



BIG SKY OWNERS ASSOCIATION

Board of Director's Meeting Minutes - Friday, February 15, 2024 - 9:00 AM

The Big Sky Owners Association Board of Directors met on Friday, February 15, 2024, at the Big Sky Owners Association office in Big Sky, Montana. Directors in attendance included Chair Clay Lorinsky, George Mueller, Kenny Holtz, Maggie Good, and Michelle Horning. Directors attending virtually included Will Brenneke, Morgan Brooke, and Walt Andrews. Staff members in attendance were Suzan Scott, Kyle Pomerence, Katie Darrow, Lisa Chase, and Emma Lawler. Representatives from the Little Coyote Traffic Safety Group were also in attendance.

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

Motion made by Maggie Good to approve the January Board meeting minutes as amended; seconded by Michelle Horning. Motion passed unanimously.

4. Finance and Audit Committee
 - A. Financials: After review of the financials as presented, it was reported that the BSOA finances are in good standing with 6% of assessments that have yet to be collected.

Motion made by Maggie Good to accept the January financial report. Motion seconded by Kenny Holtz. Motion passed unanimously.

- B. Receivables and Assessments: No further comment was made.
 - C. New Members List: No further comment was made.
5. Staff Report - January: There were no comments made on the staff report.
6. Chairman's Report
 - A. Old Business
 - i. Pond Project Updates: The Pond Subcommittee met on February 12 to go over progress and fine tune the amenities plan, with the intention that staff could use the final design for robust fundraising efforts. The trail, walkways, and dock locations correspond with a proposal from Black Tie Rental's summer operation, as well as public access to all amenities. The Subcommittee met with WGM Group to review the revised design and associated costs and discuss a range of costs where the amenities would fall. The Subcommittee is looking for the Board's approval of the design and overall plan, and to ensure the Board is comfortable with the funds available and BBS fundraising. A 10-foot concrete retaining wall between the beach,



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directly below parking lot is proposed, noting a \$48,000 cost savings with the replacement of the originally proposed boulder wall. Given the content of Black Tie's proposal, the revised design would accommodate a vendor's need for a storage facility and recreation hut for tackle, kayak, and paddle board rentals. It was noted that the Black Tie is interested in the potential of these operations and after they reviewed the design, felt it was adequate for their requirements. Kenny Holtz estimated the cost of the structure to be in the range of \$85,000 to \$150,000. It was proposed that BSOA construct the originally proposed amenities contingent upon fundraising, and plan for the building as Phase 3 of the Pond project.

- ii. Pond Naming Rights: Michelle Horning suggested that naming rights be offered to all community members as an online auction. This method could also be used for other Pond fundraising items such as picnic tables, benches, the perimeter trail, and docks, which would allow for transparency to the community. It was questioned whether Benefit Big Sky will be looking into local businesses for naming rights, whether it should be open to the public, and that initial focus should be on Meadow Village businesses, since they are in BSOA jurisdiction. The Board noted that a final decision on fundraising methods should be made by BBS.

Motion made by Geroge Mueller, to rescind BSOA's naming rights motion in January, to open it up to the greater community, and to approve the conceptual plan for the amenities as presented; seconded by Kenny Holtz. Motion passed unanimously.

- iii. Water Rights Agreement: The agreement has been signed. Next step to be completed is a DNRC form 641 that needs to be filed by BSOA's attorney.

Motion made by Kenny Holtz to confirm the implied ability of Dave Weaver to file the forms related to Pond water rights; seconded by Maggie Good. Motion passed unanimously.

iv. BBS Updates

a. Fundraising Efforts:

- i Best Practices: In order to publish the Best Practices Guidebook, there is a need for graphic design and funding of printing costs. Staff have been engaging with organizations across the community for sponsorships to help fund the project.



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Motion made by Maggie Good to hire the graphic designer and print a sample Best Practices Guidebook with the intention of funding it through sponsorships. BSOA will cover up to \$5,000 if there is a shortfall; seconded by Clay Lorinsky. Motion passed unanimously.

- ii Traffic Mitigation Fees: Suzan Scott reported that Big Sky Resort will be coming through the BSAC with a proposal for twenty-three units of pod-style employee housing. In addition, BSCO is expanding their community park. Increased development in the Meadow Village area continues to impact BSOA's roads. As presented, traffic mitigation fees to pay for speed tables and traffic calming efforts were discussed. BSOA attorney Dave Weaver said the BSOA has the ability to impose fees to pay for traffic calming measures. The Board suggested BSAC create a proposal to impose impact fees.

Motion made by Michelle Horning to authorize the BSAC to review the concept of impact fees and define a proposal Board review and approval; seconded by George Mueller. Motion passed unanimously.

Discussion: It was mentioned that the traffic mitigation funds submitted for the Yellowtail project was a voluntary contribution and should not set a precedent for organizations such as BSCO. It may make sense for Big Sky Resort's workforce housing. A special assessment was suggested as a mechanism to fund traffic calming projects. A membership survey was recommended to see if a special assessment would be supported.

