

Michigan Hill Owners Association  
Board of Directors Meeting Minutes  
December 1, 2007

Board meeting called to order by Board President Terry Hull at 10:15 AM at the Jefferson Community Center.

Board members present are: Terry Hull, Terry O'Neill, Steve Johnson and Larry McClymonds. Acc members present are: Terry O'Neill, Tracie Bailey and Tom Clinton. Other members in attendance are: Susan Hargleroad, Sheldon Burton, Judy O'Neill, Ken Baker, and Andy Bailey.

**Old Business**

**Approval of minutes of the September 1, 2007 Annual Association meeting**

The official minutes of the 2007 Annual Association meeting were approved. Motion to approve the minutes made by Steve Johnson and seconded by Larry McClymonds. Motion carried on unanimous voice vote.

**By-Law Changes**

**MEMBERSHIP**

Any person, persons or entity purchasing property within the MICHIGAN HILL development automatically becomes a member of the MHOA when the purchase is closed and title transfers. A person becomes a member of the MHOA at such time as a deed or instrument transferring to that person a present vested interest in a Lot within the MICHIGAN HILL subdivision is recorded in the records of the Park County Clerk and Recorder's Office. This is the sole requirement for said membership. Each subdivided MICHIGAN HILL Lot represents one membership unit. Membership is appurtenant to and may not be separated from ownership of property.

**RATE**

Effective January 1, 2008, the annual assessment shall be \$175.00 per annum per tract. Owners of multiple tracts will be charged for each tract. MHOA dues may be lowered by the Board of Directors, but may be raised only by majority vote of the members present or represented by proxy at a general membership meeting.

**PENALTY**

A five thousand dollar (\$5,000) fine shall be assessed for each occurrence for failure to submit an ACC request form to the Architectural Control Committee and receive approval for All construction within MICHIGAN HILL.

**EXHIBIT A**

**OBJECTIVES OF DESIGN REGULATIONS AND GUIDELINES**

These design regulations are intended to create guidelines to preserve the natural beauty of Michigan Hill and its setting, to maintain Michigan Hill as a pleasant and desirable environment, to establish and to promote a conscious quality of design for the community and to protect and to promote property values and encourage good fire mitigation practices. These regulations are not intended to make the construction of structures difficult, complicated or expensive, but to require owners and builders to draw upon their common sense to design a structure which is consistent with the Covenants and best meets their particular requirements. All construction within Michigan Hill shall be reviewed by the Architectural Control Committee ("ACC"), which shall use these regulations and guidelines to assure that the appearance of all construction conforms to the standards required by the Covenants. **The ACC Request Form (see Exhibit B) shall be submitted to the ACC for review and approval of ALL construction, prior to commencement of any construction.** The ACC will use these regulations and guidelines to implement the requirements of the Covenants in a manner which provides direction while allowing for individual creativity and variety consistent with the natural environment, with the goal of assuring an interesting and pleasing residential mountain community.

#### **Add EXHIBIT B - ACC Request Form**

Motion to approve the By-Law changes made by Steve Johnson and seconded by Terry Hull. A brief discussion by members of the board occurred. Motion carried on unanimous voice vote.

#### **Treasurers Report**

Report submitted by Loretta Hubert via email. There is \$32,036.90 on hand. Will pay Sheldon \$2,857.14 for November snow plowing. Terry Hull submitted expenses of \$85.98 for diesel fuel consumed while maintaining Michigan Hill culverts. Tracie Bailey submitted newsletter printing and mailing costs of \$268.98. The new winter road closure signs were installed at no cost to the association.

#### **Outstanding Dues:**

Lot 116 - Tannenhil for 2007

Lots 269-270 - Anderson 2006-2007, a foreclosure letter will be sent with dues notice in 2008.

Lot 252 - Willers for 2007

Lot 271 - Rameriz for 2007

Motion to approve the treasures report made by Terry O'Neill and seconded by Larry McClymonds. Motion carried on unanimous voice vote.

A moment of silence was observed for Loretta's husband, Gene who is going through treatment for health issues.

