



## **ANNUAL MEETING MINUTES**

**June 11, 2022 11:00 AM**

**Mammoth Creek Road  
Fire Station**

**This copy is for publication on the web. All financial issues have been removed. Financial matters are member only.**

**Anyone seeking financial information must contact a Board Member.**

### **Attending Members:**

Janet Basch	Karen Burke
Heather Carter	Barbara Chilson
Don & Paula Dudek	Ken & Robyn Fernelius
Juanita Good	Carol Larson
Jerry & Kathy Meredith	Katie Orr
Doug & Phyllis Schmiedt	Shelley Stevens
Wayne Thomas	

### **CALL TO ORDER: 11:03 AM**

**INTRODUCTION OF BOARD & ARCOM MEMBERS:** Sheri DeMott, President, Lynn Larson, Vice President, Leo Basch, Director, Rosann Krausch, Director, Donna Mooers, Secretary/Treasurer, Director.

ARCOM Members: Ross Greco, Jared Alvey, Steve Weidner

Sheri announced the Board and ARCOM are working closely together, more so than in the past. The collaboration has been to the benefit of all members.

**DETERMINATION OF QUORUM:** YES

**GUEST SPEAKER:** Jared Alvey DCROA Communication Director  
Our web site is [duckcreekridge.com](http://duckcreekridge.com)

Jared displayed the newly designed web site. All HOA information is on the web and kept updated. Information and new ideas are always being added along with frequently asked questions and answers (FAQ). The site is more user friendly. A member asked for a counter (showing the number of times the web site is accessed). There is a counter. There is also an

area for members to advertise (free to members). Any recommendations, updates, suggestions, changes, let Jared know. The interactive map shows the name of all lot owners. Due to the number of sales, updates maybe a little behind. A member suggested a schedule of events. This web replaced the old system. Financials will not be available yet.

Sheri asked members to let Donna/Jared know ideas, problems so they can work on it. Jared advised there is a contact form members can use.

## **OLD BUSINESS:**

**APPROVAL MINUTES:** SEPTEMBER 18, 2021 Approved

**TREASURER'S REPORT: DONNA MOOERS**

### **Member information only**

After a review of the numbers Donna advised there were 42 new members last year, 19 thus far this year.

The Secretary receives a monthly salary. Some of the other costs of the Association: A CPA who does income tax every year. An Attorney who works off a draw. Legal background is with HOA's. Been our Attorney for over 20 years. Anytime a member has a legal question or if the Board is dealing with a potential legal issue, we talk with the Attorney. Yearly insurance for the Association: Directors and Officers and Property Insurance for lots 113, 114.

The Sheriff substation on lot 114 was originally financed and built by members of the Sheriff's office. Each year a portion of their rent is deducted to reimburse them for the time, material used to build the station.

If you see an officer there and they have time, let them know you are a member and ask if they will show you inside. The building used to house snowmobiles. It now has a kitchen, bathroom, bedroom, living room, holding tank, office. We are working with the Sheriff to eventually bring a resident deputy on the mountain, preferably in our HOA.

### **Sheriff Substation Lot 114 Donna Mooers**

Our lease with the Sheriff was just signed and goes to March 31, 2031. The rent from the Substation will be earmarked to savings.

A year and a half or more the County came in and said they would take over the laying of the Magnesium Chloride. Immediately we were asked about reducing the dues by \$100.00, the amount the County said would be charged each lot owner. To understand our financial situation the meeting was turned over to Leo Basch.

### **Financial past, present, & future: Leo Basch**

#### **Member information only**

## **Lot clearing / Fire updates: Lynn Larson**

Some of the fire personal were going to speak but they were called to a second fire while the meeting was going on. When Donna was setting up at 8:30 am she noticed the guys coming in looked tired. They were coming in from a fire they had been up all-night fighting.

Lynn talked about the “Fire Wise” program. The goal is to have a fire go around your property not through it. Fire is hungry. It is always looking for the easiest way to obtain fuel. If your property is less inviting, less fuel available, the fire will go elsewhere. Fire Wise is pretty stringent regarding trees close to your structure. He took down 5 or 6 trees close to his cabin.

