

**SUN VALLEY ELKHORN ASSOCIATION
BOARD MEETING MINUTES
Tuesday, July 19, 2011 – 12:00 Noon
Harker Center**

AGENDA BUSINESS ITEMS

1. Discuss By-law Language Re: Board Terms
2. Report on Amenity Master Plan (John Gaeddert to attend)
3. Ed Lawson's Report on Disbrow Lawsuit (Executive Session)
4. Ratify Amendment to Collection Policy Re: Bank Foreclosures
5. Status of Application to Amend City's Comprehensive Plan Re: Prospector Hill Land
6. Discuss Presentations for Sub-Association Presidents' and Summer Membership Meetings

IN ATTENDANCE

Board Members	Staff, Counsel & Others
Jim Fletcher	Marlene Lowry
Pam Bailey (joined @ 12:30 pm via phone)	Darlene Kuehn
Patty Rosewater	Jan Kaas
Sid Alpert	Chuck Williamson
Pete Petersen	Ed Lawson
David Taylor	John Gaeddert (Business Item #2)
Cris Thiessen	
Margaret Walker	

CALL TO ORDER

Jim Fletcher called this board meeting to order at 11:55 a.m.

ESTABLISHMENT OF A QUORUM

A quorum was established with seven board members in attendance. Pam Bailey joined the meeting following the Sun Valley Mayor & Council report, or at 12:30 p.m.

APPROVAL OF MARCH 28, & MAY 4, 2011 MINUTES

The minutes of the March 28th and May 4th, 2011 meetings were reviewed.

MOTION: Margaret Walker moved to approve the minutes as presented. Patty Rosewater seconded and the motion passed unanimously.

REPORT FROM SUN VALLEY MAYOR & COUNCIL

Mayor Wayne Willich and Councilman Nils Ribi were in attendance for this portion of the meeting. They reported on the following topics:

- 1) Budgets/Capital Improvement Planning (CIP) - The operating budget will be finalized in early August. The City is in good financial shape with adequate reserves. The CIP work-to-date is posted on the City's website. The main focus is for infrastructure improvements such as roads and streets.

- 2) Elk - Wayne reported that he had recently met with representatives from several government agencies to review possible programs that could perhaps help to relocate the majority of the elk out of the City. He may be holding additional meetings and a public hearing when appropriate. If agencies/organizations other than IDFG are involved, any plan for the 2011/12 winter would need to be in place by September of this year.
- 3) When asked about the recent Mountain Express article regarding a map of area trails and whether or not the 2011/12 City budget covers any Sun Valley trails work, Wayne informed the board the CIP includes trail-head work in general, though nothing specific at this time. However, the operating/capital budgets do direct funds to the paved path system.
- 4) Emergency 911 Dispatch – the City may be participating in mediation to resolve the amount of fees paid for dispatch services.
- 5) The recent National Mountain Bike races brought a larger than expected influx of people into the community with 1135 participants. Local businesses are reporting good activity for July and the LOT should reflect those reports.

OWNERS ADDRESSING THE BOARD

There were no owners present to address the board.

BUSINESS

1. Discuss By-law Language Re: Board Terms

Ed Lawson provided an explanation of board terms as delineated in the Amended and Restated SVEA Bylaws which were approved by the membership on December 30, 2008.

2. Report on Amenity Master Plan (John Gaeddert to attend)

John Gaeddert was in attendance to provide a report on his planning work. He has reviewed trends across the country and that research seems to mirror SVEA's recent survey results, i.e., the focus of many other mountain communities is on bike paths, hiking trails, ADA trails and dog parks. Along with the other components of John's planning he will continue gathering stats on the tennis use to determine the number of courts needed at the Village to accommodate play. Discussion was held regarding the timeline and methods for collecting additional input from the membership prior to the final report and presentation at the January 6, 2012 Annual Meeting. John will continue working with the Amenity Master Planning task force and report further at the September 23, 2011 meeting.

3. Ed Lawson's Report on Disbrow Lawsuit (Executive Session)

Ed Lawson reported that the litigation brought by Association members against the Association regarding the proposed trail improvements was at issue and that discovery was underway. He explained that the plaintiffs' motion to refer the matter to mediation had been denied and that he intended to file on behalf of the Association a motion for summary judgment seeking to dispose of the case without a trial on the basis that there is no justiciable controversy because no decision has been made by the Association regarding the location or timing of improvements to the trails in the Keystone/Parker Gulch area.

4. Ratify Amendment to Collection Policy Re: Bank Foreclosures

During the March 28th board meeting discussion was held regarding the potential loss of dues revenue through bank foreclosures if the normal, 90-day period for a delinquency prior to filing a lien is followed. It was concluded the current collection policy would be amended to allow the recording of a lien against a bank at the time they take ownership of an Elkhorn property.

