Construction Defects. Everyday business for the association billing totals \$220.00. And the total amount for the Westfork Utilities Lawsuit totals \$1878.00. Eakman adds that there are quite a few different things that Attorney Farve is working on and there shouldn't be any

apologies for the work that she is doing. He adds that the PSC is righteous in defending the HOA in the claim from Westfork Utilities and the Construction Defects claim is also righteous.

### **2011 Maintenance Budget**

Eakman discusses the Maintenance Budget for the remainder of the year. Overall, in the Condos carpet installation for buildings C and D will cost \$8,162 per building. Staining 22 decks will cost \$6,600. Door Hardware will cost \$10,000. Heat Tape repairs will total \$1000. Parking Lot sealing will cost \$15,045 which is much higher than was budgeted for. And the installation of Thermostats will cost \$1,500. The total Cost to Condo Units will cost \$45,994.

Eakman proposes that the carpet installation of buildings C and D, once more be postponed. Instead he would like to shampoo the carpets with Chem Dry (so that they do not shrink) and he would like to propose a better maintenance plan. Eakman notes that the current vacuuming regimen is not adequate. Currently these condos are vacuumed once a week, he proposes that they be vacuumed once a day and with a higher quality vacuum cleaner. He requests that the board allow another month or two for APM and Eakman to come up with a better maintenance plan. He insists that before any new carpets are installed the Association needs to come up with a plan to keep them clean and lasting longer. By postponing this installation cost, the parking lots can be resealed without any additional costs.

Free asks if the Association can get different bids for the person/people who clean the carpets weekly. Eakman insists that they can, he asks APM to look into it.

The actual cost of the Chalet Maintenance is: \$23,263 for Parking Lot sealing which again was over budget. The cost of painting the front doors and Garages of Chalets totals \$4,025, which is under budget. Heat tape repairs total \$500. And the total amount of money for the installation of five new Sump Pumps comes to \$7,500 which is far under budget since Dick Hovde of Hovde Property Maintenance provides those installations.

Eakman adds that by rearranging the budget all of the proposed tasks can be completed. Kirchmayr interjects; APM decided that this year only four new sump pumps need to be installed, rather than five. This will save \$1500.

Eakman explains that the parking lots and roads cannot wait another year to be repaired. Kirchmayr confirms that this will include parking lot striping and filling in the cracks and holes. The Association and APM will move ahead on these projects.

### **Budget for 2012**

Shanley recommends budget preparation in late July or early August.

### **Property Manager's Report**

Morales provides the Property Manager's Report. He asks the board to come up with some options for a carpet cleaning maintenance plan. Morales explains that there are a few people that continually track in mud, grease, and oil onto the carpets yet feel that since they pay dues, they can track dirt onto a common area it is not their responsibility to keep it clean. However, he adds that they Association can either continue to constantly issue fines or they can find a more effective maintenance plan. Eakman clarifies that the Association really has no other control over the destruction of the carpets other than to issue fines or clean and replace carpets. The carpet maintenance plan needs to be established, but as far as getting habitual offenders from tracking in dirt and grime, the Association needs to come up with a better plan, Eakman continues. Geppert's opinion is that tracking in noticeable dirt, grease, and oil is "willful damage to a common element"; when one can follow the mud tracks to a door, the only tool that can be used is to issue a fine. Eakman recommends continuing to fine and issuing warnings. He asks APM to come up



with some recommendations for a policy change. Baldensperger asks APM to continue documenting the incidents.

Morales explains that there are six pending fines for dirtying the carpets; he asks what the board wishes to do regarding the fines. The board agrees that they should issue the fines to the unit owners for “willful damage to a common element” as long as it is obvious who is creating the damage and leaving the dirt.

O’Connor asks about switching over to tile or slate rather than carpet in the common elements of the Condo Units. He recommends spreading out the cost of installation by working on one building per year. Then they would only have to clean and maintain the areas rather than constantly shampoo and replace carpet. Baldensperger asks about stained cement. Geppert likes the idea, but the association has already purchased the carpet. Kirchmayr likes the idea also, adding that even after the new carpet is installed it won’t be long before it will need to be replaced again. Free agrees. Hovde explains that there is no concrete on the floors in the Condo buildings, so concrete would have to be poured in. Eakman asks APM and Geppert to look into replacing the Condo common area carpets with tile, slate or stained cement.

APM continues to make minor repairs around campus. There are a few chimney caps that have not been installed properly, so Morales is making a list of all of these to submit to Andy Driesbach of Cornerstone. Andy Driesbach is aware of this and awaiting the list to inspect and make the proper repairs upon a walk-thru.

The owner of unit 294 would like the approval of the board to install a divider behind her unit. She will pay for the installation and would like to install a few additional trees to her property. In regards to the trees, Eakman asks that Morales tell the unit owner that she needs to get into contact with the person in charge of the Landscaping Portfolio and that she needs to go through Cashman’s Nursery. Eakman also asks if the partition will match the others. Hovde replies, he will be working with her to match the partition to the others in the area. Baldensperger motions to approve the installation of a partition to unit 294 to match the other partitions and for the installation of trees through Cashman’s Nursery with the oversight of the board member in charge of the Landscaping Portfolio. Geppert seconds the motion. All are in favor, none oppose. The motion carries.

