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**Masthope Mountain Community
Board of Directors Meeting
June 22, 2019**

Transcriber: Kelli Myers
Property Owners Lounge

8:37 AM Meeting called to order and Pledge of Allegiance said.

Roll Call: Present –Bruno De Vinck, Dan Clark, Ed McClary, Foster McCoy, Peter Torchio, Rich Neidkowski, Jim Fox, Eugene Principe, Gerhard Buhler and Anthony Falcone.

Teleconference: Michele Torre

Bruno asked for approval of the agenda. Bruno adds the renewal of the community management contract under New Business and there will be a presentation from LHTC Broadband. LHTC Broadband will first give their presentation before we conduct the rest of the meeting.
The Agenda was approved unanimously.

Eric Smith gave a brief presentation outlining the features that LHTC Broadband has to offer from telephone service, high speed internet and television.

Bruno asked for the Approval of the Minutes from the May 18th, 2019 Board of Directors Meeting.

The Minutes were not approved. Dan takes exception to the proposed minutes. He feels that a discussion was omitted from property owners time regarding Maria Porter's question about the management contract. Both Dan and Maria feel that a discussion about the renewal of the contract was omitted. The contract was expired and this meeting they are looking to renew it. Ed answered that this will be looked into and the minutes will be amended accordingly.

Treasurer's Report- for period ending May 31st, 2019. Gerhard Buhler-see attached.

Anthony asks about the large jump in outstanding dues received. There will be a significant decrease as months go on. Gerhard explains that May is the first month of the fiscal year.

Treasurer's Report was approved unanimously.

Correspondence Report-Ed McClary stated that he received an email from one member who is requesting sand to be put in the lake to make it more like a beach. Other than that it has been quiet on the mountain.

Bruno called for Committee Reports

- a. Ski & ATV-Sheldon there is a lot of water in the snow-making pond. Randy explained that ski staff have attend some state seminars. They attend a mandatory seminar at Blue Mountain. They run classes on maintenance and safety. Staff have been to another seminar in Massachusetts. They do a lot of training in the off season. Ron Schmalzle adds that Lori is now the president of the Pennsylvania Ski Area Association and Chair of the Ski Area Committee. She recently attended a seminar in San Diego. Ron continued that your ski area is well represented. Sheldon added that there are two ATV classes scheduled: July 14th and 28th. The 14th is filled. They have cleaned up the training area. They designed a technical trail for the class. It is approximately half a mile long. Bruno added that is great that we have this on site in the community.
- b. Audit-Maria Porter-No report.
- c. Strategic Plan-Rose Perrotti-The committee is buttoning up a couple items on the survey before it goes to the board for approval and then to the community.
- d. ECC-Peter Torchio-He did not receive an email from Ron this month. He is sure things are picking up in the community.
- e. Westcolang Lake Association- Gerhard Buhler-The next meeting is July 28th. He encourages everyone to attend. It is at 10am at the Fawn Lake Clubhouse. This is the only forum that addresses the lake issues. Dan adds that the officer positions rotate on a fixed schedule and after that meeting Gerhard will become president of WLA. Someone asked if they could recommend that the meeting be held here. Gerhard answered yes he could look into that. Dan explains that the meetings are poorly attended. Gerhard added that the Westcolang Village members are the majority in attendance.
- f. Document-Gerhard stated that there are a lot of items that will be addressed in New Business.
- g. Fire Prevention-Jim Fox-Things are wet. Smokey needs some TLC. Decals are wearing away. Jim lost his connection when Bill Dehling retired. Randy will look into cleaning up Smokey.
- h. Beautification-Leatrice Langer-There are some new plantings at the entrance of Masthope. There is new landscaping at the marketplace. She feels that the community looks lovely at this time. She compliments Tom Thompson on what a great job he is doing for the community. She encourages members to say something if they see something that needs attention. Bruno agrees that the community looks great. Randy was a little concerned when he saw maintenance cutting the grass at 6am. We will try not to do that again.
- i. Ski RFI/RFP-Ed McClary-The board voted to put a new scanning system in place next budget year that would provide us with accurate numbers regarding ski. The committee cannot move forward without accurate numbers differentiating ski usage from owners and non-owners. Ed explains that the committee should go on hiatus until data is available. Bruno agrees with Ed. Anthony asks what does that mean for the community. Ed reiterates that the committee will break until the new scanning system is in place then the system will have to be in place for a year at least, in order to generate data.
- j. Pass Policy Review-Gerhard Buhler-The committee discussed feedback from townhall. They are happy the board approved moving forward with new updated technology. The committee is waiting to see what the decision is from the Supreme Court regarding short-term rentals. They recommend that the board review the entire rental policy. The committee encourages the board to move forward with ending grandfathering and have equal treatment of all property owners. There are items that will need to be reviewed by counsel. Ed explained