MOTION: Patty Rosewater made a motion to ratify the amendment to the SVEA collection policy and approve the language to be added as paragraph #4 as follows:

Notwithstanding the contrary provisions of paragraphs 1, 2 and 3, above, in the event of the commencement of a proceeding to foreclose a lien which would be superior to any lien filed against the property by the Association, the Association may immediately file a lien against the property and initiate foreclosure or other proceedings of its own.

Cris Thiessen seconded and the motion passed unanimously.

5. Status of Application to Amend City's Comprehensive Plan Re: Prospector Hill Land

This topic was discussed at length during the May 4, 2011 board meeting where, in an effort to protect potential future value of this SVEA land for the benefit of the membership, the decision was made to submit an application to amend the 2005 Sun Valley Comprehensive Plan's Future Land Use Map to reclassify a portion of the land to low-density residential. Action is being taken at this time to coincide with the Sun Valley Company's application for similar changes to their land which is adjacent to the subject SVEA property, and to possibly avoid access issues in the future. It was noted that this action does not suggest development, but merely changes the comprehensive plan. A rezone would be necessary for any future development consideration and a favorable vote of the membership would be required in order to transfer or otherwise encumber this land.

Following the May resolution, Benchmark Associates was hired to prepare a feasibility study on the subject land. Their work resulted in an application being submitted to the city for a reclassification of both recreational and open space land approximating 18 acres. The first of several public hearings is scheduled for July 28th. During lengthy discussion, even though the City will be providing proper notice, the board agreed it was important to inform adjacent Elkhorn neighbors of the pending application. Staff was directed to do so.

6. Discuss Presentations for Sub-Association Presidents' and Summer Membership Meetings

Agendas for the two meetings were finalized and various Board members appointed to present information and take questions.

STAFF REPORT

The report was reviewed and accepted.

COMMITTEE REPORTS

Architectural Design Liaison Committee- The ADC activity was addressed under Staff Report.

Audit Committee- An engagement letter has been signed and Dennis Brown will prepare the 2011 audit for presentation to the board and membership at the January meetings.

Capital Improvements Committee- The capital component schedule is being updated in conjunction with the 2011/12 budget preparations and will be reviewed by the Capital Improvements and Finance Committees prior to the September board meeting.

Communications Committee- There was nothing to report.

Executive Committee- There was nothing to report.

Finance Committee- Patty Rosewater reported we are on plan, and budgeting work for the 2011/12 year has begun.

Golf Committee- Cris Thiessen reported on the meeting he and Pete Petersen held with Tim Silva and Rick Hickman. Improvements to the course are evident and all previously established SVEA tee-times, discounts, etc. continue to apply.

Insurance Committee- There was nothing to report.

Nominating Committee- Pam Bailey reported that a meeting will be held in late August or early September to visit with applicants.

Recreation Committee- Recreation Committee activity was addressed under Staff Report and Business Item #2.

Sub Associations Committee- SVEA representatives continue to attend sub-annual meetings to report on current SVEA issues and respond to questions and comments from the sub-association members. With five meetings attended so far this summer, there are six more scheduled between now and early September.

OTHER BUSINESS

Country Store Building for Sale- Dave Hennessy has informed SVEA that the country store building is for sale. Dave would like SVEA to have the opportunity to purchase the property if there is interest and suggested the sale price would be \$600K. Following lengthy discussion the board determined that the location of the structure makes it less than ideal for a tennis check-in area/pro shop. Though many owners and guests inquire about the availability of a workout area, there was little interest four years ago in spending \$200K to add a health/workout facility during the Harker Center Upgrades. Therefore, the board believes the asking price of the country store building would make a favorable vote from the membership unlikely. It was decided no action would be taken.

EXECUTIVE SESSION

An executive session which included the General Manager was held to discuss staffing requirements.

ADJOURNMENT

MOTION: A motion was duly made and seconded to adjourn the meeting at 4:10 p.m.

Respectfully submitted,

Sidney Alpert, SVEA Secretary

SUMMARY OF MOTIONS & DECISIONS

Motion or Decision	Page #
Minutes of March 28 & May 4, 2011 were approved as presented	1
Ratification of the amendment to the SVEA collection policy re: bank foreclosures	3
Staff was directed to provide notice to the adjacent Elkhorn neighbors re: Prospector Hill	3
No action will be taken to purchase the Country Store building	4

ACTION ITEMS

Who	Does What	By When
Marlene/Darlene	Finalize approved minutes and post on web	7-30-11
Amenity Master Planning Task Force	Continue planning process and prepare report for September board meeting	9-23-11
Marlene/Darlene	Finalize amended collection policy and post on web	ASAP
Marlene	Notice Elkhorn neighbors re: Comp Plan Amendment Application	7-25-11
Marlene	Inform Hennessy of decision re: Country Store purchase	ASAP

/ml

7-19-11 BOD minutes –Approved 9-23-11