APM did a crawlspace inspection and only found four units that could use sump pump installation. The board had approved the installation of five sump pumps, but after the extremely wet spring found that only four units are in need of sump pumps.

A unit owner wrote an email to APM regarding a roof leak this winter, insisting that the heat tape uses too much energy and requesting the board allow him to leave his heat tape unplugged during the winter and let him shovel his own roof. The board unanimously agrees that it is not a good idea, the roofs are a common element and future roof leaks will inevitably occur when the heat tape is not plugged in.

Morales shows some images of the replacement door handles for the eight Condo doors for the board to approve. APM will have the \$174 door handles installed on the Condo Units, plus \$75 per hour in installation labor costs.

Morales provides images of the two signs that will be posted regarding parking and the campus leash rules. The board approves two signs; APM will order them and install them.

### **Construction Update**

Kirchmayr provides the Construction Update. APM is currently coming up with a list of items to bring up in a final walk-thru with the Hardi Plank. Morales is working on a list of items, including the proper installation of the directional roof panels, for a walk-thru with Dreisbach of Cornerstone.

Geppert asks if the board can post the rules for Condo owners, just as a reminder, in the entrances of each of the units. Morales will post these rules.

### **Landscaping Report**

Dick Hovde provides the Landscaping Report. Hovde and Baldensperger had a walk-thru with Shelly Engler from Cashman's Nursery. She provided recommendations for the trees, flower beds, lawn and the native grass areas. For the trees, she recommends fertilizer, prune dead growth from trees, remove dead trees, spray fertilize pines now to give a quick burst of nutrients and to remove old plastic trunk protectors that might be choking trees. Hovde explains that the old plastic trunk protectors were removed immediately, some of which had to be dug out. He has fertilized about half of the trees so far with a tablet that is drilled into the ground surrounding the trees. He applied the fertilizer that she recommended to the trees within three days of their walk-thru. Hovde has begun both removing dead trees and removing dead growth from trees. For lawn maintenance, after purchasing the fertilizer blend in bulk from a farm fertilizer company out of Belgrade, he will be able to apply it three times this year (rather than the two times that were applied last year) and he can still save \$200 from the amount of money spent on fertilizer last year. Hovde has sprayed for broadleaf weeds (dandelions) twice already in the lawns and in the native areas. Flower beds need repair, the bed edging guard needs to be replaced and the shrubs need dead growth removed. Shelly also recommended over seeding of grass in the native areas and in the lawns during the fall and to allow the native grasses to grow much taller.

Sprinkler adjustments and as-needed head replacements will continue to be an ongoing maintenance item. Hovde will remove the railroad ties from the run-off area.

Baldensperger explains that Shelly was excellent and very helpful on the walk-thru.

Geppert asks about planting native wildflowers in certain areas. Shelly had explained to Baldensperger during their walk-thru that native wildflowers will require lots of maintenance, so planting native grass instead will be more beneficial.

Eakman announces that Garrett Baldensperger has agreed to lead the Landscaping Portfolio.

Dick Hovde implies an agreement has been met for his payment for the roof snow removal. Eakman explains,

“I really felt Dick made a valid proposal and I accepted it on behalf of the board. He had \$11,500 in expenses in roof shoveling. In his contract \$10,000 is the max. There were roof leaks, so he is discounting that \$10,000 down to \$7,500. And \$2,500 of what he is not getting compensates for some of the problems that we had with roof leaks. And we do this and we don't have any bad feelings back-and-forth, nobody is having a lawsuit back-and-forth. I thought it was a very fair thing. I hope the board thinks it's a fair thing also. And I thank you Dick for that discount.”

### **Utilities Portfolio**

Baldensperger provides the Utilities Portfolio Report. Regarding the PSC, the association is just waiting for the PSC to decide when they want to have a hearing; they should have everything needed to move forward. Relative to the lawsuit with Westfork Utilities, the association has an Arbitration Hearing on July 6<sup>th</sup> at 9:00. Baldensperger explains: “The way it will work is, the Attorney who is going to be the Arbitrator, meets with us all. Initially, lays the ground rules. Then we separate. The HOA will be in one

room, Westfork [Utilities] will be in the other. Then he [the Attorney] moves back and forth trying to make an agreement.” Eakman clarifies that this is in no way, a forced mediation.

Eakman asks if there was a Scrubbing of the water tank at Firelight. Morales answers yes. Eakman asks if anyone knows what it was and why it was performed. Hovde replies, Westfork Utilities hired a professional diver to inspect the tank. They had a vacuum pump to clean sediment that may have come in from the wells from the sides and bottom of the tank. They also took a distribution line from where the well comes in and put a circulation system into the tank. Eakman asks if anyone was notified of the process. Baldensperger replies that he didn't even know it happened. Eakman announces that he had some owners who were alarmed. Hovde replies that he only knew after the fact; when he saw the divers come to the surface he then asked what they were doing. Morales also found out after he saw the divers come to the surface. Eakman asks Baldensperger if he could ask Westfork Utilities to inform the association and its members prior to tank maintenance.

### **Annual Meeting**

The Annual Meeting date is set 5:30 pm on Tuesday, October 25, 2011. The location is to be determined.

