



## **BOARD OF DIRECTOR MEETING AGENDA**

**August 29, 2020 10:00 am**

**Pinewood Resort**

**Call to Order:** The meeting was called to order by President Sheri DeMott at 10:34 AM.

**Attending Members:** Sheri DeMott, Lynn Larson, Rosann Krausch, Donna Mooers, ARCOM Leo Basch

**Determination of Quorum:** Yes

**Guest speaker:** Sheriff Tracy Glover and Lt. Alan Alldredge joined the Board for an open discussion regarding the needs of the Sheriff's office, officers, the HOA, and the mountain area in general.

Sheriff Glover stated he appreciated the partnership that exists between the association and his office/officers.

Donna advised the substation lease is coming up for renewal in 2021. The agreement 10 years ago was the old snowmobile shed would be retrofitted by the Sheriffs' office at their cost. That cost would be the rent for a 10-year period, to be reexamined in 2021.

A frustrating year on the mountain. The area has increased over the past five years at least with vacation rentals with camping off the charts and ATV's everywhere. Complaints from property owners indicates the one-time visitor, in general, appears to be here to party, have a good time and then leave with no thought of others.

There are 12 sworn law enforcement personnel. A couple are Detectives, a couple, administrative, which leaves about 8 deputies to patrol around 4300 sq miles. Tracy then listed the various areas in and around Kane County that he and his staff are responsible for along with assisting other agencies when necessary.

Out of necessity this year all deputies are assigned on weekends to Cedar Mountain and areas around 89 and Navajo Lake. Sometimes sending 3 or more deputies into a subdivision can be very effective.

Along with those members already certified as law enforcement, many of the corrections officers, men and women, have chosen to be cross-certified and have gone back to post training for law enforcement certification along with their corrections certifications.

To supplement full time officers, retired Utah law enforcement officers and officers from other agencies around the state have been recruited for part time shifts.

There were several questions/suggestions discussed: police activity posted in the Duck Creek area, retired officers from other states assisting, a resident deputy assigned to the area, the changing attitudes toward law enforcement as a whole, letting the Commissioners know the negative but also the positive, rental issues, Covid and its effects on the area, the increase in fire citations as well as traffic, burglaries, and more. Ordinances can be found at [kane.utah.gov](http://kane.utah.gov). A possible resident deputy someday.

A person can not legally put in road bumps, close off street areas, block the road. The signs like "slow, children at play" are OK as long as they are not blocking the road. The speed limit, whether posted or not, is 25 MPH throughout the subdivision. Sometimes on these roads a person appears to be going much faster than that, but it can be an illusion.

Sheri asked for statistics for our web. As she explained, many times when people do not see a police presence, tend to assume nothing is being done. The monthly statistics of citations issued, arrests made would help to convey a police presence.

A deterrent is always your neighbor. Neighbors watching each other's place and calling the Sheriff when something is amiss are the extra set of eyes needed. Members are encouraged to contact dispatch if they see something. (emergency 911 non-emergency 435 644-2349).

The discussion then turned to off-duty officers camping in various areas of the subdivision such as lot 113 or private lots. The Board reviewed trailer restrictions and would get back to Lt. Alldredge. There was also discussion about renovating the substation for a future residence, purchasing and then renting a residence, the Sheriff owning land and building there.

The Board and the Sheriffs' office both agreed to continue an open dialog and assist each other as needed.

## **Old Business:**

**Approval Minutes:** July 9, 2020 Motion to approve Lynn, 2<sup>nd</sup> Sheri

**Treasurer's Report:** As of 8-21-2020

**Checking:** \$12,938.31

**CD'S**

0079            **3-month CD** \$27,546.96

0061            **6-month CD** \$26,565.45

9050            **24-month CD** \$64,022.93

**Total:** \$131,073.65

**DUES 2020 – 2021** \$140.00

**Lots sold in 2020:** 20 lots sold since January, 2020 6, 18, 46, 47, 59, 70, 86,  
88, 96, 103, 154, 160, 166, 177, 183, 186, 187, 193, 218, 239

Pending: 19, 20, 41, 47, 58, 92, 168, 194

With so many lots selling there was concern the Association is failing its members. Several former members were called and asked why they were selling. Most had to do with age, a few had moved their residence and getting to Utah was a problem. All stated the Board was not an issue. Several wished they had the same Board for their resident HOA.

