



# BIG SKY OWNERS ASSOCIATION

## Board of Director's Meeting Minutes – Friday, July 21, 2023 – 9:00 AM

Big Sky Owners Association Board of Directors met on Friday, July 21, 2023, at the Big Sky Owners Association office in Big Sky, Montana. Directors in attendance included Chair George Mueller, Clay Lorinsky, Michelle Horning, Kenny Holtz, Eric Ossorio, and Walt Andrews. Directors in virtual attendance included Maggie Good and Will Brennecke. Staff members in attendance included Suzan Scott, Logan Sellers, and Emma Lawler. BSOA Member Ernie Chappell and Danny Bierschwale from Resort Tax attended virtually. Water and Sewer District (WSD) representatives Brian Wheeler, Al Malinowski, and Dick Fast were in attendance. Emma Lawler recorded minutes.

1. Call to Order: Chair George Mueller called the meeting to order at 9:08 AM.
2. Membership Forum: Taylor Middleton, Chad Wilson, and Dillon Hall from Big Sky Resort presented the proposed short course in Meadow Village. Their timeframe for construction of the par 3 course will run from May 2024 and be open in July 2025, with roughly 30-35 parking spaces included in the design.
3. Meeting Minutes:

**Motion made by Maggie Good to approve the June Meeting Minutes; seconded by Michelle Horning. Motion passed, with Clay Lorinsky abstaining.**

4. Finance and Audit Committee:
  - A. June Financials: Treasurer Kenny Holtz reported that the BSOA is in good financial standing. One treasury bill was renewed.

**Motion made by Kenny Holtz to accept the June Financial report; seconded by Walt Andrews. Motion passed unanimously.**

- B. Receivables & Assessments: No further comment was made.
  - C. New Members List: No further comment was made.
5. Staff Report - June/July: No further comments or questions were made regarding the staff report.
6. Chairman's Report
  - A. Old Business
    - i. Pond Project
      - a. Project Timeline: Construction of the Pond Project is scheduled to begin September 6<sup>th</sup>.



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b. Dewatering Site: Boyne Resorts declined to dewater the dredge material on their property, which prompted the Ponds Subcommittee to find viable alternatives. The Subcommittee asked BSCO if they have space for it on their property or if they would have interest in taking the material after it is dewatered for later use. They indicated that they were not ready to make a commitment, have limited space to store it, requested a more thorough composition test of the material. Additional locations for the dewatering site were presented. The sites will be included in a DEQ permit application. The cost of storing and handling the material on BSOA open space and the environmental impacts were two concerns that will need to be further addressed by WGM Group to solidify a dewatering plan. For the sake of obtaining the DEQ permit in time to start construction, the proposed locations require Board approval to include in the application.

**Motion made by Clay Lorinsky to approve the proposed locations on BSOA property for the purpose of including them in the DEQ permit application; seconded by Kenny Holtz. Motion passed unanimously.**

c. Water Rights Agreement: Clay Lorinsky reported on the status of the water rights agreement with WSD. The major points of contention have been resolved. The agreement should be finalized by the end of August.

ii. Little Coyote Speed Table Bids: Emma reported that several contractors are looking at the bid package and may be able to put together estimates for a later time. The summer season has been exceptionally busy for concrete and asphalt firms, in addition to the TIGER grant work being done congruently. The Board may consider readvertising the bid package in the fall, as contractors have more time to plan for the next season. It was recommended to call John Delzer and get an estimate from him.

iii. Benefit Big Sky

a. BBS Logo: A logo for BBS was approved by the BBS committee. No further comment was made.

b. BBS Website: The BBS landing page for donations was created. The next phase will involve building out a full website that describes the BBS mission and priority projects. The quote received



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from the website contractor was \$3,000 for the year, including the landing page. The approved strategic plan allotted \$2000 for a new BBS website.

**Motion made by Eric Ossorio to approve an additional \$1000 for the full BBS website; seconded by Kenny Holtz. Motion passed unanimously.**

- c. BBS Bank Account: The account is close to being finalized. No further comment was made.
- d. Pledge Letter: No further comment was made.
- e. Priority Projects: The funds initially generated through BBS would be unrestricted, if not specified for projects such as traffic calming infrastructure, signage, the Little Coyote Pond project, community fire mitigation, sustainability initiatives and other projects and programs.
- iv. Annual Meeting Update
  - a. Agenda/Speakers: Logan Sellers reported on the agenda for the annual meeting. It was recommended that state representatives be invited to speak on issues such as the significant increase in property tax estimates and the Wellness District.
  - b. Directors Attending: George Mueller will Chair the meeting. Walt Andrews will take on the Secretary's duties to determine quorum. It was suggested that Eric Ossorio facilitate the Q & A portion of the meeting.
- v. SGH Covenant Amendments
  - a. WSD Easement - Update: Although the most recent version of the covenant amendment for the proposed easement was presented to the Board, the amendment will need WSD's legal counsel to send final approval on the language to be included in the election ballot.

**Motion made by Kenny Holtz to approve amendment language as presented, including applicable height restriction language, subject to the WSD attorney's approval; seconded by Clay Lorinsky. Motion passed unanimously.**

- b. Cold Roof Height Allowance: The BSAC recommended approval on the language for Cold Roof height allowance.