### **Owners Comments and Communications**

Eakman is concerned about the image of Firelight Meadows HOA. Several realtors have informed him of current negative and untrue rumors or myths about the Association and the Firelight campus. Eakman announces that O'Connor has agreed to lead a project focused on communicating and educating the public about the truth about Firelight Meadows HOA and Firelight Meadows campus.

O'Connor replies that he will provide an in-depth analysis of these misconceptions. He will ask owners and the community questions and he would like to get the word out and educate people on the truth and his findings.

“As a board, we need to be very transparent, let everybody know what we are doing and what's going on. This will be a nice opportunity to both educate people and get the word out that we have a, I think our biggest asset is that we have a, very caring active homeowners association....We've got a great board of homeowners here and we've got a great active group of homeowners that come and care about what we are doing. That is a huge step, when realtors come, that is something that we need to educate them to. I look forward to it.”

“Sounds outstanding Scott, thank you so much for taking this on,” adds Eakman. Baldensperger agrees that this is a great idea. Geppert thanks O'Connor.

### **Newsletter Items**

1. O'Connor has taken on the Firelight Image Portfolio.
2. Baldensperger has accepted the Landscaping Portfolio.
3. Any owners that want to plant trees have to go through Baldensperger, head of the Landscaping Portfolio. Baldensperger will want to see a picture with markings of where they want to place the trees and what types of trees they want to plant. They will go through Cashman's Nursery for all trees.
4. Owners, expect an email regarding the Firelight Image Portfolio.
5. If anyone would like to have the newsletter emailed to their property manager, please send the email address to firelightmeadows@hotmail.com.
6. Annual Meeting time.

### **Next Board Meeting**

The next board meeting will be July 26, 2011 at 6:00 pm in the Conference Room of the Water and Sewer Building.

**New Business**

There is no new business.

**Old Business**

There is no old business.

**Meeting Adjourned**

The meeting adjourns at 7:25 pm.

Minutes submitted by Bethany Smith, Communications Coordinator.





**Minutes of Board of Directors Meeting  
For the Association of Unit Owners of  
Firelight Meadows  
September 6, 2011**

**Call to Order**

Presiding Officer Jack Eakman calls the meeting to order at 6:04 pm.

Directors in attendance are Chair Jack Eakman of unit V96/441, Garrett Baldensperger of unit V95/433, Twila Moon of unit V103/495, Sam Geppert of unit C1/120, Scott O'Connor of unit V60/251, and Amy Free D17/50 (via conference call).

Also in attendance are guests, Dick Hovde of Hovde Property Maintenance, Markus Kirchmayr and Jose Morales of Alpine Property Management, Accountant Doug Shanley (via conference call) and Communications Coordinator Bethany Davies. Unit Owners Kari Gras of unit A1/85 and V19/184, Michele Geppert of unit C1/120, Kristin O'Connor of unit V60/251, Daniel Lakatos of unit V67/107, Gary Senn of unit V21/200, Stuart Koch of unit V108/167, Craig Swick of unit V4/70, Mariah Jimmerson of Think Big Sky Property Management were also in attendance.

(All Directors will be identified by their last names from hereafter in the minutes.)

**Changes to the Agenda**

The Legal Report and the Chair Report will be discussed after the Utilities Portfolio. Moon will discuss evaluations under Old Business.

**Minutes of the Last Meeting**

Bethany Davies provides the minutes to the last meeting. O'Connor moves to approve the minutes of the July 26, 2011 meeting. Geppert seconds the motion. All approve; none oppose. The minutes from the last meeting are approved.

**Financial Report**

Accountant Doug Shanley provides the Financial Report (see attached documents). Four units are owned by banks. The total accounts receivable for those units is \$9,795.29. As soon as the units sell the association should receive that money. Three accounts are now late two quarters and will be turned over to CBO Collections in October after the fourth quarter assessments. Bad debt previously written off that has been collected through CBO Collections so far this year is \$5,520.66. Parking income so far this year is \$1,720 and the fines received total \$1,100. New membership dues for 2011 are \$11,000 which includes one new unit owner for the month of August. The total amount of bad debt written off in 2011 is \$34,435.67.

Accountant Shanley recommends the board authorize a new CD at a new bank. He suggests First Security Bank because of their exposure in both Big Sky and Bozeman. Moon moves to open a CD at First Security Bank. Geppert seconds the motion. All are in favor. None oppose. The motion carries. O'Connor moves to have Jack Eakman, Doug Shanley, Garrett Baldensperger, and Amy Free sign the authorization for the CD with First Security Bank. Baldensperger seconds the motion. All are in favor. None oppose. The motion carries.

Accountant Shanley asks the board if they would like to have another \$100 special assessment for Chalet owners. Eakman would like wait until after the fourth quarter to charge another Special Assessment so

that the topic can be explained thoroughly and discussed in depth at the Annual Meeting on October 25, 2011. Moon agrees. All are in favor.

Accountant Shanley discusses the Chalet Budget Overview. The Legal fees are over budget by \$10,412.98, the Bad Debt Uncollectible has reached \$12,627.80, the Chimney and Siding Repairs equals \$271,062.77, and the PSC – Expert Testimony is costing \$2,701.13. Without the Chimney and Siding Repairs the association would be over budget by \$14,977.54.