**Roads:**

**Dust Abatement:** 255 ballots mailed. 52 returned.  
38 voted for and 14 voted against dust abatement. Total 20.3% voted

Sheri attended the Dust Abatement Commission meeting. Some subdivisions do not want to do the proposed process, but they are still using Dustbusters in their respective area. The commission is also looking at possibly chip sealing but that is far off. It appears the program will be assigned to the fire district. Billing will appear on the property tax bill.

**Raising dues:** Raising or lowering dues is contingent on operation costs. At this time there is no reason to raise dues.

**Bylaws, CC&R rewrite update:** Donna reported there are 4 members on the committee. They have finished the review of the Articles of Incorporation. The same with the Bylaws which are almost finished. The committee has started on CC&R, which will take the longest. The committee is made up of Gayle Barnes, Susan Marshall, and Monica Evans, with Donna as the Board representative. The committee is meeting every Wednesday for no less than 1½ hour.

The plan is to finish each document and forward to the Board for input. Then they will be sent to the members for their input. Once the rounds are completed and the final draft is done, all documents will be sent to the attorney for input. Each document will show the paragraph as it presently reads, then an A possibly a B of the new suggested wording.

The original documents were rewritten in 2010, with final in 2011. At that time rentals, roads, basic law changes, were not issues. The committee wants definitions that meet the needs of today. A conex box is a good example. Travel trailers have so many descriptors now, so many designs, we want to be sure there are no questions.

The Board has discussed expending the ARCOM responsibilities. This is a good time to do that.

Rosann brought up rentals, changing laws, and Kane County involvement. Sheri added she would like to see rentals identified. Donna said the committee is in agreement that rentals must provide a valid copy of their rental license.

A cross reference to a particular law will be included when possible.

Rosann asked if we would allow B&B's. They are different then a private rental and can hold more people. Donna said the committee will have to investigate both issues. B&B's may fall under commercial property only.

Bed & Breakfasts may be more desirable since the owner or representative must be on the property.

**Lot clearing update:** The suggestion is to assign someone. Bill & Donna or an additional Board member always looked at what the CC&R's say: dead standing, downed trees. Slash. We also need to look at fire ladders and trees too close together. Fire ladders are branches low to the ground where a fire can climb and reach the tops of trees and then run the tops. Trees too close together prevent good, healthy trees from growing.

Sheri expressed concern that we may be able to cover dead, dying tree removal. She was unsure we would have success with anything beyond that. Her recommendation was to really push what is presently in our CC&R's.

Several ideas, issues, and concerns were discussed. It was determined we should include what can be put in the CC&R's and enforced. Lot cleaning is a yearly issue. We could set up a time frame that also includes "chip feast". Make lot clearing a yearly activity.

The Board planned to review all lots and Donna will send out letters. Firepits need to be certified so they can be included on the check list.

### **ARCOM Redefining:**

- Lot Clearing
- Fire Council
- Construction Overviews

Representing ARCOM, Leo agreed the new tasks could easily fit into ARCOM duties. Architectural standards, set-backs, various items would fit. He could see ARCOM going around the subdivision checking on lots, fire fuels, construction. He would like to see standards in writing. Do a once a year assessment, a periodic review of all the areas.

Discussion included raising the number of ARCOM members to 5. Leo added the smaller number of members could have its problems. With 3 members, 2 could run away with the decision. With 4 members, a divided group could occur. With no more than 5 members it is just as easy to control and prevent a few members going rogue. Written standards would also help curb personal control. A Board member could be a determining factor and if necessary, the whole Board could be called in for a conclusion.

There was concern that no one signed up for any committees on the last ballot. Sheri brought up the fact that many members may be dealing with the effects of the virus: children being home-schooled, people out of jobs, social distancing. She added that by next year things could change and people may have more time to get involved.

One rule for all committees would be to not allow more than one member from the same family/same lot on any committee. Past history has proven this can have serious problems for all members.

A written check list or document of submission could be included on the web site for all construction. Then submissions would be uniform, anything missing would null and void the submission.

