



## **BOARD OF DIRECTOR MEETING MINUTES**

**July 9, 2020**

**2:00 PM Nevada**

**Conference Call**

**CALL TO ORDER:** Sheri called the meeting to order at 2:10 pm Nevada

**ATTENDING MEMBERS:** Sheri DeMott, Rosann Krausch, Lynn Larson, Gayle Barnes, Leo Basch, Mike Charlton, Donna Mooers

**DETERMINATION OF QUORUM:** Yes

**OLD BUSINESS:**

**APPROVAL MINUTES:** December 2, 2019 minutes

Lynn motion to approve. Motion carried.

### **TREASURER'S REPORT:**

**Checking** \$15,466.36 a/o 6-29-2020 cash on hand with water, trucks and Mag paid.

### **CD'S**

0079	3 month CD	\$27,427.30 a/o 4-14-2020
0061	6 month CD	\$26,565.45 a/o 4-14-2020
9050	24 month CD	\$64,022.93 a/o 5-14-2020

Total: \$118,015.68

A profit and loss report from Jan – Dec 2019 and Jan-June 2020 attached sent to Board & ARCOM.

**Lots sold in 2020** 59, 70, 86, 96, 103, 160, 208

**Pending:** 6, 18, 20, 46, 58, 88, 154, 166, 168, 177, 183, 186, 187, 193, 218, 239, 240

Sheri asked Leo to comment on construction requirements and can they be posted on the web site.

Leo drafted a letter looking at what ARCOM requires in a building project. The document was sent to everyone. If appropriate, Leo asked the form be posted on the web so owners can use it as a tool for what is needed to be submitted before construction. The form is a check list for the member where the past list done in 2007 was for ARCOM use.

Presently there is nothing but a signature of approval. With the form all areas of requirements are identified and noted by the ARCOM member. The form is complete and filed with the request showing ARCOM covered all necessary areas.

Sheri commented it may solve problems with construction before approved. Gayle added, as an ARCOM member, it should help not only ARCOM but also members.

Rosann wants more clarity regarding conex boxes. A gentleman looking to buy a lot approached her questioning if a prefab home would be acceptable. Others agreed definitions need strengthening.

Leo asked what the process was in changing governing documents and can they be changed.

Donna explained.

1. The committee writes changes.
2. Changes submitted to all members for review, comments.
3. Back to the rewrite committee for "clean up".
4. Final draft sent to members for last review.
5. Once accepted by committee and members, the final draft is sent to the Attorney for review.
  - a. He updates language
  - b. State laws
  - c. County laws
  - d. Federal if they apply
6. Once completed the documents are filed with State and County.
7. Presented to members as accepted

Gayle asked if we can deny the boxes without the rewrite. Yes, since the CC&R's do cover the boxes. The rewrite would just tighten the language.

Donna explained, unless there is a specific law regarding an area of our documents, the law takes precedence. Donna used the example of renters. The HOA can deny anyone from renting their cabin. However, the law would 'grandfather' all present members until they are no longer members. The denial would only effect new owners.

Lynn suggested putting renter guidelines from the county on the web. Sheri asked if there is a form. Lynn will work on getting it on the web.

Lynn and Rosanne discussed tough sheds, pre fabs, using conex boxes as cabins. Sheri stated to put something in writing that defines an item, that is very specific would end some of the challenges. She did not think a tough shed would meet snow load requirements.

Donna stated as each section of the rewrite is done, the Board/ARCOM will review first.

**Roads:** 5 miles of roads in our subdivision

Bordering roads covered both sides

**Cost 2020** Trucks \$3500.00 divided by 5m \$700.00 per truck

water \$308.00 divided by 5m \$61.60 per mile

Per Lara at KCWCD billing is \$4.00 per every 1,000 gallons

Meter reading: begin14584.3 end 14661.3 77,000 gallons used

Mag \$22644.94 divided by 5m \$4528.99 per mile

**Cost 2019** Trucks \$950.00 divided by 5m \$190.00 per truck

Water never charged (this was an error)

Mag \$22021.18 divided by 5m \$4404.24 per mile

We were never billed for water last year or any previous year.

After reviewing the above, Donna stated if the Special Services District does not take over the roads next year, we may have to raise dues to keep up with raising costs. Presently each lot pays \$104 and change for Mag alone. Special Services is talking of charging \$65 to \$70 per lot which would allow us to decrease dues.

Sheri had Donna review the meeting. The Cedar Mountain Coalition brought together people interested in creating a Special Service's District which would take responsibility for dust abatement of roads in the area. Wade Heaton is running for County Commissioner and indicated it would cover over 4600 miles of road in the Duck Creek area only. Members will vote on going with the Special Service District or continuing to maintain our own roads. Sheri added it will be a majority vote and each HOA will go with the final ruling.

Lynn questioned the process. Both Sherry and Donna said yes, blading, watering and mag would be the process.

Anyone not on the coalition email, give Sheri your address. The information will be sent to all members shortly.

Whether ready by this year is questionable.

**Web site:** Posting ARCOM info on web

**Bylaws, CC&R rewrite update:** nothing to report

**Lot clearing:** need updated info

## **NEW BUSINESS:**

### **Other issues, concerns, discussions**

#### **Dues 2020-2021**

proposed increase

\$5 - \$1275.00   \$10 - \$2550.00   \$15 - \$ 3825.00

Donna reviewed the possible need to raise dues. See the section on roads. The Board opted to raise dues by \$15.00 per lot, per year if necessary. Donna to provide costs of insurance, mag past few years.

