



# BIG SKY OWNERS ASSOCIATION

## Board of Director's Meeting Minutes - Friday, December 15, 2023 - 9:00 AM

Big Sky Owners Association Board of Directors met on Friday, December 15, 2023, at the Big Sky Owners Association office in Big Sky, Montana. Directors in attendance included Chair Clay Lorinsky, Kenny Holtz, Vanessa McGuire, Maggie Good, Morgan Brooke, and Will Brennecke. Directors attending virtually included George Mueller and Walt Andrews. Staff members in attendance included Suzan Scott, Kyle Pomeranke, Katie Darrow, Lisa Chase, and Emma Lawler. Others in attendance included Jenny Muskat with Resort Tax, Tim and Susan Mitchell, John McGuire, Brian Lubin, Al Malinowski, members of the Little Coyote Traffic Safety Group, members of Aspen Groves Owners Association, Brian Wheeler, and Dick Fast with Big Sky Water & Sewer District. Emma Lawler recorded minutes.

1. Call to Order: Chair Clay Lorinsky called the meeting to order at 9:05 AM.
2. Membership Forum: No comments were made on issues outside the agenda.
3. November Meeting Minutes:

**Motion made by Maggie Good to approve the November Board meeting minutes as edited; seconded by Kenny Holtz. Motion passed unanimously.**

4. Finance and Audit Committee
  - A. November Financials: Treasurer Maggie Good reported that the first month of the fiscal year started off well with nothing unusual. Revenue is equivalent to this time last year. Year-end 2023 excess cash was reinvested into treasury bills.

**Motion made by Kenny Holtz to accept the November financial report; seconded by Morgan Brooke. Motion passed unanimously.**

- B. Receivables and Assessments: Around 90% of payments for assessments have been received, with the remaining payments still coming in.
  - C. New Members List: No further comment was made.
5. Staff Report - November: No comments were made on the staff report.
6. Chairman's Report
  - A. Old Business
    - i. Pond Project
      - a. Project Update: The bulk of the project is on track to be completed in January. The Pond Sub-Committee will reconvene to discuss the next steps for the project's amenities shortly after the work is completed.



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- b. Water Rights: There were a few additional changes to the agreement provided by WSD. The document will be reviewed by the BSOA's legal counsel. The agreement will be revisited thereafter.
- c. Phase 5 WGM Contract: The Pond Sub-Committee discussed WGM's contract amendment to oversee the construction of the pond project in May of 2023. After the transfer of contracts from Miller Recreation to Pond and Stream Consulting, the contract amendment was verbally confirmed, but not fully processed.

**Motion made by Kenny Holtz to approve the contract amendment and \$74,560 for WGM's oversight already captured in the contingency funding and discussion from last spring; seconded by Maggie Good. Motion passed unanimously.**

- ii. Benefit Big Sky (BBS) Updates:
  - a. Website: With the landing site for BBS created, staff continues to work with the web developer, Spin Up, to complete a full build-out of the BBS website.
  - b. Fundraising: The BBS Board identified priority projects for fundraising including the Pond Project, traffic calming efforts, and the Best Practices Guidebook. There was a discussion regarding the fundraising for traffic calming efforts and possibly approaching Resort Tax to help fund traffic safety for roads in Big Sky that are utilized by the entire community. The BBS Board suggested the purchase of an additional driver feedback sign be paid from the BSOA operating budget to expedite additional traffic calming measures.

**Motion made by Michelle Horning to purchase an additional mobile driver feedback sign for up to \$4,000; seconded by Maggie Good. Motion passed unanimously.**

- iii. Traffic Mitigation Efforts Update:
  - a. Little Coyote Road:
    - i. New Pedestrian Path: A letter was submitted to Gallatin County regarding safety due to the lack of barriers between the new trail and Little Coyote Road, where car tracks can be seen on the path. In addition, the road crossing was changed without notification to the BSOA and as is, impacts the design of the Pond parking lot area. BSCO proposed temporary delineators that were approved by the BSAC. It was discussed that there should be a follow-up with the Gallatin County Commissioners regarding the letter. Emma Lawler confirmed with their office that they had received the letter, but they did not



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formally respond. It was suggested that staff reach out to Levi Ewan with the County Road & Bridge Department to determine a permanent solution to the safety concerns.

