

**Minutes of the Spring Creek Homeowners Association Board of Directors Meeting
November 23, 2021
Via Zoom Teleconference**

Call to Order: The Meeting was called to Order shortly before 9:00 am

In Attendance: George Kallop, Marc Segal, Leslie Schilling, Stephen Price, Stuart Lang, Derek Goodson, Bill Short

Call to order & Establishment of Quorum: All Directors present.

Approval of Minutes: 10/2/21 Draft Annual Meeting Minutes and 10/13/21 Board Meeting Minutes were approved by Board

1. COMMITTEE AND OPERATING REPORTS:

a. Finance Committee

Marc Segal began by thanking Tim Gardiner for his oversight of the reserve fund investments which are held at Fidelity and are comprised of several ETFs as selected by the Finance Committee.

Mr. Segal summarized the draft of the 2022 budget of \$2,820,000, which was reviewed by the Board with input from the Finance Committee. Mr. Segal noted that most expenses are in line with those of 2021 and that accumulation for Harvest Dance and Spirit Dance reserve projects are increasing at previously disclosed rates of about 10% year over year. Also, another \$70,000 was budgeted in 2022 to catch up for higher than anticipated expenditures in 2021. He also highlighted the high D&O insurance premiums of about \$100,000, resulting from multiple legal actions of various homeowners, and reminded all that the property and liability insurance coverage is included with Spring Creek Management Company's policy with substantially more attractive premiums than otherwise available. Lastly, Mr. Segal spoke briefly about the funding of the Harvest Dance project with borrowings and if successful the same strategy will be used for the upcoming Spirit Dance exterior work.

b. Architectural Review Committee.

Marc Segal inquired about light pollution as more homes have been built on the butte and noted that there are a lot of bright lights on Upper Ridge Road. Tom Taylor responded that the lights are bright and can be impactful especially when viewed from below, but noted that light regulations are for exterior lighting. There are AC guidelines that try to address this by recommending certain kinds of lighting and shading devices, but it is more of a request than something that can be enforced. Mr. Taylor noted that there would be more light-related issues as more homes are built and that the AC will continue to work with owners to mitigate light and

emphasized that regulations prohibiting lights from shining upward have been successful in minimizing the type of light pollution that can be seen in the sky.

c. Improvement and Service District

Stephen Price reported that there was an issue with Well #3 where the pump needed to be removed. The ISD is looking at whether the pump is under warranty. Mr. Price also noted that the ISD is working with Spring Gulch Ranch to fence in all of the wellheads. The ISD commenced work on the side of the road to clear debris, but work will need to be completed in the Spring when the weather improves.

2. OLD AND NEW BUSINESS

a. Conflict of Interest Policy

Mr. Kallop brought forward the matter of a formal policy for Conflict of Interest Standards for Directors. The policy was distributed previously and is more detailed than the standards set forth under Wyoming Law. The policy has been developed by legal counsel. A Motion to approve and adopt the Conflict of Interest Policy was presented and seconded and the Motion passed unanimously. A follow up question was presented inquiring about the details of the policy and it was advised that the full policy would be available to all owners.

b. Assessment Billing and Collection.

Mr. Kallop presented the Assessment Billing and Collection Policy, which is intended to formalize/memorialize the procedures for billing and collection that have been followed in the past for assessment collection and billing. A Motion to approve the Billing and Collection Policy was presented and seconded and passed unanimously.

c. Fire Hydrant Study:

Stephen Price explained that Engineers from Nelson Engineering have been all aspects of the Spring Creek fire hydrants including studying the distance of hydrants from structures. The data has been collected and Nelson Engineering is now finalizing its report, which should be released by year's end. Tom Taylor emphasized that it is important for the Fire Marshall and Teton County to have access to this report to ensure that they have accurate and up-to-date information on Spring Creek's hydrants. Mr. Price advised that the report will be released to Spring Creek Owners and the County, and testing will continue on a regular basis (including testing of covers and flow)

Mr. Kallop noted the end result of the study will show the location of each and every hydrant at Spring Creek, with a circle around each hydrant showing which structures are reached by each hydrant, as well as the flow and pressure of hydrants.

d. Status of Harvest Dance Financing:

Derek Goodson reported that despite some delays with bank, the loan is approved. The one caveat was that the original plan for an 18-month construction period with an 8.5-year term loan has been adjusted to a 12-month construction period with a 9-year term loan. This can likely be adjusted if needed. The only items that remain outstanding are to get a final version of counsel's approval letter, along with modifications to the Borrowing Resolution to allow any two directors to sign

An inquiry was made as to where the construction process sits. Per Mr. Segal, a RFP was released to get bids for the construction work and at least one company has expressed interest in the work. Jackson Brandenburg is working with the construction company.

e. Green Strips/Fire Suppression:

Stephen Price advised that green strip work has been completed. Mr. Price explained that one strip by the Amangani was more narrow than the other strips. A fire suppressant spray that is eco friendly is also being looked at/considered as a fire mitigation measure. Stephen Price and Tom Taylor also advised that the work on the entrance road is complete and is aesthetically pleasing. The work that has been done was done well.

Marc Segal noted that there are many downed trees/significant deadfall on Land Trust lands that are a concern for fire. The Land Trust has been contacted, but needs to be re-contacted. Mr. Kallop noted that removing deadfall can reduce fire risk significantly.

Mr. Kallop raised the issue of the need to notifying affected Amangani Homeowners that the strip adjacent to their homes is not the 30-foot strip recommended in the report from Y2 Consultants. Mr. Kallop detailed that the report provided for a 30-foot wide irrigated Green Strip and that the work completed to date includes a 30-foot strip in all areas except a section south of the Amangani where there was objection to a 30-foot strip and there is a 15-20 foot green strip instead. Mr. Kallop stated that per the Y2 Report, a 15-foot strip is not the same as a 30-foot strip, but the narrower strip's efficacy was improved by irrigation.

Mr. Kallop advised that a draft letter was distributed to Board members which would notify the affected Aman homeowners of the narrower width of the strip near their homes, and allow them to object to the narrower strip if they had concerns. The proposed letter was drafted by Nicole Krieger with clarifications by George Kallop. A discussion ensued regarding whether the letter should be distributed as is (with attachments) or whether the Aman owners should be required to sign an official waiver. Tom Taylor showed a picture of the 15-foot green strip to help the Board understand the visuals. Mr. Kallop emphasized that the focus of the letter is to ensure consistency and disclosure.

Following discussion, the Board agreed to distribute the letter drafted by Nicole Krieger (as edited by GK) along with a packet that includes the Y2 materials (both original and follow up reports and schematics), along with the photo by Tom Taylor showing the existing Green Strip.

f. Open Fires:

The discussion about open fires was started last fall. The question is whether to allow open fires at all, and if allowed what the notification or regulation system should be. Stephen Price noted that there is a fire pit used at the Ranch House that is monitored closely and all county regulations are followed to ensure fire safety.

It was noted that some owners have fire pits on lots (some wood fires and other gas pits). The AC has recommended against any wood fire pit but some old wood burning fire pits exist. It was agreed by the Board that owners would be sent correspondence asking them to advise the Board/Management Company if they have a wood-burning fire pit on their property so that these owners can be notified directly if fire risk is high and open fires are prohibited.

Mr. Kallop asked if there were any further questions or comments, and hearing none the meeting was adjourned.

Meeting Adjourned