

Meeting Minutes
Town Center Owners Association, Inc.
Annual Meeting
2:00 PM, Tuesday, October 7, 2014
Market Place Building #204

1. Roll call and determination of presence of quorum.
 - a. Attendees: Ryan Hamilton, Bill Simkins, Scott Johnson, Greg Iszler, Cheryl Ridgely, John Romney, Erik Morrison, Kitty Clemens, Karly Bjella, John Seelye, Bea Probst, Denis Jones, Jeff Saad, Heather Budd, Laura Bell, Kenneth Lancey, Dawn Smith, and Mark Robin
2. Proof of notice of meeting.
 - a. The meeting notice was sent out with annual assessments and posted on the website.
3. Reading of minutes of preceding annual meeting held on October 8, 2013.
 - a. Ryan Hamilton read through the preceding annual meeting minutes. He gave a recap of the bleacher agreement, recycling bins, increased traffic on Ousel Falls Road and the traffic calming efforts that he has been working on with Jack Schunke at Morrison-Maierle.
 - b. Heather Budd suggested that an email would be the best way to get the word out to truck drivers, contractors, etc. who are working up at the Yellowstone Club and remind them of the 25mph speed limit through Town Center.
 - c. Denis Jones asked about who is going to pay for the repaving of Ousel Falls Rd due to all of the heavy truck traffic
 - d. Hamilton responded that Ousel Falls Rd is maintained by an Rural Improvement District (RID) managed by Jack Schunke at Morrison-Maierle Engineering in Bozeman.
 - e. John Romney suggested that we figure out how to make the speed dips happen.
 - f. Mark Robin suggested that stop signs be considered at each intersection along Ousel Falls Rd throughout Town Center, especially Aspen Leaf Drive. That would force traffic to slow down and stop. This should be explored in greater detail, including any unintended consequences, including increased noise from engine braking, idling issues with a line of vehicles, and start-up and slow-down noise (diesels, heavy trucks, etc.). Solving one issue may create others.
 - g. Cheryl Ridgely suggested that the TCOA invite Jack Schunke to the next meeting so he can present on the RID and the steps that he is taking to make Ousel Falls Rd safer.
 - h. Hamilton noted that there will not likely be a turning lane on Hwy 64 anytime soon at the Huntley Drive entrance to Town Center, close to Roxy's Market. Traffic counts are currently very low and requirements are high for a light or turn lane, there simply isn't enough volume along Highway 64 at this intersection to warrant these items. MDT is the decision maker on this and they can be swayed by the public. Hamilton will contact Jack Schunke again after this meeting to discuss Town Center's concerns with the increased traffic on Ousel Falls Rd.
 - i. Laura Bell asked about the status of the rec center and Romney gave a summary of the current circumstances.

- j. Kitty Clemens requested an amendment to the 2013 annual minutes to include the size of the loan from Simkins Holdings, LLC (\$374, 000); the interest rate (6%) and that Bill Simkins stated that the accrued interest may not have to be repaid. (NOTE: The loan amount of \$374,000 includes accrued interest).
 - k. Clemens motioned to approve the minutes with the amendment and Scott Johnson seconded the motion, minutes approved.
4. Report of officers
- a. Report on any new Resolutions, Consents, or Leases
 - i. Resolution regarding carport and/or parking structures on TCOA-owned parking lots
 - 1. Conversation ensued regarding the parking easement agreements with TNG, LLC (John Romney) and carports on TCOA-owned parking lots. It was noted that TNG will be responsible for any increased property taxes due to the addition of the carports, per the easement.
 - ii. Bleacher agreement with Big Sky Events, LLC (one more year for PBR and bleachers in TC)
 - 1. Hamilton talked about the Bleacher agreement, it expires after the 2015 PBR event and it is undetermined as to where the bleachers or the PBR will be moving to, if at all.
 - iii. Update on ownership of Town Center Park
 - 1. Town Center Park, Lot G Block 5, is 3.2 acres and it is currently owned by Simkins Holdings, LLC. One possibility is that the Simkins could reserve the west half of the lot as public open space and then possibly follow the public processes to pursue an exchange of open space with a corresponding acreage in a portion of the 4.6-acre Neighborhood Park A south of Cottonwood Crossing.
 - 2. Clemens mentioned that Simkins own the land at Town Center Park, and that the TCOA pays to maintain the park, and that park rental fees for events do not cover the cost of park maintenance.
 - 3. The cost of maintaining the park, watering the grass and replacing dead grass from the hockey rink each spring are all very expensive.
 - 4. Hamilton mentioned that the TCOA is irrigating with potable water, the Big Sky Water & Sewer District (BSWSD) has a tiered rate system and that the TCOA pays the top tier rate due to usage. The TCOA needs to obtain an easement from Boyne to bring the treated wastewater to TC parks. Hamilton has a meeting with Ron Edwards at the BSWSD to discuss possible solutions using grey water.
 - 5. Romney asked if there are any issues with children playing on the grass where treated wastewater is used. It was noted that grey water is presently used to irrigate the community park and the golf course.
 - 6. Clemens mentioned that many parks around the country use treated wastewater and that we could also be helping the BSWSD with discharge issues.
 - b. Review of budget
 - i. Karly Bjella read through the budget, the TCOA follows accrual accounting
 - c. Questions about budget