In the Condo Budget Overview, Accountant Shanley explains that the Legal fees are \$6,104.55 for the year, Bad Debt Uncollectible is \$7,407.87 so far this year, and the PSC – Expert Testimony is \$1,586.37 over budget since it was not budgeted for. However, the Condo Budget is still under budget \$2,906.82 for the year.

### **Proposed 2012 Budget**

Accountant Doug Shanley also provides the Proposed Budget for 2012. He notes that about five weeks ago, Eakman, Baldensperger, Geppert, Markus Kirchmayr and he met to discuss the proposed 2012 Budget. For the Chalet's, the total Association fees per unit will be \$671 per quarter, or \$2,684 per year. This will be a modest 2.79% increase since 2011. The Association fees for the Condos will be a 1.1% increase of \$710 per quarter, or \$2,840 per year. There will continue be a savings of \$24 per quarter for all unit owners who participate in email correspondence. To clarify, this means that all unit owners who participate will be charged \$24 per quarter less than what is described here.

Baldensperger moves to present this Budget for 2012 to the owners at the Annual Meeting. Moon and O'Connor second the motion. All are in favor. None oppose.

Eakman congratulates Accountant Shanley on the excellent effort he has put forth. Geppert and Baldensperger thank Accountant Shanley.

### **Property Managers Report**

Jose Morales of Alpine Property Management provides the Property Manager's Report (see attached Property Managers Report from APM). There is a street light that has not been working for a number of years in front of a unit, APM asks if the board would like the light removed. Eakman would like to research repairing the light.

Markus Kirchmayr of APM discusses an incident with the unit owner of V108/167, Stuart Koch (explained in page 2 of the APM Manager's Report). "The renter's from unit 2, the police were called. The renters are actually being evicted for squealing tires. They are out at the end of the year; they got a \$100 fine. They have actually been fined before for a parking violation; I have confirmed it with Doug, it's a rental unit with Alpine. Going down the list, Stuart made threats to owners because he thinks that they are renters with Alpine."

Markus Kirchmayr continues to provide incidents when residents of Firelight are abusive to APM employees: "And then we had a renter in Building B, parked in backwards. Jose didn't put a sticker on it, but a nice letter reminding him to park forwards as is required by the parking rules. The car was the same today, so Jose put another nice letter on it. The tenant decided to call the office today and used the F-word multiple times to one of our employees. So the car is at Canyon Towing." Kirchmayr continues, "It is one of those things where, again, we are getting used to getting abused by Firelight owners and renters."

Markus Kirchmayr asks the board if the owners of unit V91/397 need to make changes to their chimney cap and vent because they are different than the surrounding units. Eakman explains they need to replace the chimney cap and replace the vent on the side of their building to one with a proper louvered air intake that matches the siding.

Markus Kirchmayr cannot find a Chem Dry carpet cleaner to clean the condo carpets, willing to drive to Big Sky. Anderson Enterprises can clean the building for \$423.55 per building but they use a wet cleaning process and will need to stretch the carpets. Eakman is in favor of Anderson Enterprises cleaning the carpet, noting that if the carpets need to be stretched, they will have them stretched.

Markus Kirchmayr thanks Jose Morales for doing such a great job Managing Firelight. He announces that Jose Morales' last day to manage Firelight will be at the end of the month. He has been promoted to another division at Alpine. Kirchmayr continues, "It certainly has to do with some violence and being threatened by various people at Firelight. I want to protect Jose." Eakman adds, "Jose you have done a tremendous job, I am sorry to hear this." Geppart, Baldensperger and Moon also thank Jose Morales and congratulate him on his promotion.

### **Construction Update**

Markus Kirchmayr of APM provides the construction update. He went on a walk-thru with Andy Driesbach of Cornerstone, Idio Delfino of Old Coast Builders (the contractor for Hardi Plank) and with Baldensperger. They discovered many problems with the original construction of the buildings including "high nailing". There will be another walk-thru when Idio Delfino completes the next phase of repair.

Baldensperger provides his observations from the walk-thru. The contractors have done a good job and worked well to decide who would complete projects that had not been completed. He discusses how they uncovered more flaws in the original construction of the siding like a lack of caulking around electrical fixtures and "high nailing" that causes boards to shake when tapped and sagging. Hardi Plank noticed this on every board that they removed and many others that have not been replaced. Markus Kirchmayr suggests going around with a nail gun and nailing the siding properly into place. Eakman asks him to look into finding someone to perform this task.

### **Landscaping Report**

Dick Hovde of Hovde Property Maintenance provides the Landscaping Report. Baldensperger, Dick Hovde and Shelly Engel had another landscaping walk-thru and everything is looking good. Baldensperger adds, if unit owners wish to purchase trees for the grounds, the association will pay the labor costs for the first 20 trees purchased. The Cashman's Nursery tree pricelist is attached.

### **Legal Report**

Eakman reads a letter from Attorney Farve during the legal report (see attachment).

### **Chairman's Report**

Eakman provides his Chairman's Report.

### **Firelight Image Report**

O'Connor provides the Firelight Image Report. Results of the Firelight Image Survey of unit owners and realtors in the area have concluded that the most prevalent misconceptions about Firelight Meadows are

1. The idea that Firelight Meadows has a failing septic system that is polluting the well water.
2. The financial status of the Association and the idea that lawsuits are bankrupting the Association.
3. Poor construction.
4. The theory that Firelight Meadows is becoming low income housing for Big Sky.

