

**SUN VALLEY ELKHORN ASSOCIATION
BOARD MEETING MINUTES
July 16, 2009 – 9:00 a.m.
Harker Center**

AGENDA BUSINESS ITEMS

1. Consider Ed Lawson's Memo Re: Elk Feeding
2. Report on Style/Design of New 'Welcome to Elkhorn' Signs
3. Report on Harker Center Upgrades
4. Summer Membership & Sub-Presidents' Meeting Assignments
5. Morningstar Condos/Harker Center Property Line Re-plat
6. Consider Selling Pool and Tennis Memberships to Elkhorn Golf Members
7. Consider Fire Department's Request to Waive Restriction of MD Section 3.13 for Trailers/Trucks, etc.

IN ATTENDANCE

Board Members	Counsel, Staff & Others
Jim Fletcher	Ed Lawson
Cris Thiessen	Marlene Lowry
Patty Rosewater	Darlene Kuehn
Sid Alpert	Jan Kaas
Jack Dalieri	Chuck Williamson
Stephen Smith	Wayne Willich & Nils Ribi (City of Sun Valley) partial
Margaret Walker (arrived @10:20 am)	Owners & others attending for Wood River Elk Trust (partial)
Ted Witt	

ABSENT

Pam Bailey

CALL TO ORDER

Jim Fletcher called this meeting to order at 9:05 a.m.

ESTABLISHMENT OF A QUORUM

A quorum was established with seven Board Members in attendance.

APPROVAL OF MARCH 30, 2009 MINUTES

The minutes of the above meeting were reviewed. **MOTION:** Patty Rosewater made a motion to approve the minutes as presented. Stephen Smith seconded and the motion passed unanimously.

REPORT FROM SUN VALLEY MAYOR & COUNCIL

Wayne Willich, Sun Valley Mayor and Nils Ribi, Council President, were in attendance and reported on:

- 1- City Budget Process. The mayor takes a proposed budget to the city council; upon Council approval the public hearings begin. The budget must be finalized and submitted to the State by early September. The council has passed a first draft which includes an operational budget that remains fairly flat but includes an increase in cost of living and merit raises for personnel of 5%; however, Wayne believes it will be reduced to 3%. The first draft includes one new fire department employee for the position of 'Training Officer'. The proposed City

budget reflects a reduction from \$7.5M to \$6.4M to \$6.1M over the past two year. A Public Hearing on the budget process will be held on July 30th.

- 2- Consolidation. The discussion of fully consolidating the Sun Valley and Ketchum fire department continues to raise concerns about the inequity of costs. The mutual aid agreement currently in place seems to be beneficial to all at this time.
- 3- Denovo Development. Denovo's Independence Creek remediation project has been stopped and rumor is that the land is for sale. Wayne reported that an annexation of this land into the City was unlikely due to the difficulty of fire and police protection.
- 4- Trails. Nils Ribi reported that he is working with Sun Valley Company on trail expansion. Horse trail rides may be expanded to include Trail Creek Cabin and more.
- 5- Elkhorn Street Repairs. Nils reported that street repairs are planned to begin in late July on Arrowleaf, Meadowridge, Silver Queen and Sage. All work should be completed by August 31st.
- 6- Elkhorn Market. Doug Logan, proprietor of the store, has applied for a packaged liquor license and if approved the market should be stocked by mid August.
- 7- Mountain Rides. The 'Red Route' of Mountain Rides now goes directly to downtown Ketchum.

Cris Thiessen presented Wayne and Nils with a letter of appreciation for a job well done by Building Inspector, Eric Adams. Eric's involvement with the recent Harker Center upgrades was very helpful to the Harker Upgrades Committee and staff.

STAFF REPORT

The report was reviewed and discussed. Ed Lawson explained options for collecting delinquent dues on foreclosed properties such as involving a collection agency. The Board supports strong collection action but not wasting time and money to begin foreclosure proceedings on accounts already scheduled for foreclosure sales and asked Darlene to submit the two outstanding accounts to a collection agency.

BUSINESS

1. Consider Ed Lawson's Memo Re: Elk Feeding

One of our June Day owners wrote a letter last winter asking that the Board consider implementing a rule prohibiting the feeding of elk within the Association boundaries by Elkhorn residents. The Board considered the letter at their March 30th meeting and asked Ed Lawson to provide a legal opinion regarding SVEA's enforcement authority. Ed's memo was provided.