Be sure there are no dead/dying down or standing trees on your lot. These are torches waiting to go up. Brush on the ground, clear it, get rid of it. The Fire Department has programs to help called Chip Feast, the burn pit (there are restrictions on what can be dumped) is also open.

Personally we think we have insurance to cover such a loss but if you see what your property is worth today as opposed to a few years ago, you can lose a lot of your value. Burned lots don't sell as well as beautiful, usable cabins.

In the past Board member Bill Whitlow would go around with other Board members and sometimes a member of the Fire Department, and review every lot. A list was made and the owner was notified and encouraged to get clean up done. If a lot is not cleaned, the Board can hire someone to clear your lot and bill you for it.

Each Board / ARCOM member is being given an area of lots for review. We will then work with the owner to bring the lot into compliance. Leo added he removed almost 20 trees from his lot and now has sunshine on his cabin. He trimmed the trees well above 5 feet and they can now be walked under. It took a few years to do this. It takes time and must be maintained yearly.

A member asked how to tell what is needed. Donna said paperwork will be coming out with information. If needed contact the Fire Department, Forest Service, or one of the Board/ARCOM members to come out to your lot and work with you.

Donna added most people believe fire travels mostly ground level, but a “fire ladder”, dead branches on a tree can cause the fire to run up the tree, across the top and spread faster.

Sheri had Spencer Rollo, Utah Fire Warden, come out and review her property and helped establish a plan. He came back after the fact and signed a certificate showing the lot met Fire Wise. Sheri turned it into her insurance company and it helped.

Donna has stood on her porch 3 times watching a fire: The Shingle fire, Brian Head fire and Unita/Strawberry fire. She detailed not only can you see the fire, you can smell it, hear it, ash lands on you and yet it is miles from you. The sky is black. Sheri talked about being evacuated.

Lynn called attention to lots owned by absentee owners who bought the lot and may live in Pennsylvania. Members are encouraged to let the Board know if you have a lot/lots near you that may need attention.

**Drainage:**

July of last year at least 6 inches of rain accumulated, wiping out several areas in the neighborhood. Four or five hot spots were identified. Meetings were held with Wade Heaton, Kane County Commissioner, and Bert Harris, Kane County Road Department, along with effected property owners and Board/ARCOM members. Letters were also exchanged with the county agreeing, there is a problem, but, they have limited funds and cannot do much. Lynn offered \$5,000.00 to help the county correct the worst areas. Bert Harris came back advising us to use that money to do as much as we can to fix the problem. Should the situation encroach on the county right-of-way, Mr. Harris stated he would do what he could to ensure permits were issued.

Lynn recommended both members and Board work together. In areas where drainage is evident, place rocks around the area to help divert water runoff. Keep culverts cleaned out. They get clogged easily and by keeping them clear the water can move through without overflow.

Wayne Thomas studied a few of the hotspot areas. He found some places where the culvert was crushed. Now the water is running across the road and through someone's property causing damage. Those need repair. The county should have some liability for damaged culverts. Several members came forward regarding the amount of damage on their lot. The problem is throughout the subdivision: Empty Saddle, Arapaho, Bonanza, Redwood, Henry.

Rosann has worked with the county for several years regarding road issues and they are limited in their assistance. Lynn suggested working together we can set up a subcommittee to work with the county, and within the membership, hiring a civil engineer as needed, and working with our Attorney when needed.

**ARCOM updates:**

The Board is dealing with a situation wherein it appears property lines were changed. In 2019, members involved worked with the Association Attorney. We thought the issue was resolved but it appears it is not.

The Board and ARCOM are now reviewing the situation to see what was and was not done, if there are any improprieties in the process of the lines being changed, if they were. The report is the property line was moved 10 feet between 2 lots, which also moved everyone on the road ten feet. The issue appears to be isolated to a side road. The Board decided, since so many members appear to be effected, this is not a member issue but an association issue. Members will be advised the outcome.

Member Phyllis Schmiedt stated the only way the survey could have changed by 10 feet, the subdivision boundaries would change along with all the lots in the area. Two of the surveyors stated they could never find the boundary lines. The plat map is 50 years old and has been on

record for more than that time. All lot sizes are determined by that boundary. The only way this could be changed they would have to change the coordinates.