that they will be bundling items that need to be reviewed by Alan Young. A lot of these items are connected.

k. Amenities-Anthony Falcone-Nothing to report.

President's Report-Ed McClary-Things are going well on the mountain. He acknowledges that this is Dan Clark's and Michele Torre's last board meeting. Dan was on the board for 9 years. He served as Treasurer, President and Chair while he served on the board. Ed explained that they have witnessed a lot of changes over the years. He was instrumental in bringing many positive changes to the community. Ed stated that it was an honor to have served with Dan and that he will be missed. Michele Torre served for 6 years. She was the Secretary for almost the entire time she served. She was a breath of fresh air to the board. She too will be missed. Bruno adds that he appreciates their time and effort that they brought to the community. Michele says thank you and that it has been an honor to serve on the board. She loves Masthope and says that this has been the best 10 years of her life at Masthope. She never had a personal agenda being on the board, she just loves this community. She will be back to visit. It was her pleasure to serve on the board.

Ed stated that Maria Porter addressed the Management Contract. We looked into this after the May meeting and the contract did expire in April but we continued to pay as if it had not. We will renew the contract for one year with all of the same terms. We will be putting together a master calendar that will be kept in the office with reminders of items that need to be done at certain times. This will prevent oversights like this from occurring in the future. Gerhard stated that the calendar should be electronic. Randy stated that Lori recommends using a Google Calendar.

Managers Report-Randy Schmalzle-See attached. Randy explained how a property owner/candidate for the election in July, received only one sheet of the bios on the candidates. There were two pages. The copier prints and collates certain pieces of the mailing. It appears to be an isolated incident however there is no way to know for sure. We put together another mailing. This mailing contains the bios, a letter explaining what happened and why we are sending this out, and another proxy. The proxy with the later date received by Bill Owens will be the one counted. Ed reinforced that it did seem to be an isolated incident but in all fairness we decided to do the second mailing. Peter asked Randy about motorcycle/dirt bike that he saw in the community with a Masthope plate. He asked public safety about it. Randy answered that he is not aware of it. Motorcycles need to be registered with the state. Peter stated that it only has a Masthope plate on it. Public Safety said that it was ok as long as it has a Masthope plate. Randy answered that is not correct and he will look into this. Bruno asked if we have any dates on the road repairs on Masthope Plank Road. He asked if the roadway will be closed. Randy stated that it will not be closed but there will be delays. Ron Schmalzle added that he was at a road task force meeting, they are completing 590 to the underpass. They are grinding down the roadway at the underpass to make more room for passing. The next phase has been put out to bid. He does not think that it will be done before winter. Gerhard gives a shout out to the Summit's website. He feels it is an awesome website. He asked if it was done outside of house. Randy answered yes it was.

Old Business:

Green Houses-Peter Torchio explained how the committee was unable to meet this month. They will have something for next month.