- ii Speed Table Project: Staff reiterated that the project has received two abnormally high bids and that a second bid period has been opened to contractors State-wide. Discussion ensued about how the BSOA Board will fund the speed tables. The BSOA could release a special assessment during the next Board election. Another option was to pull funding from a reserve fund. If there is a special assessment, a proposed Traffic Safety Sub-Committee should be formed to make a recommendation on how those funds are spent. It was mentioned that Benefit Big Sky is accepting donations and pledges for traffic calming projects. If a reasonable bid does not come in, it was discussed to budget for temporary speed tables that meet County standards, while a more permanent solution is pursued.
- iii Letter from Aspen Groves Owners Association: The BSOA Board received a letter expressing similar concerns of speeding and higher volumes of traffic on Andesite Road. AGOA is seeking guidance and partnership with the BSOA on this matter. It was mentioned that residents and visitors in Spanish Peaks also use that road and should be included in the conversation of traffic calming efforts and payment thereof. It was questioned whether the Rural Improvement District (RID) covers traffic calming measures, which it does not, so funding for any improvement would need to come through the BSOA. Gallatin County has specifications as to where the speed tables can be located, and it is common for them to be at a road crossing. Emma Lawler will research the process for speed tables on Andesite Road and consult with the Gallatin County Road and Bridge department. She will report back with more information to the Board in January.

### **B. New Business**

- i. BSAC Appeal - Lubin Project: The Board received an appeal letter from two owners on Moosewood Road regarding the BSAC's decision to approve the designated location of a new construction project. The owners have an issue with the project location and feel their privacy is being encroached upon. Prior to this, a Cease-and-Desist letter was submitted due to the lack of information provided by the project representative. Since then, the BSAC determined the proposed building was in the one-acre building envelope and



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therefore, the Committee has no authority to deny approval of the project. It was acknowledged that inadequate descriptive language exists in the North Fork Creek covenants to determine the exact shape and location of a designated building envelope. It was mentioned that BSAC and BSOA Board members walked the property to get a clear understanding of the layout. The approval was based on the covenants that state the applicants are free to build anywhere within the defined acre.

**Motion made by Morgan Brooke to accept the appeal by the Mitchells; motion seconded by Michelle Horning.**

Discussion: Because there is no defined building envelope on the plat, determining where the homesite should be located is difficult. It was discussed that a new construction application be submitted and reviewed by the BSAC.

**Motion amended by George Mueller to state that the BSAC will review a new application without prejudice against the Lubins, subject to confirmation that the house is the primary residence. Motion passed with six in favor, one recused, and one opposed.**

**Motion made by Maggie Good to reinstate the Cease-and-Desist letter; seconded by Kenny Holtz. Motion passed unanimously.**

- ii. Rotary Club Donation – Lone Mountain Ranch XC Ski Pass

**Motion made by Maggie Good to approve a donation of two LMR passes for the Rotary Club auction; seconded by Clay Lorinsky. Motion passes unanimously.**

### 7. Standing Committee Reports

- A. Executive Committee – No Meeting: No comments were made.
- B. Legal Committee – Meeting: 10/11/23 – *Cascade Rope Tow*: Land surveyors and legal counsel are involved in this issue and there are good arguments on both sides. The LC offered to meet and resolve this issue amicably. The LC is waiting to schedule a meeting with their legal counsel.
- C. Nominating Committee – No Meeting
- D. BSAC – Meetings: 11/16/23, 12/07/23 – *LC Road Trail to Community Park, Modifying Shape/Size of Building Envelopes in Madison County*
- E. Ponds Subcommittee – No Meeting: No further comments were made on the Pond Project.
- F. Sustainability Committee – Meeting 12/19/23: No further comments were made.
- G. Wellness District – Meetings: *Signature Gathering*



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*H. Benefit Big Sky (BBS) – Meeting: 12/04/23 – Website, Fundraising, Donations,  
Meeting Schedule*

8. Other Business: Next Board Meeting – January 10, 2024
9. Adjourn: Meeting adjourned at 11:55.

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George Mueller, Secretary