Owners and others in attendance for this discussion included: Carol Wade (#204 - 412 Morningstar Rd.), Spooky Taft (#246 - 602 Morningstar Rd), Christine Willich (#229 - 104 Parker Gulch), Marcee & Joel Graff (#667 - 107 Paintbrush), Ed Thomas (#241 - 107 Defiance), Tina Carnes (#1097 - 313 Juniper) and retired Fish & Game Conservation Officer, Lee Frost. The majority of these people are members of the Wood River Elk Trust (WRET).

The WRET is seeking Board approval to allow the organization to feed the elk on a high ridge owned by SVEA. They would construct an enclosure to store the hay and would feed as required to keep the elk high up and away from the residences---such as Ed Dumke did successfully for approximately 30 years prior to gifting his land to the Community School. It was explained that when the former feeding program was altered and then stopped all together the elk were forced down into the Elkhorn neighborhoods to find food to survive. Not only has this situation created damaged landscaping but predators have followed the elk into close proximity of homes, people and pets, creating further problems.

The WRET does not believe that Idaho Fish & Game's advice to 'not feed and the elk will disburse' is correct; the abundant trees and shrubs of Elkhorn homes have now become their winter range.

Lengthy discussion ensued including the need to abate the potential nuisance associated with not feeding the elk. **MOTION:** Stephen Smith moved to approve a one year trial feeding program as a means to help protect owners and their property subject to:

- a. Review of the WRET's Actual Operational Feeding Plan.
- b. Legal Counsel's review of the SVEA governing documents to ensure the Board has the authority to lease land to the WRET.
- c. Input from Fish & Game
- d. Notify owners closest to the feeding site of the proposal.

Patty Rosewater seconded and the motion passed unanimously.

Due to the timing of the next Board meeting, Jim Fletcher was authorized to enter into an agreement with the WRET if the above points seem acceptable.

2. Report on Style/Design of New 'Welcome to Elkhorn' Signs

This topic was discussed at the March 30th meeting when several photos of signs were provided for the Board's feedback. Patty Rosewater and Pam Bailey agreed to serve on a sign committee to suggest a brand, logo, wording, font type and size for new signs. The ADC then reviewed the committee's ideas and provided direction. Discussion of the sign committee's work and ADC feedback was held and Marlene was directed to take this information, pursue a design and obtain bids for the work. It will then be considered a part of next years budget.

3. Report on Harker Center Upgrades

Cris Thiessen reported on the completion of the project---on time and on budget! The Board complimented Cris, Larry Warner and staff for a job very well done.

Discussion was held regarding the extra work that was required to meet current ADA and safety codes as well as the additional projects such as extending the roof and repairing roof leaks, improving the pool changing/restrooms, and some coordination of the lounge improvements. Larry Warner performed this work for SVEA separate from his contract for the upgrades. **MOTION:** Jack Dalieri moved to pay Larry a 6% fee for the above work. Ted seconded and the motion passed unanimously. Larry will be asked to sign a release prepared by Ed Lawson for this work.

4. Summer Membership and Sub-Presidents' Meeting Assignments and Likely Issues of Concern

Agendas were finalized and presentation assignments were arranged. Four sub-association presidents have responded that they plan to attend the Sub-Presidents' meeting and 285 owners have informed us they will attend the owners meeting and barbecue.

5. Morningstar Condos/Harker Center Property Line Re-plat

No action was necessary.

6. Consider Selling Pool and Tennis Memberships to Elkhorn Golf Club Members

Don Shirey, EGC General Manager, has requested that in exchange for the x-c ski tracks that are available to SVEA members, the Board consider allowing the EGC members, who are not Elkhorn property owners, access to the pools and tennis courts. Of the current 224 members of the club, 74 are Elkhorn owners

Sid Alpert explained that Don Shirey believes that inclusion of SVEA Pool and Tennis Court privileges along with CG-Elkhorn's golf would make golf memberships more attractive for new and younger members.

Section 7.01 B of the Master Declaration allows for the association to charge reasonable admission and other fees for the use of any recreational facility situated upon Association Property. Consensus of the Board was to negotiate and they directed Cris Thiessen and Sid Alpert to meet with Don Shirey and Dave Hennessy.

Motion: Cris Thiessen made a motion to offer pool and tennis privileges to Elkhorn Golf Club members in good standing for \$630/yr. or the equivalent of the annual dues payment assessed to each SVEA owner subject to:

- a) The continuation of the X-C skiing program on the golf course
- b) Working out an acceptable and binding agreement regarding land at the Village Tennis courts and utilities for a future new tennis building.
- c) Liberalize golfing privileges
- d) Agreement would be on a year to year basis
- e) Review and approval by legal counsel

Patty Rosewater seconded and the motion passed unanimously.