New Business:

Gerhard Buhler explains how the Document Review Committee is proposing changes to the bylaws. Several changes are ready for the Board to vote on. As had been discussed by the Board previously. He would like to change the name of the Budget Committee to the Finance Committee. This committee would not only be involved with creating the budget but also assist with financial items for the community. The Document Committee also created the proposed changes to the Bylaws. There is a comparison of what is in the current bylaws as to what the proposed language would be. The motion today is for bylaw changes to go to the membership for a vote. See attached.

Bruno added a point of information, he explained how he sends out the agenda 2 weeks prior to the board meeting. This allows the board members to add items to the agenda. The agenda doesn't get approved until the day of the meeting and generally there are a couple of items added. He continued that we put out very detailed minutes of the meetings. The last set of minutes were 10 pages. The board gets to review the minutes before the next meeting. Once minutes are approved, they go onto Masthope website. He compliments the office and the work they do.

Gerhard Buhler explains that the board received a copy of the proposed revised covenants. The Document Review Committee would like to put it before the membership to start the voting process. The committee is asking the board for a motion so this process can begin. Gerhard reads the suggested motion.

Environmental Control Appeal Process: The Document Review Committee suggests that a new committee be formed to hear variances. This committee would not hear infractions (i.e. when a ticket has been issued) but variances. ECC should not hear variances since they already said no to the property owner's request. Anthony asked if it could be stipulated that no one from ECC could be on the committee. Gerhard answered yes this is already part of the proposal language. They would also stipulate no board members on the proposed new committee. Gerhard explained that the DRC asked if the Appeals Committee would be willing to hear ECC variances and they answered no due to their workload. Dan explains that a minimum of 3 members of the Appeals Committee vote on one appeal. There could be a conflict of interest with certain members on the Appeals Committee. In that case, the member would then recuse himself from voting. Gerhard reads the proposed motion. Randy added that the board has the discretion to hear an appeal or not when a member requests an appeal before the board.

Bruno moved onto the Masthope Trademark. Ed explains that this came out of discussion with Recreation Management on the ski agreement. Recreation Management owns the license to Ski Big Bear web domain, Ski Big Bear products, and the like. When talking to Ron, when Recreation Management no longer manages the mountain those rights should go to the community. Ron started to research how we can do that. Ed looks to the board for feedback on the best way to trademark the Ski Big Bear name and have the exclusive license on the name. Ron assures him that they would have no interest in taking the name with them. Ron

explained that Recreation Management does own all the dbas and would give them back to the community. Gerhard added that he wanted this on the agenda with a broader context because items like this have been brought up in the past. Mike Seyfried had suggested to commercialize our assets at a prior meeting. Masthope should advertise the restaurant, that could help improve the economics of the community. The registered trademarks go beyond Ski Big Bear. Our logos are part of our assets.