O'Connor also provides an outline of the Future Vision of Firelight given responses from the survey. These are ideas to increase property value.

1. Landscaping.
2. Exterior building enhancement.
3. Utilities.
4. Increase property management hours.
5. Community meeting place.
6. Addressing rules.

He asks any unit owners with architectural experience to please come forward and speak with the board.

### **Annual Meeting Agenda**

Eakman provides the Annual Meeting Agenda. There are four vacancies on the board. O'Connor, Baldensperger and Moon are currently serving their last year of their term; their positions are open for the next election. Sam Reznicek resigned earlier this year, his position remains vacant. O'Connor wishes to run for re-election if Eakman will approve. Eakman approves. Baldensperger wishes to run for re-election if Eakman will approve. Eakman is honored by both of these requests as both are very valued board members. He approves of Baldensperger running for re-election also. Moon will not be running for re-election; she will serve through the remainder of the year.

Kari Gras announced her intention to run for election on the Board of Directors during the July meeting, her position still stands.

O'Connor explains his experience currently with three Home Owners Association boards as well as being intimately involved with 14 boards along the lines of the Yellowstone Club:

"I've never been associated with a board or worked with a board more conscientious more professional than this board here. The work that Garrett has done with the PSC and West Fork Utilities has been priceless. Everybody who owns at this development owes you a debt of gratitude and the hours that you have spent. Jack, same thing to you, nothing to take away from Twila and Sam and Amy, but the two of you, the time that you guys spend on the stuff that you work with is just priceless. I thank you and I hope the homeowners realize it at this election. If they don't vote me in, that's okay. But to stop you [Baldensperger] at this point would be criminal with the work that you have done."

### **Old Business**

Moon provides her ideas for conducting evaluations of vendors. The Accountant will be audited once every two years. Landscaping and snow removal vendors will be reviewed three times per season. Property Management will review their accomplishments annually. The board will self-evaluate annually. She will create a self-evaluation spreadsheet for vendors to continually fill out. Also, annual surveys will be sent out to all owners for their evaluations of vendors and the board.

### **Owners Comments**

Unit owner Dan Lakatos describes why he moved his family to Firelight Meadows from Bozeman. He then explains why his wife and child moved back to Bozeman on August 20<sup>th</sup> because they did not feel safe:

"I get a phone call from my wife, I'm at work, and she says, 'there's a guy who is taking pictures from his SUV,' and I don't know what's going on. She says, 'let me call you back.' So she hangs up and then calls me back. She says, 'now he's out running around and he's yelling at someone in a red pick-up truck and he's pointing at our house.' She says, 'I don't feel comfortable here.' After all of this time and energy that we put into it



[home at Firelight]. I mean, I'm looking and I've got one foot in Bozeman and one foot in Big Sky and I'm getting ready to hop over the fence to Big Sky. To have that happen to me at work, thinking that my family is at home. Whether the threat is real or perceived, it's real, because perception's reality. So if I was in Bozeman, I would have called up the police department had a cruiser come by and check it out. But I called Markus, and Markus told me that it was an individual that had a beef with Alpine. People if you have a beef with the property manager, you have a beef with the property manager. To bring it out into the public, I thought that that was something that was really unprofessional. Furthermore, Markus said that the individual hasn't been paying his dues. So here I am, taking my families savings to renovate my unit, increase my property value, increase the property value of everyone's around me, and this guy is not paying his dues and he's destroying my property value. He's running around like an unstable individual. So, my wife said, 'I'm taking Luke and we are going back to Bozeman.' And so she got in the car and went back to Bozeman. So I just wanted to let you guys know that that was my experience. I believe in Firelight and in the exterior initiatives, the landscaping, I wouldn't have spent my family's savings to do what we did all summer, I mean savings and time. It's been an experience."

Eakman apologies to Dan Lakatos and asks Geppert to explain the incident. Geppert explains the events that took place on August 20, 2011:

"So I was at our office when our office received a call. There was a lot of screaming in the phone, 'Emergency at Firelight, get over here right now,' then hang up on our receptionist. I asked her who it was, she didn't know. I asked her what the emergency was, she had no idea. I asked her what the phone number was, she gave it to me. I called it back and it was Stuart. He screamed 'Emergency at Firelight, get over here right now,' then he hung up on me. So I jumped in my truck. I think there's a fire, I think there's an emergency at Firelight. I run over to see what I can do to help. I pull into the lot. I see Stuart screaming in Jose's face over by unit 2. I drive up to the situation. I go to get out of my car but I see the look on Stuart's face and the anger that he had direct over towards me and come running to my car. So I close my door. Stuart screams. My window is closed and everything. Stuart screams, 'get the F... out of your car right now!' I say, 'no'. Again, 'get the F... out of your car!' I say, 'no'. I roll the window down. His wife comes over and pulls him away. She tries to calm him down a bit, gets him to a level where he can talk instead of scream. He tells me about the situation he had the night before where he called the police. The tenants in unit 2 had squealed tires around the corner. It woke him up, he was angry. He asked me to talk to them and to fine them. I said, 'Okay'. I asked him what else I could do, what else was wrong. I started driving, because I didn't want to get out of my truck because he was so angry, around the complex. So he was walking next to my truck while I'm driving. He's going on and on yelling about his feelings about parking issues; which I reported; about the board doing a horrible job, property management doing a horrible job. He accused the cat that ran by of being one of Alpine's units. He didn't know which one, but he accused it of being that. He was very upset about the light pole that we discussed earlier. [Stuart was] saying that Alpine doesn't do their job because the light has been out; saying that was wrong. We got to your unit [speaking to Dan Lakatos] and he was accusing Alpine of renting that unit out and having two dogs and letting the tenants have dogs there; which is what he was yelling at me about when your wife saw him out the window yelling at me.