- i. Johnson asked about what the triggers are for someone to start paying once construction is completed.
- ii. Hamilton mentioned that the TCOA begins assessing each lot when it has been purchased from Simkins Holdings, LLC (master developer of Town Center). The initial assessment is for unimproved property (which is 20% of the improved rate), and the full assessment upon completion of the project/building.
- iii. Clemens asked if the TCOA is paying to plow the grocery store parking lot
- iv. Hamilton responded and said that the grocery store is paying dues at \$2.08 per square foot, like all other commercial properties in TCOA.
- v. Johnson asked what the hospital is paying.
- vi. Hamilton responded and said that the Big Sky Medical Center (BSMC) is currently paying the unimproved rate (which is 20% of the improved rate), as they have since they purchased property in Town Center.
- vii. Discussion continued regarding the assessment rate that the hospital will pay in the future. Hamilton responded that they will probably end up maintaining their own 7+ acre campus due to their unique maintenance requirements, especially during the winter.
- viii. Ridgely mentioned that the hospital cannot participate in the light lease program that the TCOA has with NorthWestern Energy because they have special beacon lights on top of the poles (for the helicopters), so the BSMC will own all of their parking lot and site lights. BSMC is estimating a late fall 2015 opening date.
- ix. Lancey mentioned that it might be helpful to have a breakdown of the site services number as it is getting fairly large.
- x. Erik Morrison's time is paid by the TCOA for the Farmers Market, Christmas Stroll, social media, and many other events and activities.
- xi. John Seelye asked as Town Center grows, will dues increase?
- xii. Bill Simkins responded, the TCOA should have economies of scale as Town Center grows, so hopefully dues will not go up. TCOA will make every effort to keep dues as low as possible.
- xiii. Greg Iszler mentioned that there is a significant distance between the two areas of development in Town Center now. His need for more equipment has increased due to the expansion of development and the distance between the two areas. This has contributed to the cost increase.
- xiv. Hamilton mentioned that all of the contracts with Rocky Mountain Townworks are in the TCOA corporate notebook.
- xv. Dawn Smith asked how the carports are assessed.
- xvi. Hamilton mentioned that there are no assessments for the carports, but that TNG, LLC will pay for any increase in property taxes on that TCOA-owned parking lot, per the easement.
- xvii. Romney stated that the carports are available for use by his residential rental tenants.
- xviii. Clemens said that she sees the carports as visual pollution with boats hanging over the sidewalks, and misc. debris. She said that the TCOA CCR's state that there is no overnight parking in commercial lots.

- xix. The loan from Simkins Holdings, LLC is approximately \$310,000, the interest rate is at 6% and the accrued interest is approximately \$87,000 for a total of approximately \$397,000.
- xx. Lancey asked if TCOA is paying on the loan.
- xxi. TCOA responded that it is not currently making loan payments on a regular basis, but a loan payment has been made in the past, and, this loan is accruing interest.

5. Report of committees

a. Architectural Committee update

- i. Hamilton gave a quick review of Roxy's Market, the BSMC, the Brewery/Crossfit building, Lot B Tower Building – opening this winter, Lot E - starting construction is the spring and should be open by next winter, Cottonwood Crossing South – finishing construction soon and should be ready for occupancy November 2014.
- ii. Clemens asked about the architectural committee, inquired if minutes are taken, and if TCOA has meetings documented for TCOA owners to review.
- iii. Hamilton responded that the architectural committee does not currently take minutes and the committee is made up of himself, Bill, Tom, and Mitch Simkins.
- iv. Ridgeley mentioned that the TCOA's architectural review on the hospital project was very thorough.
- v. Clemens mentioned that the architectural committee should discuss and follow up on current covenant violations.
- vi. Hamilton mentioned that the TCOA does not have a covenant enforcement committee but he could look into the process for setting up a new committee.
- vii. Robin mentioned that in the past a phone call to Hamilton has worked when any covenant violations were noted.
- viii. Seelye suggested that it might be the right time to set up a more formal architectural review committee. This might save time in the future and everyone would go through the same structured process.
- ix. Budd asked about Town Center lighting, and mentioned that Roxy's looks like a spaceship with lights, and how will the Christmas lights look on such a large building, she is concerned that Town Center could start looking more like an amusement park the bigger it gets.
- x. Hamilton mentioned that Town Center is dark sky compliant and that the TCOA cannot control if business owners choose to leave their lights on over night, but that the light emittance will increase the more Town Center builds out.
- xi. Ridgeley mentioned that the lighting review is very thorough and complies with the zoning regulations.