New draft of the ski contract-Ed explains that the contract expired last year. Foster, Gerhard and Ed worked with Ron on a one-year contract. Another one-year bridge contract is needed and put in place. There has been feedback that members don't want the board to continue to sign one-year contracts for ski. RMC does not want to continue with one-year contracts either. Ed continued that one-year contracts are band aids at best. One-year contracts will prevent anyone from investing in the mountain. Foster, Gerhard, Ed and Recreation Management have been negotiating a multi-year contract. It has gone to legal counsel for feedback. He is asking the Board to review the proposed contract. It is a straight lease contract not a management contract. There is a cost escalator based on CPI. The membership will need to vote on this. We need to move forward with this. There is a board election coming up in a couple of weeks. There could be 5 new board members. This board as it sits has been dealing with these issues for the last year and a half. In a sense of continuity and bringing stability back to the ski operation, Ed is asking that this board votes on sending the contract to the community for review which will give them 4 board meetings to discuss any questions that any may have. He continued that anyone can email Ed at boardpresident@masthope.org with questions regarding the contract. There will be a townhall in late October to answer what ever questions are left. At the November GMM, the members will be asked to vote on the contract. If it gets rejected, the community would be looking at signing another one-year contract and that is not a way to run this business. This contract that is up for vote is a four year contract and possibly up to 12 years if an RFP is not in place. Most agree that Recreation Management does a great job running the ski operation. This contract will not change any terms for membership or cost them anymore. Bruno adds that it is a very sophisticated operation to run. Foster will read the proposed motion. Anthony asked if he and board members could ask questions. Ed responded that yes, after Foster reads the motion. Dan stated that he thought that Ron and Randy would want to retire by 12 years. Dan wanted it clarified that it is the board's discretion at the end of four years to continue for another 4 years and then possibly another four years. If there is an amendment to the contract, then the contract would have to be voted on again. If both parties agree to continue for another four years that would not have to be voted on by the membership. If we put out an RFP during any of those periods, Ed interrupted that an amendment would be made to the contract and the membership would vote on it. Ed explained that then the RFP would need to be voted on. Dan and Ed explained that Recreation Management has the right of first refusal of the RFP. Anthony asked that if there is any amendment to the contract it would have to go to the membership for a vote. Ed answered yes. Ed explained that they had to get approval to end the other contract. Discussion ensued. Anthony asked why wasn't the Ski RFP/RFI Committee apart of this proposed contract negotiation. Why not use some of their expertise? Foster explained that the RFP committee has nothing to do with the ski contract. Ed brought them some of the ideas that they were working on with the contract. The RFP committee came up with one proposal that ski had no interest in. There were too many provisions that would penalize the ski operation. There was a misconception that the RFP committee was to do the ski agreement. Timing was an issue. Ed answered questions from Carol. She didn't realize the time constraints. Ed continued that he should have kept both committees separate. Gerhard explained that the committee was incorrectly named for a few months on the agendas. It was listed as Ski Contract/RFP Committee, it is SKI RFP/RFI Committee. It was never intended for the committee to be apart

of contract negotiations. Ed continued that since there is no RFP and won't have one for at least 2 years, a contract needs to be put in place. We can't keep doing yearly contracts. Its not fair to us or Recreation Management. We both need certainty. Anthony stated that he is not knowledgeable of the contents of the contract. Ed stated that the vote is to send the contract out to the membership to vote on it. Anthony stated that the board is to act in the best interest of the membership. Ed responded that sending the contract to the membership is in the best interest because it is giving them an opportunity to read the contract and vote on it. Ed explains that there is plenty of time to ask questions about the contract. Peter feels this is similar to the pass issue. Ed explains that all questions will be addressed by the Ski Committee that created the contract. It is up to them to explain it, not the board. Anthony wants to understand the contract; the board should be knowledgeable of the content of the contract before sending it out to the membership. He has questions about some of the content. Dan stated that the board needs to say yes themselves to the contract. If the board does not feel comfortable with the contract, it should not be sent out. Randy stated that the board does not have to unanimously agree on anything. You can call the vote now and if you have questions now, ask them. He continued that he hasn't heard any questions asked. Bruno added that we are just starting a process. We are protecting our assets. Ski is such an important asset to the community. We are giving the membership the opportunity to make a decision on the contract. Ed stated that this has been worked on for three months. They were chosen to negotiate this contract with Recreation Management. He is willing to answer any questions. Anthony is saying that the board members should be comfortable with what they are agreeing to send out to the membership. Ed reiterated that if any board members have any questions to ask now before property owners time and he will answer them. Anthony asked about the rental policy, if it changes would we renegotiate? Ed answered that yes, it would need to be renegotiated. If any changes occur to policies that don't affect ski, then renegotiations would not take place. Gerhard added that what ever legal framework is put in place by the townships regarding short term rentals, the ID Pass Committee will have to revisit their recommendations. Ed stated that if the township ends short term rentals the ski business would die. They don't think that this will happen, but it is a possibility. Peter asks about a section on page 5. Ed explains that Recreation Management is not responsible for major repairs to the assets the Community owns on the mountain. He added that we have ski capital reserves. Discussion ensued about what Recreation Management pays for and Masthope Mountain pays. Ed explained that Recreation Management go above and beyond for the community. With a long-term contract, Recreation Management would be willing to invest in the Mountain with a short-term contract they would not be. Anthony asked if the second bridge contract was \$70,000. Ed answered no it is \$50,000. The first was \$70,000. In the proposed contract it would be \$50,000 with a CPI escalator.