Geppert continues explaining more of Stuart Koch's complaints as he drove around the association with Stuart walking beside the truck. They also discussed some concerns of property damage by roofers on

Stuart Koch's back yard. Geppert went back into his truck, asking Stuart Koch to stay at his house, while he talk to the witness (unit owner 124). Geppert spoke with the owner of 124 who confirmed that the tires were squealing on the car that Stuart Koch had described. Geppert then went to unit two to discuss the situation with the tenant. He noticed the tenant didn't have a tag in the window, so Geppert asked him to get a tag. Geppert took Stuart Koch's side of the story and was going to take it back to the office. Geppert explains the situation that follows:

“As I stepped away from the house [unit 2], Stuart came flying out from behind a bush screaming, ‘You’re an F...ing idiot, you didn’t fine him on the spot. F...ing this, F...ing that.’ That was pretty much the common word throughout our whole trip around Firelight. At that point I got back into my truck. As I was leaving the association, he kept screaming, ‘You F...ing idiot’ and it followed me the whole way down the street for everyone to hear. Alpine has since evicted that tenant. That tenant is to be evicted at the end of the month for the infraction. So that is what became of the incident with the burning tires. It has been handled.”

Geppert explains that he handled this incident by writing up an account while it was still fresh in his mind and submitting it to the board and to the Attorney. Attorney Farve wrote a letter to Stuart Koch for his inappropriate behavior sent via certified mail. This is the second letter the attorney has had to write to Stuart Koch regarding his behavior.

Eakman apologizes to Dan Lakatos and his family again for having to witness this. He asks Stuart Koch if he would like to make a comment. Stuart Koch replies, “I didn’t mean to scare anybody. That wasn’t the intention. The intention is there’s a lot of non-fair biased stuff going on here through the property management association.” Stuart Koch shows the board pictures of infractions mostly by those who he believes are tenants of APM. He complains about the lack of monitoring on landscaping. He doesn’t feel that there are any checks and balances with APM. Stuart Koch continues, “The question is, who monitors the health and safety issues in the complex?”

Eakman asks Stuart Koch if the families of Firelight Meadows can feel safe and trust the fact that Stuart Koch cannot handle his emotions. Stuart Koch replies that he is ready to leave, “My voice will come down and I won’t be yelling at anyone anymore. I’ll take my pictures and I’ll send them in.” Eakman replies, “But you don’t have right. You don’t have the right to be going around here yelling, calling people names, using the F-word every which way and scaring families. You don’t have that right.” Stuart Koch replies, “You’re right I don’t and for that I am sorry. I do apologize. It will not happen again. But on the same token I think what needs to be done is that we need to verify and follow up with Alpine. I think Alpine needs to answer that question.” Eakman replies, “The board will take that up.”

Markus Kirchmayr of APM replies, he called Doug Shanley requesting a printout of the last three years of fines, listing who has been receiving fines. The records indicate that the management company APM has received the most fines for their tenants’ infractions. He continues to explain several incidents where he has towed vehicles while noting the risk involved with towing a vehicle at night. Speaking to Stuart Koch, he says, “You have threatened me for years. The first [APM] manager was up on the ladder, he was taking the swallow nest down, after one month [of APM being the management company], and you threatened to kick him off the ladder. You run around a lot and you call Alpine a liar.” Stuart Koch again interrupts. “May I finish my thought please, because I am accused of not doing enough in four hours? Does anybody read the Manager’s Report and what we do over there?” Markus Kirchmayr explains some

of the things that he does 24 hours a day. He then asks, "Do you all know why you got \$130,000?" Eakman replies, "Yes, you made the insurance claim." O'Connor replies that the only one in the room questioning the time spent with Firelight is Stuart Koch.

Gary Senn comments on the concerns with Stuart Koch and feels the underlying problem is parking. He concludes that we are a community, here for each other, emphasizing that there are two sides to every story and expressing the necessity of proper communication with neighbors.

Eakman introduces Mariah Jimmerson of Think Big Sky to explain the use of unit V4/70. Marry Maids is currently using the unit to house employees. The board uses this time as a fact finding session and the issue is taken under advisement of the board.

Kari Gras describes a recent encounter that her and her husband had with a black bear in their garage.

#### **Schedule of the next Board Meeting**

The next board meeting will be following the Annual Board Meeting scheduled for October 25, 2011 at 5:30 pm in the Conference room of the Whitewater Inn.

#### **Business Suspended**

Everyone but the board are excused at 8:52 pm

#### **New Business**

Markus Kirchmayr announces the resignation of Alpine Property Management as the property managers of Firelight Meadows citing rude unit owners and the safety of his employees as his main motivation for resigning from the position.

Eakman announces that the projected budget for 2012 will have to be changed because they will never find another property manager willing to negotiate such a low price.