When the water system came in many monuments were destroyed or covered over. The Board recommends all members have their lot surveyed.

## **NEW BUSINESS:**

### **Other issues, concerns, discussions Trailers, RV's, 5<sup>th</sup> Wheels, et al**

Sheri advised the Board would like to expand the rules. For this year only, RV's etc. can be left on the property for the summer. They cannot be lived in during this time, just parked.

Eventually, if this works, we will have an application process so we can keep track. We don't want this to become a storage place. Just want to allow those members who come and go throughout the season.

Members questioned the many RVs near Pinewood. Those are commercial lots and fall under an entirely different set of regulations/rules.

The question arose from new members how to find reputable contractors. Sheri advised members to sign up with Duck Creek News and/or Duck Creek Village Facebook. Ask those questions and members throughout the area will respond.

Members are reminded to be aware of "seasonal" contractors, those who are there for the season and then gone.

### **2 Members needed to audit books**

The Association would like the books reviewed every year. It is very expensive to have a CPA do it and not required. The Board asks for at least 2 members to review the books. Donna will provide what is needed.

Ken Fernelius, Phyllis Schmiedt, and Barbara Chilson.

### **Yard sale**

The Board received a request by a non-member to use lot 113 for a yard sale. If approved, and, if it works well, they are interested in a yearly use. They have been advised that if there are future times, there will be a fee for use, the lot must be cleaned when finished, and they must carry liability insurance.

Attending members agreed.

### **Elections:**

#### **3 BOARD MEMBERS nominees**

**There are 3 Board seats up for reelection: This year Lynn Larson will be leaving the Board.**

Nominees are: Leo Basch and Rosann Krausch (presently Board members) and Paula Dudek. There were no further nominees. With 3 seats open and 3 members to fill them, the election is final. There is no need for a "ballot". All 3 nominees were approved.

### **ARCOM Suggested Future Change**

Before nominations are made for the 3 ARCOM seats, Donna and Steve explained that ARCOM is now included in all Board meetings. ARCOM is an acronym for Architectural Review Committee. In the past, ARCOM was consulted only when there was construction. But over the years it has become apparent that ARCOM is a vital part of the association that goes way beyond construction.

Leo advised members to view the web site where 3 ARCOM related documents can be found. One is a guideline. One references the CC&R's, (Covenants, Conditions, and Restrictions) and one is a checklist. The Board suggested working with ARCOM in advance. If plan is for next year, start working with ARCOM this year. Leo added that it is not only new construction but also any type of changes: additions, changing the exterior design, coverage.

A member added the ARCOM has been really easy to work with, great suggestions, and responsive

### **3 ARCOM MEMBERS nominees**

All 3 members of ARCOM are up for reelection. Each year we have the potential to lose all three ARCOM members. Donna proposed ARCOM be selected/elected like the Board; two members one year, one member the next year. This helps to retain history, consistency. One member made the motion as such and a second member approved the motion. It was approved and will be placed with the rewrite committee to be included in the Bylaws/CC&R's.

All 3 present ARCOM members were nominated and approved for the year 2022-2023. Ross Greco, Jared Alvey, and Steve Weidner.

### **Lot 113 question on fence/logs.**

Lot 112 will be fenced. The residents behind lot 113 cleaned up the area and made it so the access has been closed. With these changes it leaves two sides on 113 open: Redwood and Duck Creek Ridge Roads. The Board chose to not fence the two sides.

Leo will head-up the lot cleaning crew today. Logs from his property and Donna's are available to be placed on lot 113 if we have someone who can move them. Rakes, wheelbarrows, other tools, drinks are available.

### **ADJOURNMENT: 11:58 AM**

Donna announced the Association was founded in 1973. Next year, 2023, will be our 50<sup>th</sup> anniversary, fifty (50) years being self-governed. Unless there are any objections (there were none) a committee will be set up to work on a 50<sup>th</sup> anniversary party.

Sheri asked for further business. There was none. The meeting was adjourned at 11:58 AM