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**Motion made by Kenny Holtz to approve amendment language for cold roofs as recommended by BSAC, subject to clarification that the amendment is for new and existing structures; seconded by Eric Ossorio. Motion passed unanimously.**

c. Variances Allowed: The BSAC recommended that a process for variances and determining hardship be included as a Sweetgrass Hills covenant amendments.

**Motion made by Kenny Holtz to approve the amendment language for variances; seconded by Michelle Horning. Motion passed unanimously.**

d. BSCO Workforce Housing: The red line copy of the language changes from the Legal Committee was sent over to BSCO for final review and approval. There were some inconsistencies noted between documents pertaining to the definition of 'workforce' and the intent to house only BSCO employees.

**Motion made by Kenny Holtz to approve the BSCO workforce housing amendment language, pending the clarification meeting between BSCO staff and BSOA staff in alignment with the Legal Committee's comments; seconded by Clay Lorinsky. Motion passed unanimously.**

### B. New Business

- ii. Hearing on Suspension of Privileges: Members who disputed their suspension of privileges were not in attendance. No further comment was made.
- ii. Design Regulation Revisions – Variances: The BSAC is recommending changes to the Design Regulations section on the variance process.

**Motion made by Clay Lorinsky to approve the language for variance in the Design Regulations; seconded by Kenny Holtz. Motion passed unanimously.**

### iii. Wellness District:

- a. Joint Representation Agreement & Contribution: The Board has been asked to sign the joint representation agreement to be presented to Madison County. The Wellness District group aims to raise \$30,000 to cover legal fees and is currently short of \$5,000.

**Motion made by Kenny Holtz to sign the joint representation agreement and contribute \$4000 to cover some of the shortfall; seconded by Michelle Horning.**



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Motion amended by Clay Lorinsky to contribute \$5,000; seconded by Walt Andrews.  
Motion passed unanimously.

### 7. Other Business:

A. Property Tax Estimates: Recently, residents were notified that they would be receiving a significant increase in their property taxes. Eric Ossorio, who serves on the Property Tax Appeal Board in Gallatin County, gave some information to what the Board can do in light of the tax increase. Eric recommended that the BSOA give the membership as much information about the property tax increase as possible. Residents can fill out an AV-26 form that allows taxpayers to protest without penalties. Both Madison and Gallatin Counties are in the process of making their budget, which will not increase at the rate that taxes will. The budget is restricted by terms of growth. It was recommended that the BSOA Board send a letter of opposition to the tax estimates on behalf of the members. George Mueller and Eric Ossorio agreed to write the letter and circulate it to the rest of the Board before sending it.

B. Old Joe Rope Tow: Taylor Middleton, of Big Sky Resort confirmed that the rope tow in Cascade Subdivision will not be operating this winter. This has caused concern among Cascade residents for the upcoming winter season. Once the easement issues are settled, Big Sky Resort operations are committed to replacing the rope tow with a new one. A survey was done which determined the homeowners' hardscaping feature is encroaching onto the easement. Maggie Good recommended that the impacted owners be formally notified about the situation. It was recommended to have Taylor Middleton address this issue during his presentation at the Annual Meeting. A joint letter from Big Sky Resort and BSOA was also recommended.

### 8. Committee Reports

A. Executive Committee – No Meeting: *Membership Suspension List Modified*; no further comment was made.

B. Legal Committee: Meeting: *TBD – Rainham Settlement*; counsel may have to litigate the whole dispute; there was a lack of notes, and they are not willing to compromise. *Docs vs. BSOA*; discovery has been pushed to September. *Dull Knife Trail*; it was determined that a trail agreement instead of an easement would be more appropriate. Staff will send a draft trail agreement to BSCO.



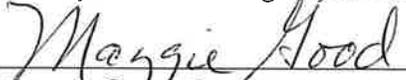
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- C. Nominating Committee: *No meeting* – A BSAC member notified Suzan that he will not be running again. It is too late to add a candidate for the 2023 election. Therefore, the member volunteer will stay on the ballot, resign, and BSAC will appoint someone else at the beginning of the new fiscal year.
- D. BSAC: *Meetings: 07/06/23, 07/20/23 – DRR, Review Fee Schedule Revisions, Straus Project, SGH Covenant Amendments, Height Calculation; Staff will continue to research the best method to calculate height.*
- E. Ponds Subcommittee: *Meeting 07/13/23 – Dewatering, Water Rights, BSRAD Funding; no further comment was made.*
- F. Sustainability Subcommittee: TBD
- G. Wellness District: *Meeting 07/12/23 – Joint Service Agreement, Signature Gathering, Contribution*
- H. Post Office: *No Meeting* – The current post office lease is signed through May 2024 and USPS is working directly with Andrew Kircher to prepare the new location.

Next Board Meeting – August 18

**Motion made by Clay Lorinsky to adjourn the meeting; seconded by Walt Andrews.**  
**Motion passed unanimously.**

- 7. Adjourn: Meeting adjourned at 11:45 am.

  
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Maggie Good, Secretary