The board decides on a new proposed budget for 2012 to submit to the unit owners at the Annual meeting. The new budget is attached.

#### **Meeting Adjourned**

The meeting adjourned at 9:45 pm.

Minutes submitted by Bethany Davies, Communications Coordinator.

**Minutes of the Board of Directors Meeting  
For the Association of Unit Owners of Firelight Meadows  
October 25, 2011**

**Call to Order**

Chair of the board Jack Eakman calls the meeting to order at 7:40 pm.

Directors in attendance are Chair Jack Eakman of unit V96/441, Sam Geppert of unit C1/120, Garrett Baldensperger of unit V95/433, Amy Free D17/50 (via conference call), Scott O'Connor of unit V60/251 (via conference call), and Twila Moon of unit V103/495 (via conference call).

Also in attendance are Kari Gras of units A1/85, B1/155 and V19/184, Chris Moon of unit V103/495, guests Accountant Doug Shanley, Scott Hammond, Angie Guinn, Mike Harter and Scott Foley all of Hammond Property Management, and Communications Coordinator Bethany Davies.

(All Directors will be identified by their last names from hereafter in the minutes.)

**Minutes of the last meeting**

Geppert motions to approve the Minutes of the last meeting. Baldensperger seconds the motion. All are in favor. None oppose.

**Financial Report**

Accountant Doug Shanley provides the financial report. A special assessment will be issued to all Chalet owners of \$100 per quarter over the next three years starting the first quarter of 2012. The total payment will be \$1,330. Most Chalet owners have already paid \$200 so they only owe \$1,130. Shanley will send out two invoices to Chalet owners, one will be their regular invoice while the other will be for the special assessment. Geppert moves to charge Chalet owners an additional \$100 per quarter for the next three years or until the \$1,330 is paid off, beginning the first quarter of 2012 to pay back the money taken out of reserves for chimney and siding repairs. Baldensperger seconds the motion. All are in favor. None oppose.

**Property Manager's Report**

Scott Hammond thanks the board for explaining the rate increase to the rest of the association during the Annual Owners Meeting. He looks forward to a long term relationship with Firelight Meadows and helping Scott O'Connor to improve the property values of the units.

Mike Harter explains that he has been trying to learn the key components of the complex. He has been working to winterize all the Condo Units and the Chalets. All of the outside water faucets have been shut off. He did notice the high nailing on the Chalet siding. Eakman asks Hammond if they could hire someone to re-nail the siding of Chalet units.

**Schedule Next Board Meeting**

The next board meeting will be held on Tuesday, December 13<sup>th</sup> at 6:00 in the conference room of the Big Sky Water and Sewer Building. Garrett Baldensperger will chair the meeting.

**Old Business**

O'Connor thanks Twila Moon for her time served on the board.

Chris Moon asks the board to further look into the remodeling done to the exterior of Chalet 91.

**Meeting Adjourned**

The meeting adjourns at 8:00 pm.

Minutes submitted by Bethany Davies, Communications Coordinator.

**Minutes of Board of Directors Meeting  
For the Association of Unit Owners of  
Firelight Meadows  
December 13, 2011**

**Call to Order**

Acting Chair, Garrett Baldensperger presides over the meeting. Baldensperger calls the meeting to order at 6:00 pm.

Directors in attendance are Garrett Baldensperger of unit V95/433, Sam Geppert of unit C1/120, Chair Jack Eakman of unit V96/441(via conference call), Scott O'Connor of unit V60/251 (via conference call), and Amy Free D17/50 (via conference call).

Director Twila Moon is absent.

Also in attendance are guests Kari Gras of units V019/184, A1/85 & B1/155, Scott Hammond, Angie Guinn and Mike Harter all of Hammond Property Management, Dick Hovde of Hovde Property Maintenance, Accountant Doug Shanley (via conference call) and Communications Coordinator Bethany Davies.

(All Directors will be identified by their last names from hereafter in the minutes.)

**Minutes of the Last Meeting**

Bethany Davies provides the minutes to the last meeting. Eakman moves to approve the minutes of the October 25, 2011 meeting. Geppert seconds the motion. All approve; none oppose. The minutes from the last meeting are approved.

**Financial Report**

Accountant Doug Shanley provides the Financial Report (see attached documents). Three units are owned by banks. The total accounts receivable for those units is \$11,506.59. As soon as the units sell the association should receive that money. Ten accounts are now late two quarters and will be turned over to CBO Collections in at the end of this month if payment is not received. Bad debt previously written off that has been collected through CBO Collections so far this year is \$9,529.72. Parking income so far this year is \$1,770 and the fines received total \$1,200. New membership dues for 2011 are \$14,500. The total amount of bad debt written off in 2011 is \$34,435.67. Twenty nine new units have been sold as of 2011.

Eakman asks Shanley to add outstanding fines not collected to future Financial Reports.

On the Chalet and Condo Budget overviews, currently the Common Area Lawn Care is separate from the Landscape Upgrade line. Baldensperger requests that for the 2014 Budget, the Common Area Lawn Care will include a close estimate of the materials that Hovde will need for fertilizers and other lawn care supplies. The Chalets are over budget \$289,848.81. However, without the chimney and siding repairs the Chalets would only be over budget \$18,786.04. The Condos are under budget by \$5,646.62. The money that was reserved for Landscape Upgrades and is currently under budget will continue to be reserved for new trees and plants that will be installed in the spring, explains Baldensperger.