Bruno addresses the community management contract. Ed explained that Maria Porter brought up the contract at the last meeting. When they looked into the contract after that meeting, they realized that it expired. They will renew the contract with same terms that will expire April 30, 2020. Ron explains that there were years that Recreation Management worked without a contract in place. Ron and Dan eventually worked out a contract years later. RMC were doing this to help. Randy added that their first year they did not get paid. Dan added that was because the mountain was in such a hole financially.

Property Owners Time:

Jerry Jacobs 210FW-Being a member of the SKI RFP Committee, he disagrees with most of what Ed said. He did give them the proposed contract to review and they were told that there

was already a contract in place for next year. If there is a contract in place for next year, why are we rushing into a twelve-year deal? Why can't we wait to get input from the committee? Paul Purcell gave several suggestions. Paul put out his suggestions for the committee. Jerry continued that he is not against the contract, but he is against the way it was done. If there wasn't enough information given to the Ski RFP Committee how were they able to come up with a contract? Ed explained that it is a four-year contract with the option to renew for up to twelve years. Ed made the mistake of sharing the proposed contract with that committee. He continued that Paul gave a suggestion for a contract that was so off base that it was dead in the water. Jerry stated that if meetings were held like the committee wanted, they could have worked on Paul's suggestions. Ed stated that they said Paul's suggestions were off base. Jerry argued that no the committee didn't say that. Ed said that. Ron Schmalzle added that they are not interested in going into March next year without a contract in place. He explains that this has to go for a vote for November. There was further clarification explaining that this proposed contract would begin next ski season, not 2019/2020. Randy added that Recreation Management offered to meet with the SKI RFP. They were told that the committee did not want to meet with them. Jerry stated that was not true. The committee said that they were not ready to meet with them yet. Bruno reiterated that the mandate of the committee was not the lease. Jerry feels that the Contract Committee went behind the Ski RFP Committee's back. Ed stated that the RFP is at least 2 years out. Jerry asks again where did they get their data for the contract. Ed answered that it is a standard lease agreement. They don't need data for a standard lease. They need data for an RFP.

Rich Seidel 578MR-Asks about the house on Powderhorn. Randy answered that some have looked at it. It is going to be remarketed. There are no lights at the recreation courts, what is the status? Randy answered that they are not putting lights down there at this time.

Leatrice Langer 458MR-She suggests that they have more townhalls on the ski contract. Ed stated that they are going to post the contract for everyone to view. They can email Ed with questions. She would like something in the Weekly Messages about pedestrians walking against traffic for safety. She addresses the window coverings in the lounge and their poor condition. She has been pointing this out for years. She asks about the sign on Beisel Road. Randy answered that Honesdale National Bank will be taking it over.

Mike Seyfried 157MR-He thanks Dan and Michele and all board members for their hard work. It is hard to keep things on an even keel especially when there is contention. Mike continued that he wanted his son to grow up in a nice community. His son lifeguarded in the community now he is a professor at Columbia University. He wants to see the people of the community to stay united. He thanks Recreation Management for all they do. Bruno explains that the board is running a small town.

John Grandy 6CM-He explains that you bike with the flow of traffic. He asks why we are voting capital reserves versus operational. Gerhard explains that in the past the surplus went into capital reserves. On advice of our auditor the community should say where the surplus should go. The IRS looks at capital and operational funds differently and we run the risk that operational surpluses could be subject to income tax if the community does not vote. We are looking for ways to be put into the bylaws clarifying this procedure. John asked why the accountant doesn't make a recommendation. The accountant's recommendation is to let the community decide. Randy added that it is UPCA mandated. It is a formality at this point.