## **ACC Report**

Terry O'Neill gave the ACC report. Terry praised the entire ACC, Tracie Bailey, Blenda Crawford and Tom Clinton for all their hard work and positive work with our members. Tracie submitted a spreadsheet with detailed data of ACC requests, approval and actions. In 2006, 15 ACC requests were approved. In 2007, 11 ACC requests were submitted, 9 approved and 2 are pending.

The ACC Request Form is required when any construction is being considered. Please note that typical maintenance (staining, painting approved color, replacing roofing material with same, etc.) does not require submittal and approval of the ACC Request Form.

Tom Clinton noted there is a shed on a vacant lot which is too close to the boundary line. A few residents are looking in to the possibility of helping move the shed in to an acceptable location.

Driveway permits are required from Park County for lot in Filing 1 & 2. Lots in Filing 3 are not required to obtain a driveway permit from the county. The plates for Filing 1 & 2 note that the permits are required.

## **Road and Pond Report**

Steve Johnson gave the road report. Three new road signs were installed to indicate when the north entrance is closed due to snow.

The augmentation pond report is complete for this year and ready for submission to the state and will be mailed the first week of December.

Steve and Tom Clinton will determine where and how much Frost Tex is needed for those culverts which freeze during the winter and back up water. The Frost Tex will be added and a portable generator will be used to keep those troublesome culverts open.

## **Cell Tower**

Larry McClymonds has been working with two companies that are interested in a cell tower on Michigan Hill. Comnet has chosen a site on Jefferson Heights and a public hearing has been set. Verizon has identified several potential sites on MHOA property. On December 13<sup>th</sup>, Verizon will have an engineer taking measurements to determine the best site. Terry Hull will meet with the Verizon representatives.

## **Campers, Unlicensed Cars, Trailers and Lot Complaints**

Lots 216 and 108 have been notified to remove trailers from the lots. Trailers are pull-in and pull-out for each use unless you have ACC approval and a Park County building permit. Once a house has been built, trailer storage is acceptable.

Lot 121 has an out-house which will need to be removed and the location properly cleaned up. Out-houses are strictly prohibited on Michigan Hill.

Lot 252 had three unlicensed vehicles stored on the lot. The owner has been contacted and is in the process of removing them or getting them properly licensed.

There was an issue with misuse of one of our outlots. The outlot was driven on to remove timber from Lot 120. The owner of Lot 120 has been contacted and the people responsible have been identified. The damage will require repair and a police report has been filed.

There has been an ongoing issue between Lots 104 and 105. The new owners of Lot 104 have been using an outlot for access, Terry Hull spoke to the owner of Lot 104 and moved large rocks to close the access. Lot 104 was storing a camper, built an unauthorized structure and had a loud party over Labor Day with little regard to the neighbors. The camper and metal barrels have been removed after notice from the board. The board will send a notice to the owner of Lot 104 to remove the unauthorized structure.

### **Snow Fences**

The owners of Lots 174 and 175 have been asked to permit MHOA to put up temporary snow fences to minimize snow drifting on Michigan Hill Road.

### **Burn Pit**

The fire department has been contacted to burn the content of the burn pit. They will conduct the burn during the winter when the conditions are good.

### **Carlton Lot**

Several issues have been identified with the Carlton lot. Currently there are two houses on the single lot and Park County does not permit two houses on one lot. The garage which had been finished as a residence without Park County approval will require the interior to be changed back to a garage by the county. The metal garage was build without ACC approval and the Carlton's had agreed to side the metal building with wood but never completed the siding. The property is now under contract. The board will work with the county, the real estate company and the new potential owners to have the garage sided not later than September 17, 2008 or impose a \$5,000 penalty and pursue court action. Motion by Terry O'Neill and seconded by Larry McClymonds. Motion carried on unanimous voice vote.

### **Dogs**

There have been several issues with dogs running loose on Michigan Hill. Dogs running loose and threatening livestock will be shot by the ranches to protect their livestock. Several reports were received about dogs threatening people and pets on their property. If you love your dogs, please keep them on your property and under control at all times.

Motion to end the meeting by Steve Johnson and seconded by Terry O'Neill. Motion carried on unanimous voice vote, meeting concluded at 11:45 AM.

Respectfully submitted,  
Larry McClymonds  
Secretary MHOA