- b. Website Completed: The BBS website is live and operable for the receipt of donations.
- v. Traffic Mitigation Efforts Updates
 - a. LC Speed Table Bid
 - i Timberline: Big Sky Resort's workforce housing project may complicate the location of a speed table near Spotted Elk. It was also mentioned that the location of the speed tables may need to be shifted into the residential area of Little Coyote. Staff will set up a meeting with Stahly and the Gallatin County Road and Bridge Department to determine the flexibility of where the speed tables can be located. Staff will also set up a meeting with a representative from Big Sky Resort and BSCO to collaborate on traffic calming measures. Due to the high bid that was submitted by Timberline and their required response timeline, the Board declined their bid.



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- b. Aspen Groves Roads: A meeting with Spanish Peaks and Spanish Peaks North is set for March 6 to seek out potential solutions to traffic volume and construction vehicles on Andesite Road.
- c. LC Road & Park Path – Stahly Meeting: Previously, the BSOA sent a letter to Gallatin County regarding safety concerns. The County suggested this issue be discussed with the engineering firm that designed the path. Therefore, Staff met with the Stahly engineer and made aware of safety concerns. Staff will also reach out to the Chapel regarding their input on pedestrian safety along their property boundary.
- vi. Guidelines for Building Envelop Modification: The BSAC supports a policy to address building envelope changes, which is becoming more common in Madison County. The BSAC is requesting Madison County not approve these types of changes unless there is a more thorough review, along with a uniform policy from the BSAC. It was proposed that BSOA/BSAC meeting with Madison County Planning.
- vii. Quorum Policy RE: Abstentions and Recusals: No further comment was made.

Motion made by Maggie Good to approve the Quorum Policy; seconded by Clay Lorinsky. Motion passed unanimously.

B. New Business

- i. Record BSOA/BSAC Meetings: For the purpose of accuracy of minutes, BSAC and Board meetings will be recorded.

Motion made by Maggie Good to record BSAC and Board meetings and keep the recordings until the minutes are approved at the following meeting; seconded by Will Brenneke. Motion passed unanimously.

- ii. Expedite BSOA Process from Committee Chairs: The Board discussed timeliness with decision-making and action items. It was discussed that there are areas where Committees could have more autonomy to make decisions, however it was noted that those decisions should go to the Board. Regarding the Legal Committee, it was mentioned that there should be a preliminary discussion with the Board before they pursue any initiative. It was also expressed that Committees ought to be free to use their best judgement and to follow up with an initiative already known by the Board. It was noted that all Committees have a designated staff person available to the Chairs of a Committee. If there is a pressing issue that needs to be resolved in a timely manner, the Executive Committee is able to make a decision in between



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Board meetings. Also, State statute requires the Board to have a discussion via phone call or in person meeting to approve actions. Sections 3.11.

Transactions of Business, and 3.18. Action by Written Consent in the Bylaws was reviewed as well.

7. Standing Committee Reports
 - A. Executive Committee: No Meeting
 - B. Legal Committee – No Meeting/Remote Dealings: *Changes to Building Envelopes, LC Pond Water Rights Agreement, Old Jow Rope Tow*: According to the BSOA’s attorney, this is an issue with Boyne rather than BSOA, who will continue to act as a moderator. They will set up a meeting on-site after the snow melts. A letter was sent to Taylor Middleton, with Chris Myers input; Taylor’s response was that he would look into it. The owner is amenable to a compromise. All parties have access to the same information, *MGCOne Contract, Response to Letter to GalCo/LC Trail, Rainham* – the parties are deposing experts in the case. Mindy Nowakowski no longer lives in Big Skya. The Board discussed which expert to call in. It was suggested that the best person would be Gary Walton, as he is knowledgeable about this issue. Clay Lorinsky will reach out to Gary.
 - C. Nominating Committee: No Meeting
 - D. BSAC – *Meetings: 02/01/24, 02/15/24*: Update Performance Deposit schedule was discussed. The Design Regulations allow for two wood-burning fireplaces per lot, one indoor and one outdoor. The BSAC needs to review the number of wood-burning fireplaces allowed. A change to the regulations regarding the requirement for a Montana licensed architect is needed. The Board gave BSAC the authority to make those changes.
 - E. Ponds Subcommittee – Meeting: *02/12/24 – Updated Design, Proposed Structure, Cost Estimate, Stormwater Drainage Issue*
 - F. Sustainability Committee: No Meeting – *Sponsorships for the Publication of the Best Practices*
 - G. Wellness District – *No Meeting: Validity of Petition Submitted, Next Steps* - The coalition filed a request with the Madison County Clerk and Recorder, as they believe there was more than enough, 67%, in favor of the new district. There will either be litigation, or a new hearing date is scheduled.
 - H. Benefit Big Sky (BBS) – Meeting: *02/01/23 – Website, Fundraising Efforts, Donations*



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Next Board Meeting – March 15

8. Adjourn

George Mueller, Secretary