Sheldon Langer 458MR-He explains that there is also a Ski Committee that gives them feedback on the mountain.

June Carrozza 525MR-How long have renters had such a large affect on ski? Randy answered forever. Renters have increased throughout the years as costs have. She asked if this could be a legal issue. Randy said that it could be. The township has to make an amendment to the ordinance to allow short term rentals. If the township decides to ban short term rentals it will have a significant affect on Recreation Management and on the community. June understands the pros and cons of rentals in the community. Ron Schmalzle explains he has been the chairman of the hotel tax board before becoming a commissioner. This is a major ruling within the Poconos. He is working with the solicitor of the county and Lackawaxen Township on verbiage to give the communities the power to decide whether or not to allow short-term rentals. Tink Wig does not want short-term rentals. There are no hotels nearby. The ski business receives between \$250,000-300,000 from renters. The Masthope's food and beverage receive approximately \$75,000-\$100,000 from renters. Rentals are a very complicated issue. There is a clause in the ski contract that would allow the contract to be terminated if something changes regarding rental status. Ron explained that they would want out if rentals were disallowed because they would lose so much money. This may not cause ski to shut down, but it would cost the community a lot more money to operate ski. It would change the dynamic of how ski could operate. June asked how do they know the data on renters. Ron answered that every renter that purchases a ticket, they are defined. Their system identifies them. Anthony asks at what level is this decision at this point. Randy and Ron answered that it is at the township level. Ron feels that it is going to be given back to the communities as a conditional use agreement. Randy explained that if it does go to a conditional use, property owners have the right to attend that meeting and voice their opinion. Sheldon shared a point of information; the supervisors did meet on this in an executive session. Randy explained that it is a big legal issue. June asked about the watermain and if this is a Masthope project. Randy answered that it is a Masthope project however the maintenance is built into the capital reserves. It is not something that will occur within the next five years. Randy explained how the capital reserves work. If something major were to happen in the community, they could charge owners an assessment. Jim Fox explained that the community put money away for the culvert on Falling Waters and did not have to pass on a single large assessment to the community.

Herman Matfes 207FW-Recreation Management does a great job running the mountain. He is concerned with the lack of communication from parts of the board. The Ski RFI Committee was supposed to take a strategic look at things. Ed answered that they still are but cannot yet. The data is not available currently. The contract committee's job was to create a bridge contract. Herman continued that there was a lack of communication between the operating and strategic groups. We are witnessing lack of communication between board members. You can see how some have no idea what some of the others are doing. Ed answered that this is not uncommon. Herman asked if there was a reason why all the members weren't involved with the creation of the contract. Why couldn't other members give input. Ed answered that the members were given the contract a couple of weeks ago. The committee was formed to do the negotiations. Then they bring it to the board, and finally to the membership. Herman continues that with the townhalls and the members questions and comments regarding the contract, would their feedback be taken into consideration? Ed responded that the contract would be voted on as is. Herman continued that they solicit feedback but are not going to take any suggestion into consideration? Gerhard added that they do get feedback from property owners that attend meetings. To take selected information and incorporating that into a contract is not efficient. Herman explained that he feels that the board members should be able to give feedback as well as the property owners to matters at hand before the contract if finalized for a vote. There may be good suggestion given that should be put into the contract.

Ed explains that we are bringing this to townhalls for questions on the contract. If it needs to be amended it could be after four years. Bruno explains that just because one person may want something added to a contract does not mean that it should be added. Eugene asked why we don't have townhalls before things are presented to the board. Ed answered if we have townhalls about every contract, we will never get things done.