Eakman commends the previous property management company, Alpine Property Management and Jose Morales especially, for keeping a close eye on the heating and electricity and for going above and beyond what was necessary to keep things running efficiently and to keep the utility bills low. He is sure that Mike Harter of Hammond Property Management (HPM) will continue this effort.



### **Property Manager's Report**

Mike Harter of Hammond Property Management provides the Property Manager's Report (see attached documents). He asks if Hammond is meeting the boards' expectations. He is looking to the board and the homeowners for guidance to where he needs to focus his efforts. Geppert replies that it is great so far. Mike has been writing a lot of warnings, primarily for parking violations. Eakman explains he has noticed an outstanding response from Hammond; they are very responsive and very quick, he is very pleased.

O'Connor asks when the board is going to change the "Back in Rule". It will take 75% approval of the owners to change the "Back in Rule", Eakman adds. Eakman would like to work towards changing the bylaws from obtaining 75% approval of the owners to perhaps 60% of approval by owners to change a declaration that is stated in the bylaws. The board and owners are to review the Declarations and Bylaws and review the items that they would like to see changed, corrected or reworded.

Eakman discusses the crawl space inspection report. There was a roof leak in V170 and a sewage spill in the west section Condo D. Eakman asks that Mike Harter follow up on these repairs. The inspector reminds the board to keep checking the downspout extensions to make sure that they don't get broken, tripped on or moved because they are working sufficiently to keep water away from the crawl spaces. Hammond is to keep track of the vapor blocks and make sure that they are maintained. The inspector concluded that everything that has been done in the past including the downspouts and sump pumps seem to be beneficial.

West Fork Utilities needs to take a Lead and Copper Test by randomly accessing ten different units, as required by Montana DEQ and the Federal DEQ. Eakman requests feedback get out to owners. Angie Guinn agrees to post the results of the tests to the Firelight website.

### **Parking Recommendations**

Angie Guinn of Hammond Property Management discusses the Parking Recommendations. The board will further discuss the parking permit proposal through email communication. The board agrees to allow Angie Guinn to send out the vacation passes for the holiday season. Kari Gras recommends putting parking rules on the back of permits. The board agrees.

### **Snow Removal Report**

Dick Hovde of Hovde Property Maintenance provides the Snow Removal Report. Snow removal is going well. Heat tape is working. Hovde installed railroad ties to the entrance of the Chalets to prohibit four-wheelers from driving on the side hill. Baldensperger asks Hovde to keep the snow packed road bumps down.

### **Utilities Portfolio**

Baldensperger provides the Utilities Portfolio Report. The Summary Judgment was on December 6<sup>th</sup>. The judge allowed each side to present and then told them to prepare a Proposed Order deciding the motions for Summary Judgment and to file with the court by January 9<sup>th</sup>, 2012. "In an essence he asked each party to draft an order setting forth how they think the court should decide the case," explains Baldensperger.

### **Firelight Image Report**

O'Connor provides updates to the Firelight Image Report. He is currently gathering quotes for a drawing of what the association would like to see the Firelight Campus look like. He asks any owners who are architects or landscape architects that would like to help the association to contact him.

### **New Business**

Kari Gras will be in charge of a new portfolio for creating community amongst the Firelight campus in the Neighborhood Portfolio.

### **Old Business**

On November 28, 2011 at 7:40 am, O'Connor sent the following email:

I make the motion we compose a letter to owners regarding the start of ski season and inform them that it is the boards' intention to strictly enforce the associations rule pertaining to "rowdy renters". Owners will be held accountable for renters that break rules pertaining to over occupancy, not abiding by quiet hours and loud noise complaints, parking and pet violations. Owners should choose renters carefully!!!

On Monday, November 28, 2011 at 5:16 pm, Baldensperger seconded the motion. Moon, Free and Eakman are in favor. None oppose. The motion passed. Eakman composed the following letter to unit owners:

#### **Let's end disturbances of the peace, please!**

Firelight Meadows is a very young development, association and neighborhood. This short history has amplified the disturbances (noisy parties, squealing tires, launching loud fireworks, fights, etc.) to peaceful enjoyment of property when it occurs and is reported! These disturbances cause Firelight Meadows to have an undeserved reputation where "ski bums and low life renters" hang out! **THIS MUST END!**

The Board has asked me to notify all owners that we are launching a zero tolerance policy on disturbances that would normally disrupt a reasonable person's enjoyment of their property.

Our declarations, rules and regulations are intended to **BRING US TOGETHER** as a neighborhood by laying out expected behaviors. And the Board's reason for being is to oversee a governance process that raises property values and increase property enjoyment.

Please inform your renters and guests of this initiative. Together we will shut disturbing the peace down even before the ski season gets fully launched. Thank you in advance for your help!

Jack Eakman, Chair of the Board of Directors.

### **Schedule of the next Board Meeting**

The next board meeting is scheduled for January 17, 2011 at 6:00 pm at Hammond Property Management's new Conference Room.

### **Meeting Adjourned**

The meeting adjourned at 7:18 pm.

Minutes submitted by Bethany Davies, Communications Coordinator.