#### **Street Signs:**

Committee to address problem with Kane County Bert Harris. Rosann asked if Special Service takes over dust abatement, does it exonerate Kane County from any obligation to maintain the roads?

Mr. Harris in a written response to a letter sent to him by Rosann regarding roads he stated Kane county is obligated to maintain the roads in the summer months per B road standards. Roads bladed after snow melts in the Spring. Roads maintained during summer months, concluding work in October.

Sheri explained the maintenance of roads would continue with Special Service District picking up the laying of Mag. She will check to be sure.

Every street sign in our subdivision has been destroyed by the snow plows. Kane County says it is the responsibility of the snow plow agency. Sheri will ask Wade.

## **ARCOM**

Update 223 Leo stated the submitted documents from the owner did not provide enough detail. A letter of denial will be sent asking for more detail.

Gayle stated the plans were a drawing with no dimensions, lot layout, nothing that is needed.

Owner Linda Cavenagh has received the cease and desist order. All construction has stopped. Leo will draw up what is needed and that will be included in a letter to the owner.

Rosanne advised there is no posting on the lot from the county showing they are aware of and approved construction.

Draft Letter proposal Leo to draft a generic letter for future submissions from owner

Number of structures Donna requested the following be ARCOM duties. Insurance asks for number of structures in the subdivision. ARCOM would keep the structure map updated. Show finished, in process, abandoned construction. Add to Bylaws as a ARCOM duty.

Lot clearing could be assigned to ARCOM also. New photos, lots identified, new list, new letters are needed.

Gayle recommended once construction is completed, ARCOM should submit a final statement as such. It could be included in the check list as the final step.

Lynn added his home HOA requires a \$1000 bond, refundable when construction is completed and final review. Donna suggested we know what Kane County requires for building and add it to our requirements. If Kane hands out a final inspection report, possibly the HOA needs a copy for file. We can discuss with attorney if we can require a bond. Leo stated in the CC&R's (possible Bylaws) where ARCOM can charge a fee with submission of documents. Maybe \$35 to \$50 that can be used for legal fees, secretarial salary. Sheri asked ARCOM to write up what they feel would be appropriate and submit draft to the board. Leo offered to take the lead.

## **Dust Abatement proposal**

Refer back to comments listed under **Roads**.

## **Law Enforcement**

Weekend/high volume rent a cop

Per Sheriffs past and present the rent-a-cop must be a commissioned officer who has power of arrest. A security group

does not have power of arrest. They have to call a commissioned officer to assist. Present Sheriff Tracy Glover in favor. He would put proposal out to officers and get their reaction. The hired officers would be off duty, assigned to our area exclusive.

Rosanne described the 4<sup>th</sup> of July weekend at her cabin where 2 young boys tearing up the roads. The noise, the road destruction just after the roads were covered, the danger to others, children playing nearby. Rosann and another member talked with the boys, never to see them again once they left the area.

Leo, who lives next door to Rosann, questioned where the boys came from. They came from lot 234 area, end of street. Gayle added the nightmare that occurs on Redwood on weekends.

Donna suggested at least 2 board members sit down with Sheriff Glover to discuss availability of officers, cost, residency. Officers would have the same authority as on duty: power to cite, arrest, confiscate property. Sheri asked Donna and Rosann will follow up with Tracy.

Donna added during the rewrites, the lot owner should be held responsible for their renters' actions. Gayle stated Duck Creek Pines holds the owner responsible. Member would be given the authority to call in.

Rosann added we need speed limit signs. Referring to her letter to Bert Harris he stated the signs are up and this should be a law enforcement problem. Speed limits lower than 25 miles per hour requires a traffic study.

Signs at other HOA's lists rules and regulations posted upon entry into the subdivision, strictly enforced. Maybe we could have those also. One at the entry of 14 and one at the top and bottom of each of the main roads: Redwood, Bonanza, Empty Saddle.

Lynn added enforcement is a must. It would be worth paying for. Incorporate into Bylaws once decided.

#### Sheriffs' substation

Need a couple of Board members to work on the future rental agreement. Lynn volunteered. Rosanne volunteered. Donna will take lead.

#### Rental committee

Rewrite committee can take a look and make suggestions to start with. Rosann volunteered also. Board agreed.

### **Annual Meeting Date:**

Utah just had its biggest spike with Corona Virus. It was suggested we set up a zoom and conference call. Michael suggested an outdoor meeting at Pinewoods. Sheri advised the weather creates problems.

The discussion went on trying to find a date/time/location for an annual meeting. Several ideas came up that would give all attending an opportunity to ask/answer questions, give and receive information. Have questions submitted that can be answered in advanced. Have an agenda that covers advanced questions. Divide the work load by having one board member be responsible for call in questions, texted questions, emails that would occur during the meeting. Use members, ARCOM and divide the lots assigning lots 1-60 to a specific member. Trying to find ways so that a majority of members could attend and guarantee we are able to cover all questions, issues, and concerns of members. Donna suggested the procedure be in place, questions submitted before a meeting date is set. Questions/answers could be sent out prior to the meeting.

**ADJOURNMENT:**

Before adjourning the Board thanked ARCOM members for attending and their input. Donna made a motion to adjourn. Sheri and Lynn second. The meeting was adjourned at 3:54 pm.