b. Town Center updates

- i. Hamilton skipped this section as projects are mentioned below.

c. Events to support commercial district, enhance residential area (quality of life, property values)

- i. Suggestions welcome on current and future events

1. Hamilton gave a rundown of Town Center events, hockey, ice skating, farmers market, concerts, etc. He mentioned that owners should give Erik Morrison a call with any event ideas or feedback.
- ii. Marketing Big Sky and Town Center through events
 1. Hamilton mentioned that events bring people to Town Center. For instance, the recent homecoming parade, that is good for Town Center businesses and good for the community.
 2. Robin noted that August 1 is the busiest day of the summer for the Hungry Moose. He has heard complaints from farmer's market vendors that the PBR really disrupts their schedule and they lose a lot of money by not having that market in Big Sky at the end of July/early August.
 3. Hamilton heard that the PBR might move to Thursday and Friday next summer so it might not even be an issue with farmers market.
- d. New businesses since last newsletter
 - i. Alberto's Authentic Mexican Cuisine, East Slope Outdoors, Rhinestone Cowgirl, Roxy's Market, Bozeman Deaconess Health Services, Creighton Block Gallery- Contemporary Art, Big Sky Shirt Co.
- e. Work with Big Sky Chamber of Commerce
 - i. TEDD/TIF
 1. Hamilton gave a summary of what the TEDD could do for Big Sky. The TEDD committee is planning on a public engagement process in the future and Big Sky community members will be called upon to write a letter of support.
- f. Twitter, Facebook, and Events
 - i. Events & Social Media Manager, Erik Morrison
 2. Morrison asked that business owners contact him with any input.
- g. Project Update (Present and future projects)
 - i. Roxy's Market and Cafe
 - ii. CrossFit & Brewery Building
 - iii. TNG Tower Building
 - iv. Big Sky Medical Center-Ridgeley mentioned that depending on how the winter goes for the construction crews that will affect their opening date next fall. They are going to host a job fair in 2015 to hopefully attract and employ a lot of Big Sky residents.
 - v. Cottonwood Crossing South Condos- Romney mentioned that the units will be ready for occupancy in November, his target renter is year-round, salaried employees. They are all two-bedroom units. His goal all-along is to provide housing for people who work in Big Sky.
 - vi. Hotel - Simkins mentioned that he and his brothers are in the process of designing a hotel, it will probably be a Marriott brand, 115 rooms, they are 2/3 of the way done with the design process, and they are looking for an investor. A potential operator has been selected who manages hotels in Jackson Wyoming. Hamilton mentioned that Simkins are taking 9 lots to final plat and the hotel lot and other commercial lots will be available for sale possibly this spring.

- vii. Future: Lot E1 - Romney mentioned that TNG is starting design of the building now, it should be open by November 2015 and it will be the same team that built the East Slope building; Bechtle Architects and Rotherham Construction.
 - viii. Rec Center – Hamilton mentioned that a possible space for the rec center could be at the former Morningstar park (Neighborhood Park A), or the gravel parking lot east of Center Stage at Town Center Park. Town Center doesn't know where it would go, but there are a few options in Big Sky and Town Center. Each year that goes by it will be harder and harder to find space for a facility like this as community growth and development continues.
6. Election of Directors (None of the directors are up for election at this time)
- a. Hamilton mentioned that none of the directors are up for election at this time. The annual meeting is the only meeting held each year. Because the TCOA continues to be managed by the master developer, they don't have the need for additional meetings. The TCOA engaged the Essentia HOA when a developer purchased the development rights because it felt like the right thing to do to get the input from the immediate neighbors/owners.
7. Unfinished Business
- a. Nothing was noted
8. New Business
- a. Clemens suggested forming an architectural review committee. She distributed photos of potential covenant violations within TCOA and noted that she believes these adversely impact the quality of life in Town Center.
 - b. Seelye followed by saying that Clemens's comments are valid especially considering the carport structure. Each association under the TCOA needs to put more pressure on their residents, and now is the time to address these issues.
 - c. Hamilton mentioned that he will setup a meeting with the property management companies who are in charge of HOA's in Town Center to ask them to be more diligent with covenant enforcement.
 - d. Seelye urged everyone to file a police report if they see any vandalism or graffiti.
 - e. Clemens noted that the Big Sky Chamber can send out notifications via email to warn Big Sky residents of potential crimes if needed.
9. Adjournment – 4:15pm