Rich Seidel 578MR-Years past, the lifeguard would gather kids and have a rock gathering contest at the beach. The kid with the most rocks would win an ice cream. He asked if there was any progress on changing the burning rules in the community. He would like burning to be permitted 7 days a week, Labor Day through Memorial Day. Peter said the committee would further discuss it. Rich asked about the propane tanks and if any rules have changed. Peter answered that nothing has changed at this point.

Jerry Lennon 132MR-Is there any timing challenges with the ski and community management contract and are they connected in anyway? Ed answered no and that they are two separate contracts.

Jerry Jacobs 210FW-Regarding capital, if the reserves are well funded and we have a surplus, can we pay down any of our loans? Randy answered that is an issue that would be voted on by the membership. The membership will always need to fund the reserves. If there was a surplus it could possibly reduce dues. Gerhard added that the reserves are currently underfunded. Dan added that we have a lodge loan, ski loan and beach/river park loan. We have collected surplus amounts on these loans. The board then can approve the surplus amount collected to be used on capital purchases for that specific area or they can approve to pay down those particular loans. Gerhard clarifies that they are loan surpluses not reserves. Randy clarified that if there are surplus funds, the funds can only be used for those designated areas.

Mike Seyfried 157MR-Asks for clarification on the revised covenants. Ed explains that this process will take years. There is only a yes vote. Once a vote is sent in, it is taken off the outstanding list. The house could get sold to a new owner, if the old owner voted, the old owner's vote still stands.

Mary Apuzzo-She clarifies that there are 11 board members. Ed explains that the executive board does not vote on anything. The executive session, after the board meeting is when all board members attend but it is a closed session discussing legal or personnel matters. Randy added the executive committee is the president, vice president, secretary and treasurer. Management may reach out to the president first for direction if something happens unexpectedly and then they would contact the rest of the board. Ed uses the example of the heating system going down and needing immediate approval to move forward. Ed would then put together an electronic motion and send it out to the board. Bruno explains how they memorialize the electronic motion at the next board meeting.

Jerry Ferraiuolo-He asked why does this contract have a fixed four years? Why can't we wait until the renter situation is resolved? We are asking the membership to vote in November. Why can't we move the vote to March? That way we could collect more data. Ed answered that their current contract would be expired. Ron answered that they are not interested in another one-year contract. They will not wait until March to see if they have another contract. Randy explained that if he found a snow cat for sale would he invest money if they did not have a long term agreement. They are not going to invest money in equipment for a one- or two-year contract. Ed explains that the board is only going to vote on sending this contract out to

the membership for a vote. The membership votes on the contract. There will be at least one townhall explaining the contract.

John Grandy 6CM-He noticed another antenna went up on the cell tower. Is that another phone company? Randy answered that yes; it is another company on the tower. He was contacted that Sprint would be joining the tower.

MOTION 01:06:22:19

Whereas the Masthope Declaration of Protective Covenants, Restrictions, Exceptions, Reservations and conditions has been in effect for more than 40 years, and

Whereas the community's Document Review Committee has been working on a new Declaration with help from legal and community experts

Therefore, be it resolved that the Masthope Mountain Community Board of Directors approves the communication of the new draft Declaration to the community for feedback and comments prior to starting the voting process for the document. The communication shall include the setup of web enabled access to the document by July 1, 2019, and a town hall to be set up in August.

FIRST: ED MCCLARY

SECOND: BRUNO DEVINCK

MOTION PASSES: FOR 11, AGAINST 0

MOTION 02:06:22:19

Whereas the Masthope Environmental Control Officer (ECO) works closely with the members of the Environmental Control Committee (ECC) to uphold all environmental rules and regulations of the community, and

Whereas the current appeals process for decisions of the ECO/ECC is a direct appeal to the Board of Directors,