Leo then discussed the 3 documents he has been working on.

- The first document is Architectural Review Committee Information and Submission requirements.
  - Supplies the homeowner with who is ARCOM
  - why they are important
  - what the information is for

- A list of some of the CC&R articles.

This will help draw attention to the CC&R's. This form also includes a link to building permits.

The next page is a checklist of items to be submitted.

- The second document Architectural Standards and Evaluation Form
  - Used by ARCOM or members from off the web site
  - Shows owner, address, dates, member evaluating
  - Each item to be reviewed and comments
- The third document
  - This would be a compilation by one member of all input. A final assessment for file.

Being the beginning and end of the process, Donna gave some history as to why the Board secretary is involved. Leo and Donna then discussed a new process.

Build into the Bylaws and CC&R's that the secretary is the first contact who starts the timer. The secretary passes the torch to the ARCOM President. ARCOM takes over and the finished paperwork is sent back to the secretary for Lot filing. ARCOM would notify owner.

Lynn questioned when to call/not call ARCOM. Leo intends to send out a letter to all property owners regarding construction issues, process. Possibly a joint Board/ARCOM letter.

Conex boxes were discussed.

Sheri stated if they look like the house exterior, we should allow them. Rosann's concern is that someone takes multiple boxes and makes them into a home. A member talked with Rosann about putting a manufactured home on his lot.

Boxes that are designed to look like the cabin rather than a metal frame would be more desirable and acceptable.

Size. Single boxes maybe OK but locking boxes together to form a cabin will not.

Prefab structures were also discussed. The fact that Kane County has laws in place may help members/Board in deciding what can and can not be used. With so many possibilities now the Board/members may have to change with the times.

Leo reminded everyone must meet exterior standards, square footage, county requirements which can be built into our documents. It was decided these type of decisions can be built into the updated documents for voter approval.

## **New Business:**

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

#### **Future of Lot 113**

Ideas for lot 113 were discussed Presently the lot looks empty and unowned.

The following items were discussed with eventual input from members.

#### Security

- Fencing
- No Trespassing signs (large)

#### Future Uses:

1. Fire Truck/station
2. Trailer parking/RV parking
3. Mini-mall

Sheri questioned why are members restricted to bringing their camper/trailer for the season and then have to move it every 2 weeks.

Sheri proposed a pull-behind camper, not being lived in, could be left on the lot during the season. Leo added, campers being used to live in would follow the 2-week restriction. Donna questioned year-round residence being able to store their RV's, trailers, campers on their lot. Sheri suggested as long as no one is living in the vehicle why shouldn't everyone be allowed to keep their vehicle on their lot.

Lynn questioned how the restrictions came about. When the subdivision was started trailers were moved in all over the mountain. Most collapsed under snow and all one could see was the destruction. Some associations banned them; others continued to wrestle with them until they finally banned them.

Sheri added the scenario someone coming up from Vegas, using their property to park their trailer and then coming and going from there for the season. Removing the trailer at change of season. If someone violates then they are cited.

As Lynn said, every HOA on the mountain deals with this problem.

Sheri asked for a vote, proposing that we allow people to have their RV's, on property for storage. If being lived in must meet construction or 2-week living restrictions. Motion carried. Donna to incorporate into CC&R's.

### **Selecting Board Members:**

Per the ballot: no one signed up for Fire Wise or the Board. Four signed up for a 3-seat ARCOM.

Lynn and Rosann agreed to another 2-years on the Board. Leo was invited to be on the Board rather than ARCOM. He agreed. That fills all 5 Board seats. The three ARCOM seats are filled by Gayle Barnes, Michael Charlton, and Ross Greco.

**Annual Meeting:** setting the date is continued indefinitely due to virus.

### **Adjournment:**

Sheri asked Leo to assist ARCOM if needed. She then questioned having a Board member as a contact-point for ARCOM and related issues. Leo discussed his ideas regarding the relationship between ARCOM and the Board. Everyone agreed, adding having a Board member to oversee each committee and ideas for a stronger working relationship.

The motion to adjourn was made by Donna. 2<sup>nd</sup> by Lynn. Sheri called the meeting adjourned.