

Lazy TH Board Meeting Minutes

3.26.2020

Call to order: 6:34pm

In attendance: Cory Colliver, Nick Hether, Dana Lozano, Dana Cardwell, Brice Pufahl, and Kathi Thorson (LP). Meeting was by conference call.

Financials: Dana Lozano reviewed the financials. Current balance in checking/savings from March 25, 2020 is \$32,238.95. Total income for fiscal year thru March is \$13507.50. Total expense \$11,943.32 leaving a net income of \$1,569.25.

Pond: The goal for the pond maintenance was to have the bulk of the heavy work hired out last season and then get volunteers from the HOA to help with the maintenance this season. No one from the HOA stepped up to volunteer so another bid was solicited from the Pond Dr.

Google Calendar: Corey was wondering if the Board would be interested in replying to google calendar invites as a way to keep meetings organized. Bryce was ok with this option. Corey will send out invites for future meetings and events.

Road Markers: Corey wondered if the Board wanted to install a more permanent roadside markers to help see the sides of the roads during heavy drifting. Board was in support of this and felt the current number of temporary posts would suffice. Corey will price out some posts and get some help to install them. He will also reach out to Morrison Maierle and see if the RID would cover something like this.

The Montana State Annual Report was filed by Legacy.

Entrance Signs: This project has been on the back burner. Corey wanted a Board member to take control of the project and get some movement on it. Bryce volunteered to head that and will reach out to Kezia. Currently there are 2 proposals in place. One from Split Mountain Metals and one from Big Sky Metal Art. Nick will send Bryce the past Boards sign criteria.

Dates to remember: a 45- and 15-day notice will need to be sent out for the Annual Meeting. Currently the date is set for June 11. This is tentative because of the current situation and could be changed if it is still advised to not have any social gatherings.

Siphon Drain: A siphon drain still needs to be fixed at the north end of the subdivision. Legacy will get this scheduled and have them meet Corey onsite to make sure it is addressed correctly.

Trails: Corey has an email out to Susan Swimley regarding what the HOA can exactly do in the open space. He is still waiting for a response.

Violations: A number of trailers are still sitting out in front of the plane of the house. Lot 16 and lot 19 will need to remind early regarding their noxious weeds. Current Board would like 1st letter sent normal mail, 2nd letter sent certified, and 3rd letter to include a fine for any violation.

Irrigation Ditch: Corey had spoken to the ditch rider regarding what the HOA can and cannot do. Attached was info he gathered:

Irrigation Ditch Info

I am taking this opportunity to address the issue of what to do with the irrigation ditch from a homeowner and an HOA perspective.

I contacted Ray Vail the current ditch rider for the Middle Creek Ditch Company and below is what I learned.

Met with Ray Vail (ditch rider) and Kevin Haggerty (on the board) from the Middle Creek Ditch Company. I wrote out the following points as we talked while looking at the ditch on Legend Court.

- 1) The Ditch Rider's jurisdiction ends at the head gate to the ditch.*
- 2) The Ditch Company Shareholders (the people with water rights) are then responsible for getting water to their allotments or pumps.
The Shareholders have the right to hire a crew to clean out the ditch and the culverts, or do it themselves with whatever means they deem necessary and correct.
When the ditch is cleaned, the easement gives them the right to place the debris typically within 10 feet of the center of the ditch on either side. Some subdivision easements are different so you will want to check with the subdivision plat and filing with the county.
Cleaning a ditch may consist of removing dirt and debris from the channel, rebuilding a channel bank, cutting down trees, applying herbicides to the tree stumps and potentially around the recently cleaned area.
Trees and tree suckers growing up in the middle of the channel are a big problem as they catch grass and other debris causing the ditch to overflow. The typical response of a ditch cleaning crew will be to remove all trees they feel affect the ditch. Meaning all trees.*
- 3) The water in the Ditch is the property of Shareholders. Therefore, don't install a pump or siphon to pull water out of the ditch. Horses, cattle, or other livestock are not allowed to use the water in the ditch unless the owner of said livestock is a Shareholder so don't create a fence access for them.*
- 4) Culverts are a headache to clean out. And the longer the culvert, the bigger the headache. Lazy TH has several culverts, two of which are relatively long compared with a standard property access road culvert. One goes under the Legend Court cul de sac. The other goes under Sir Arthur at an angle to meet the boundary of Lots 35 and 36.*
- 5) Paths leading up to the ditch are a headache when the subdivision creating the path puts in permanent structures, generally without consulting with the Ditch Company. Proper planning and construction would require a written agreement between the Ditch Company and the subdivision to cover specific guidelines to allow for ditch maintenance.*
- 6) Shareholders, at their own discretion, may install grates on culverts but generally don't do so because it then becomes something else to clear and maintain.*
- 7) Requests to reduce flow by non-Shareholders are ignored. It is not the Ditch Rider nor the Ditch Company's job to keep homeowners happy as they are here to keep the water in the ditch running.*
- 8) Anything we can do as homeowners to keep the ditch clean and clear will be welcomed by all parties concerned with the Ditch. So long as the actual ditch isn't altered to change it into something beyond its intended purpose, such as making a little pond or other pooling area.*
- 9) Water flow in the ditch is slated to start in the time period of 1 May to 15 May.*

3 owners along the ditch were interested in meeting in person to go over the information. Andy Rowe, Al Banwart, and Kristen Daniels.

Dana C asked if some kind of liner or culvert could be installed near her home that would help prevent her crawlspace from flooding.

Culverts: Some of the culverts were cleaned 2 years ago. The culverts that deal with the irrigation have not been cleaned. Board would like culverts assessed this spring.

Meeting Adjourned: 7:31pm