7. Consider Fire Department's Request to Waive Restriction of MD Section 3.13

Restriction compliance inspections have revealed that the Elkhorn Fire Station is in violation of Section 3.13 - Unsightly Articles, for the trailers and miscellaneous equipment parked and stored in their parking lot/drive. Chief Jeff Carnes has written a letter requesting that the Board set aside the requirements of the Master Declaration in this situation.

The Board discussed the matter and agreed they would like to be flexible under the circumstances.

MOTION: Patty Rosewater moved to allow the Fire Department to store the emergency equipment outlined in Jeff's letter dated July 3, 2009 for a period not to exceed 36 months. However, all equipment is required to be parked tightly and neatly on one side of the lot and landscaping installed to better screen from the view of adjoining properties. Ted Witt seconded and the motion passed unanimously.

COMMITTEE REPORTS

Architectural Design Liaison Committee- Ted Witt reported that the Committee is reviewing a few projects with two new residences on the calendar and several remodels. He went on to say that Crown Ranch Phase V property is for sale and the construction staging area and other materials and cars on the Sunshine parcel have been removed.

Communications Committee- Ted Witt reported that a list of topics for the next newsletter has been prepared and the publication is scheduled to be sent August 1st. Details from this board meeting and the membership meeting will need to be included along with a focus on noxious weeds and trails.

Executive Committee- No meetings have taken place; there was nothing to report.

Finance & Audit Committee- Patty Rosewater reported that we will likely finish the year approximately \$100k over budget. Code updates account for half the overage. The contingency account will be used and cuts on unexpended items are being targeted for savings.

Harker Center Improvement Committee- Discussion on this topic was held under business item #3.

Insurance Committee- There was nothing to report.

Nominating Committee- Marlene Lowry reported that the Committee has scheduled two meetings: September 1st to review the process and plan the interview questions, and September 3rd for the actual interviews. Three owners have submitted their applications.

Pool Committee- Sid Alpert reported that the committee had recently met and will be prioritizing their wish list for the budget process. They are considering extending the hours but will be reviewing the usage numbers before deciding.

Tennis Committee- Jim Fletcher reported that two owners have individually expressed concerns about actions of the Tennis Committee. Also, a communication signed by over 100 tennis playing people concerned about the over-involvement of the Tennis Committee in the day-to-day operations of the tennis program was delivered to the office recently. The Board discussed the importance of the various SVEA committees representing all owners, not just those who partake of a certain amenity. The Board endorses the Tennis Committee's work over the past two years implementing a revenue sharing program, beneficial to both SVEA and our tennis professional, and developing a guest fee system. Based on our latest survey the majority of the owners support these changes. Chuck Williamson will draft a response letter to be signed by Jim Fletcher and sent to those owners signing the petition.

Jack Dalieri reported that this year, with Bill Van Deirse's involvement, new programs have been introduced and current programs restructured to better serve our tennis playing owners.

Golf Ad hoc- Discussion was held under Business Item #6.

OTHER BUSINESS

There was no other business to discuss.

ADJOURNMENT

With no further business, the meeting adjourned at 2:30 p.m.

Respectfully submitted,

Pam Bailey, Secretary

SUMMARY OF MOTIONS & DECISIONS

Motion or Decision	Page #
Minutes of 3-30-09 were approved as presented	1
Send delinquent accounts, already in foreclosure sales via mortgage companies, to collection agency	2
Approved a 1-yr trial elk feeding program with condition; authorized Jim to enter into agreement	2
Move forward with the design and bids for the new entrance signs	3
Decided to pay Larry Warner a 6% fee for extra work performed outside of the contract	3
Offer pool and tennis privileges to EGC with conditions	4
Allow the fire department to store emergency equipment (unsightly per MD 3.13) for up to 36 months with landscape screening	4
Inform owners signing tennis petition that Board supports committee	5

ACTION ITEMS

Who	Does What	By When
Darlene	Send two delinquent accounts to collection agency	8-1-09
Chuck, Ed, Marlene	Follow up with conditions for elk feeding	8-10-09
Marlene	Pursue a design and obtain bids for new entry signs	9-15-09
Ed	Prepare a release for Larry's signature for payment on the extra work	8-1-09
Cris, Sid	Meet with Don Shirey re: EGC memberships	8-1-09
Jan	Write to Jeff Carnes informing him of decision on parking emergency equipment in violation of MD 3.13; assist to get landscape screening this year.	8-1-09
Marlene	Include details from meetings and noxious weeds in newsletter	7-23-09
Chuck	Draft letter to tennis petition signers for Jim's signature	8-1-09

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