Therefore, be it resolved that the Masthope Mountain Board of Directors approve the establishment of a new, standing, Environmental Control Appeals Committee. The members of the new committee shall be appointed by the Board of Directors, and the committee shall consist of a committee chairperson, plus six (6) members in good standing. No member of the committee can be the ECO, or be a member of the Environmental Control Committee or the Board of Directors. No special professional background or experience is required to serve on this committee. Acting in accordance with the environmental provisions of the Declaration, the Bylaws and resolutions the board may adopt as part of the Rules and Regulations, the Environmental Appeals Committee shall decide appeals on environmental matters as defined in these documents. A minimum of three (3) committee members is required to hear and act on an appeal. The establishment of this committee shall be seen as a first step in the environmental appeals process and shall not take away the board's discretion to hear a

final appeal on environmental matters. Citations will continue to be appealed to the existing Appeals Committee.

**FIRST: RICH NEIDKOWSKI
SECOND: DAN CLARK
MOTION PASSES: FOR 11, AGAINST 0**

MOTION 03:06:22:19

Whereas the Document Review Committee has proposed a motion for the community to vote on bylaw changes to change the Budget Committee to the Financial Committee

Therefore, be it resolved that the Masthope Mountain Community Board of Directors approves the motion to put to a vote in the November General Membership Meeting.

**FIRST: GERHARD BUHLER
SECOND: MICHELE TORRE
MOTION PASSES: FOR 11, AGAINST 0**

MOTION 04:06:22:19

Whereas the current Management Agreement between Masthope Mountain Community and Recreation Management Corporation needs renewal

Therefore, be it resolved that the Masthope Mountain Community Board of Directors approves a new management agreement for the period of between May 1st 2019 to April 30th, 2020.

**FIRST: BRUNO DEVINCK
SECOND: FOSTER MCCOY
MOTION PASSES: FOR 11, AGAINST 0**

MOTION 05:06:22:19

Whereas the ski operation will be running without a multi-year contract for two years and there is a need to return stability and certainty to the ski operations to allow for future investment in the same

Therefore, be it resolved that the Masthope Mountain Community Board of Directors approve sending the contract negotiated between the Ski Agreement Committee and Recreation Management that has been reviewed and amended by both parties attorneys to the membership for a vote to approve or reject at the November GMM meeting.

**FIRST: ED MCCLARY
SECOND: FOSTER MCCOY
MOTION PASSES: FOR 11, AGAINST 0**

**Public Meeting Adjourned 11:50am.
Executive Session began 12:00pm.
Executive Session ended 12:07pm.**

Meeting Adjourned 12:07pm.

Treasurer's Report for Period Ending May 31, 2019
Unaudited

Collections - YTD

	May 18	Apr 19	May 19
Total	2043	2039	2038
Billable	1745	1719	1718
Paid in Full	1316	1621	1334
Percent	75.4%	94.3%	77.6%
Outstanding - Lots	429	98	384
Outstanding - Dues		\$164,900	\$645,063
Total Bad Debt Lots	53	31	31

Unrestricted Income and Expense - YTD

	May 18 YTD	Apr 19 YTD	May 19 YTD
Revenues to date	\$1,969,955	\$2,744,370	\$2,143,612
Expenses to date	\$250,512	\$2,630,957	\$221,324
Net Surplus (deficit)	\$1,719,443	\$113,413	\$1,922,288
Margin (Net/Revenue)	87.3%	4.1%	89.7%

The Summit - YTD

Revenues to date	\$82,388	\$1,657,458	\$98,030
Expenses to date	\$130,588	\$1,527,781	\$154,760
Net Surplus (deficit)	(\$48,200)	\$129,677	(\$56,730)
Inventory		\$30,834	\$48,928

The Market Place - YTD

Revenues to date	\$36,141	\$464,893	\$42,627
Expenses to date	\$59,442	\$522,251	\$55,499
Net Surplus (deficit)	(\$23,301)	(\$57,358)	(\$12,871)
Inventory		\$35,704	\$28,682

Summit/Market Net Surplus (Deficit)

	(\$71,501)	\$72,319	(\$69,602)
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COLLECTION CHART - YTD

